ALVARADO PLANNING AND ZONING AGENDA
REGULAR - MARCH 12, 2026 - 6:30 PM
CITY COUNCIL CHAMBERS - 104 W COLLEGE AVE.
ALVARADO, TEXAS 76009

CALL TO ORDER

Roll Call

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT

This is an opportunity for citizens to address the convened Planning & Zoning Commission of this meeting on any matter. The presiding officer may ask for the citizen to hold his or her comment on an agenda item until that agenda item is reached. Any response from a member of the convened Planning & Zoning Commission to comments related to items not on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future meeting. Citizens may obtain a form to speak by requesting it from the Board Secretary prior to the start of the meeting.

CONSENT AGENDA

1. **Consideration and action to approve Minutes from the 1/15/2026 Regular Planning and Zoning Commission Meeting.**

NEW BUSINESS

2. Public Hearing, consideration, and action related to an ordinance adopting the Comprehensive Plan for the City of Alvarado, including Downtown Master Plan and Park Master Plan.
3. Public Hearing, presentation, and discussion of a preliminary zoning report. (LJA)
4. Public Hearing, consideration and action on the application of MV&A Builders LLC for approval of a zoning change from Single-family Residential (SF-2) District to Garden Home (GH) District on approximately 0.3213 of an acre known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition (aka Missouri Pacific Addition), addressed at 905 and 907 Travis Avenue. (French)

EXECUTIVE SESSION

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council or other Board may convene in closed session to deliberate regarding the following matters: §551.071 Consultation with Attorney. The City Council or other Board may convene in Executive Session to conduct a private consultation with its Attorney on any legally posted agenda item, when the City Council or other Board seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551.

RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

COMMISSIONER COMMENTS

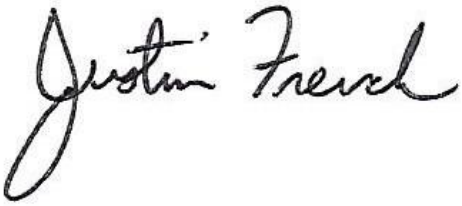
The Commission may make a report about items of community interest during a meeting of the governing body

without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

ADJOURNMENT

I, the undersigned authority, do hereby certify that the above agenda was posted on the bulletin board at the City Hall of the City of Alvarado, Texas, a place convenient and readily accessible to the general public at all times, and said agenda was posted on or before March 2, 2026, and remained so posted continuously for at least three business days preceding the scheduled time of said meeting.



Justin French, AICP
Community Development Director
City of Alvarado, Texas

ACCESSIBILITY STATEMENT
The Alvarado City Hall and Council Chamber are wheelchair accessible. The exit and parking ramps are located in the front of the building. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817-790-3351, FAX: 817-783-7925, e-mail: taylorb@cityofalvarado.org. Please call at least two (2) working days before the meeting so that appropriate arrangements can be made.

NON-DISCRIMINATION STATEMENT
The City of Alvarado does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

Planning and Zoning Management Report
Meeting Date: 3/12/2026
Contact:

AGENDA ITEM:
Consideration and action to approve Minutes from the 1/15/2026 Regular Planning and Zoning Commission Meeting.

BACKGROUND & FINDINGS:
NA

FINANCIAL IMPACT:
NA

RECOMMENDATION:
Approval

MANAGEMENT REVIEW:
Paul DeBuff, City Manager

ATTACHMENTS:
1. 1-15-26 P&Z Minutes DRAFT

REGULAR MEETING OF

THE CITY OF ALVARADO PLANNING AND ZONING COMMISSION

104 W. COLLEGE

January 15, 2026 @ 6:30 PM

MINUTES

The Planning and Zoning Commission of the City of Alvarado met in a regular session on Thursday, January 15, 2026 at 6:30 p.m. in the Council Chambers at City Hall. The following members were present for roll call:

Kelly Richardson
Barbara Fuller
Lisa Deese

The following members were absent for roll call:
Joshua Rendon
Ryan Banister

The following alternate was present for roll call:
David Garay

The following alternate was not present for roll call:
Coleman Reed

City personnel present:
Justin French, Community Development Director

Vice Chairman Richardson called the meeting to order at 6:30 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION AND PUBLIC INPUT
None.

APPROVAL OF MINUTES – Commissioner Fuller moved to approve the December 11, 2025 minutes as written. Commissioner Deese seconded the motion. Motion passed with 4 votes in favor and none opposed.

CONSENT AGENDA – None

NEW BUSINESS
Consideration and action on the application of David Upton, P.E. with Kimley-Horn on behalf of Texas A&M Trust Etal and Alvarado 35/67 LLC represented by Mary Percifield and Jim Makens for approval of the Inspire Addition preliminary plat on approximately 38.036 acres known as Tracts 3 & 4 in the John Dixon Survey, A-214, and Tract 7 in the William BalchSurvey, A-48, approximately addressed at 6881 E. Hwy 67, 602 Percifield Trail, and 5770 S. IH 35W.

Mr. French presented a brief overview of the request. The Commission discussed, then being no further discussion, Commissioner Garay motioned to recommend conditional approval. Commissioner Fuller seconded the motion and the motion passed by a vote of four in favor and none opposed.

Public Hearing, consideration, and action related to an ordinance adopting the Comprehensive Plan for the City of Alvarado, including Downtown Master Plan and Park Master Plan.

Mr. French explained that LJA will not be presenting because the General Land Office needs more time to review and accept the City's milestone submittals in accordance with the Resilient Community Program grant procedures. Vice Chairman Richardson opened the public hearing at 6:52pm then seeing no one in the audience wishing to speak requested a motion. Commissioner Fuller motioned to continue the public hearing to the February 12, 2026, Commission meeting and Commissioner Deese seconded the motion. The motion passed by a vote of four in favor and none opposed.

Public Hearing, presentation, and discussion of a preliminary zoning report.

Mr. French explained that LJA will not be presenting because the General Land Office needs more time to review and accept the City's milestone submittals in accordance with the Resilient Community Program grant procedures. Vice Chairman Richardson opened the public hearing at 6:52pm then seeing no one in the audience wishing to speak requested a motion. Commissioner Fuller motioned to continue the public hearing to the February 12, 2026, Commission meeting and Commissioner Deese seconded the motion. The motion passed by a vote of four in favor and none opposed.

ADJOURNMENT
Vice Chairman Richardson adjourned the regular meeting at 7:00 p.m.

Passed and approved this _____ day of _____, 2026.

_____ Attest: _____

Joshua Rendon, Chairman Justin French, Community Development Director

Planning and Zoning Management Report
Meeting Date: 3/12/2026
Contact:

AGENDA ITEM:
Public Hearing, consideration, and action related to an ordinance adopting the Comprehensive Plan for the City of Alvarado, including Downtown Master Plan and Park Master Plan.

BACKGROUND & FINDINGS:
Statement of Conformity with the Comprehensive Plan / Future Land Use Plan
The City of Alvarado Zoning Ordinance amendments are being prepared concurrently with the City of Alvarado Comprehensive Plan, which includes the City's Future Land Use Plan (FLUP). The Comprehensive Plan establishes the long-term vision for land use, growth, development patterns, infrastructure, parks and recreation, Downtown revitalization, and community character within the Alvarado Planning Area.

At the time of this report, the City of Alvarado Comprehensive Plan is under consideration by the Alvarado City Council and is anticipated to be adopted by City Council on March 16, 2026. The Future Land Use Plan is intended to serve as the policy foundation for zoning and development regulations upon adoption. The proposed zoning ordinance amendments have been developed in coordination with and in reliance upon the draft Comprehensive Plan and Future Land Use Plan, with the intent that the Zoning Ordinance will conform to the adopted Comprehensive Plan upon its adoption. Final zoning adoption will occur following, or concurrent with, adoption of the Comprehensive Plan to ensure consistency between policy guidance and regulatory implementation.

FINANCIAL IMPACT:
None

RECOMMENDATION:
The Planning Advisory Committee and the Technical Advisory Committee have no recommended changes to the proposed Comprehensive Plan.

MANAGEMENT REVIEW:
Paul DeBuff, City Manager

ATTACHMENTS:

1. Ord 2026-XXXX Complan
2. Alvarado Comprehensive Plan 2026

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, ADOPTING THE COMPREHENSIVE PLAN; PROVIDING THAT THIS ORDINACE BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant of Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council previously adopted a Comprehensive Plan to encourage and coordinate future physical development in the City; and

WHEREAS, the City Council retained a professional planning consultant to assist in the preparation of a new and updated Comprehensive Plan for the City; and

WHEREAS, the City Council appointed a Comprehensive Plan Advisory Committee (CPAC) to guide in the preparation of a workable Comprehensive Plan for the City of Alvarado; and

WHEREAS, the CPAC reviewed and studied recommendations made by the planning consultant for the Comprehensive Plan; and

WHEREAS, the CPAC recommended the Comprehensive Plan to the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission held a public hearing and recommended the Comprehensive Plan to the City Council on March 12, 2026; and

WHEREAS, the City Council conducted a public hearing on March 16, in which notice of the meeting was posted, where major issues about the Comprehensive Plan were presented and all persons were given the opportunity to present verbal and written testimony; and

WHEREAS, the City Council considered this testimony and finds the Comprehensive Plan as set forth herein to be in the best interest of the citizens of Alvarado and the public.

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

SECTION 1.

The Comprehensive Plan, including the Future Land Use Plan, Thoroughfare Plan, and all other chapters and maps, which are attached hereto as **Exhibit A** and incorporated herein by reference as if set forth fully at length herein, is hereby adopted by the City as a guide and public policy.

SECTION 2.

That this Plan is intended to constitute the Comprehensive Plan or Master Plan of the City of Alvarado, Texas, for all matters relating to long-range guidance relative to zoning and land use decisions, land subdivision, thoroughfare construction, park and recreation planning, and growth management as authorized by Chapter 213 of the Texas Local Government Code and shall replace all previously adopted Plans.

SECTION 3.

This Ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances, City of Alvarado, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

This Ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Alvarado on this the 16th day of March, 2026.

_____
Jacob Wheat, Mayor

ATTEST:

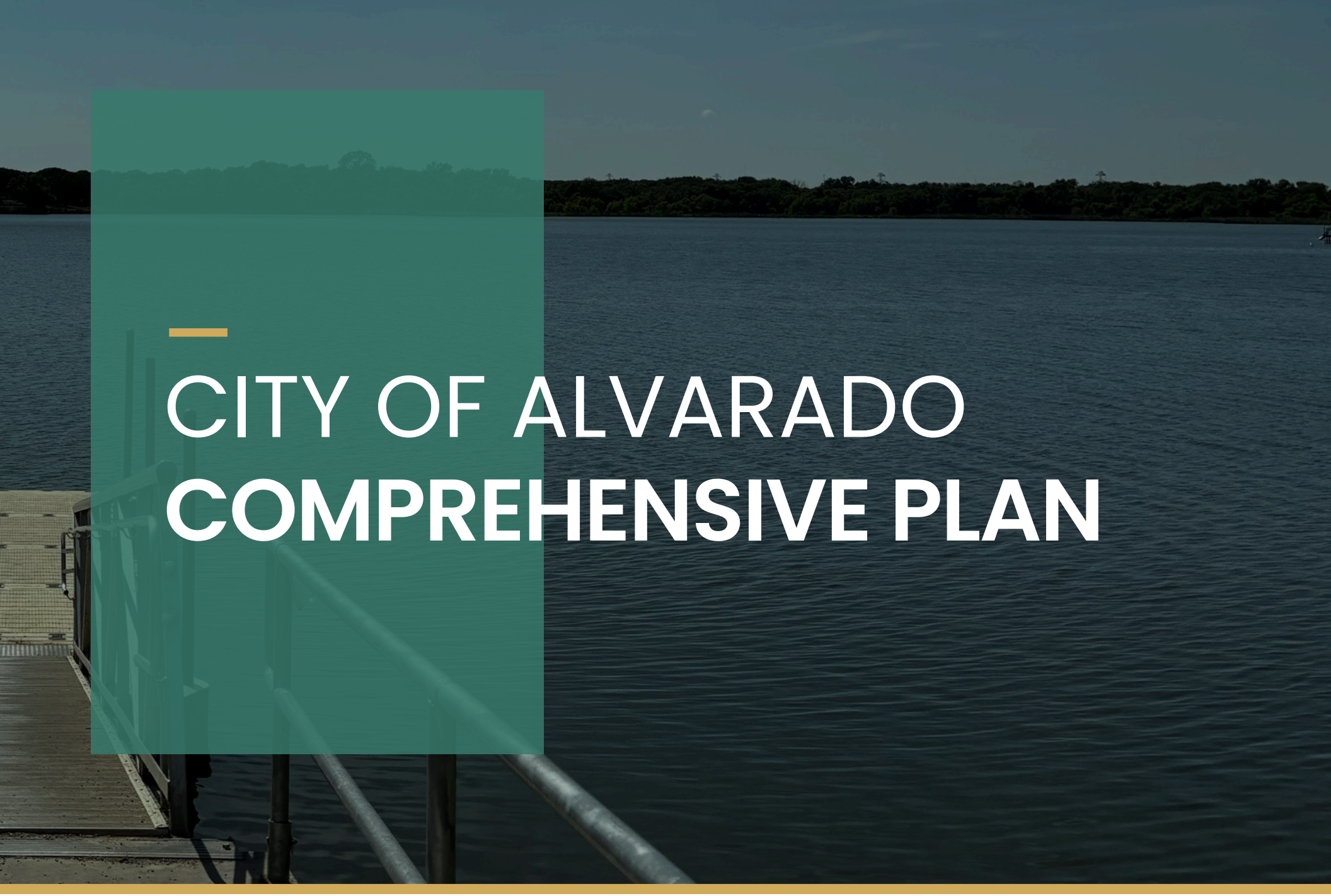
_____
Bobbie Jo Taylor, City Secretary

DRAFT

Exhibit “A”

(See Next Page)

DRAFT



CITY OF ALVARADO
COMPREHENSIVE PLAN

Prepared for the
City of Alvarado by LJA

Draft: February 2026

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1. INTRODUCTION

ACKNOWLEDGMENTS

Mayor + City Council

Jacob Wheat – Mayor
Carrie Keeton – Place 1
Lydia Moon – Place 2
Kevin Thomas – Place 3 – Mayor Pro Tem
Beverly Short – Place 4
Cherry Bryant – Place 5
Scott Arthur – Place 6

Planning + Zoning Commission

Kelly Richardson
Barbara Fuller
Joshua Rendon
Lisa Deese
Ryan Banister

Plan Advisory Committee

Marty Douglas
Joshua Rendon
Tom Durington
Jameye Jones
Calvin Jenkins
Donna Evans
Stephanie Cole
Randy Hassey
Pam Jones
Olivia DiGiovanni
Sean McGowen

City of Alvarado Staff

Paul DeBuff, CGFO - City Manager
Justin French, AICP - Community Development Director
Hillary Cromer - Economic Development Director
Donielle Suber - Administrative Services Director
Laura Cox - Chief Financial Officer
Teddy May - Chief of Police
John Rodgers - Fire Chief
Adam Sharp - Fire Marshal
Gus Chavarria - City Engineer
Anthony Tucker - Parks Superintendent
Michael Dwiggins - Public Works Director
Beth Walls - Director of Human Resources

LJA Consultant Team

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Tiffany McLeod, AICP
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Thomas Meurer, PLA
Brian Haynes, PE, CFM
Scott Booth, PE
Lalaina Alvarez, AICP
Abel Verdi
Truett Shafer
Preston Loper
Tyler Brooks

INTRODUCTION

The planning process for Alvarado includes three key components: the Comprehensive Plan, the Downtown Study, and the Parks and Recreation Study. Together, these documents form a unified planning framework that provides additional detail and focus. This integrated approach ensures that Alvarado's future development is guided by a shared community vision. The legal foundation for adopting a Comprehensive Plan is established in Chapter 213 of the Texas Local Government Code. The primary goals of a Comprehensive Plan are to support the long-range development of the City and to protect public health, safety, and general welfare. The long-term vision for this Plan extends through the year 2045, helping the City prepare for the Alvarado of today and the Alvarado of tomorrow. This Comprehensive Plan does not and shall not constitute zoning regulations or establish zoning district boundaries for the City of Alvarado.

THE POWER OF UNIFIED PLANNING

Alignment across a network of plans is considered a best practice for successful long-range planning and implementation. When plans are created in isolation, they often fail to align with previous planning efforts, leading to confusion, inefficiencies, and missed opportunities. This planning effort intentionally breaks that mold. A unified planning approach can lead to reduced costs, broader community engagement, more coordinated implementation, and stronger alignment between traditionally independent planning documents.

The Alvarado Comprehensive Plan, together with the Downtown Study and the Parks and Recreation Study, serve as a single, cohesive roadmap that reflects a forward-looking and strategic vision for the City. This integrated approach strengthens each planning effort and ensures that all components work together to support a clear and unified direction for Alvarado's future.

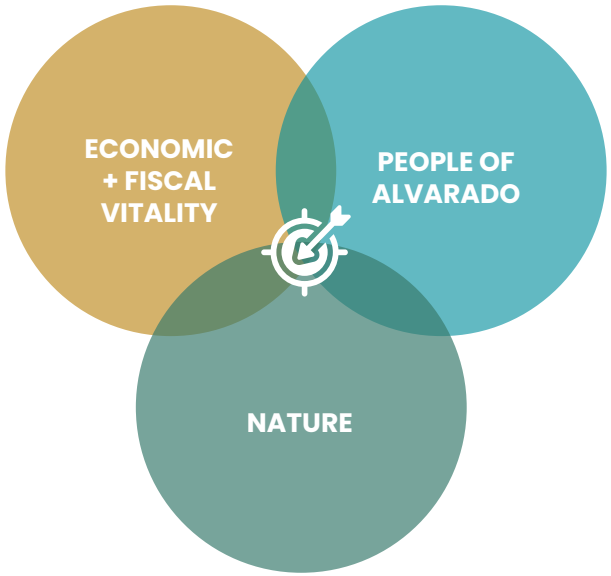
Key areas of coordinated solutions across the Plan include:

- Mobility + Connectivity
- Community Character
- Economic + Fiscal Vitality
- Infrastructure + Utilities
- Natural Systems
- Land Use + Design
- Events + Programming

PLAN METHODS + APPROACHES

Triple Bottom Line

The Comprehensive Plan is guided by a Triple Bottom Line framework that considers people, economic and fiscal vitality, and the natural environment together, recognizing that long-term success depends on the health and balance of all three.



Design Thinking

Design thinking principles were incorporated throughout the process to better understand community needs and develop responsive solutions, including empathizing with users, defining challenges, generating ideas, prototyping concepts, and testing solutions through engagement and iteration.

AI-Driven Insights + Refinements

This Plan's content was created by real humans on the Planning Team. AI data analysis and emerging technologies were used to assist in analysis of feedback themes, identification of trends, refinement of scenarios, and testing of assumptions while remaining grounded in community input and local context. AI was also used to polish and organize draft text to add value to readability and understanding.

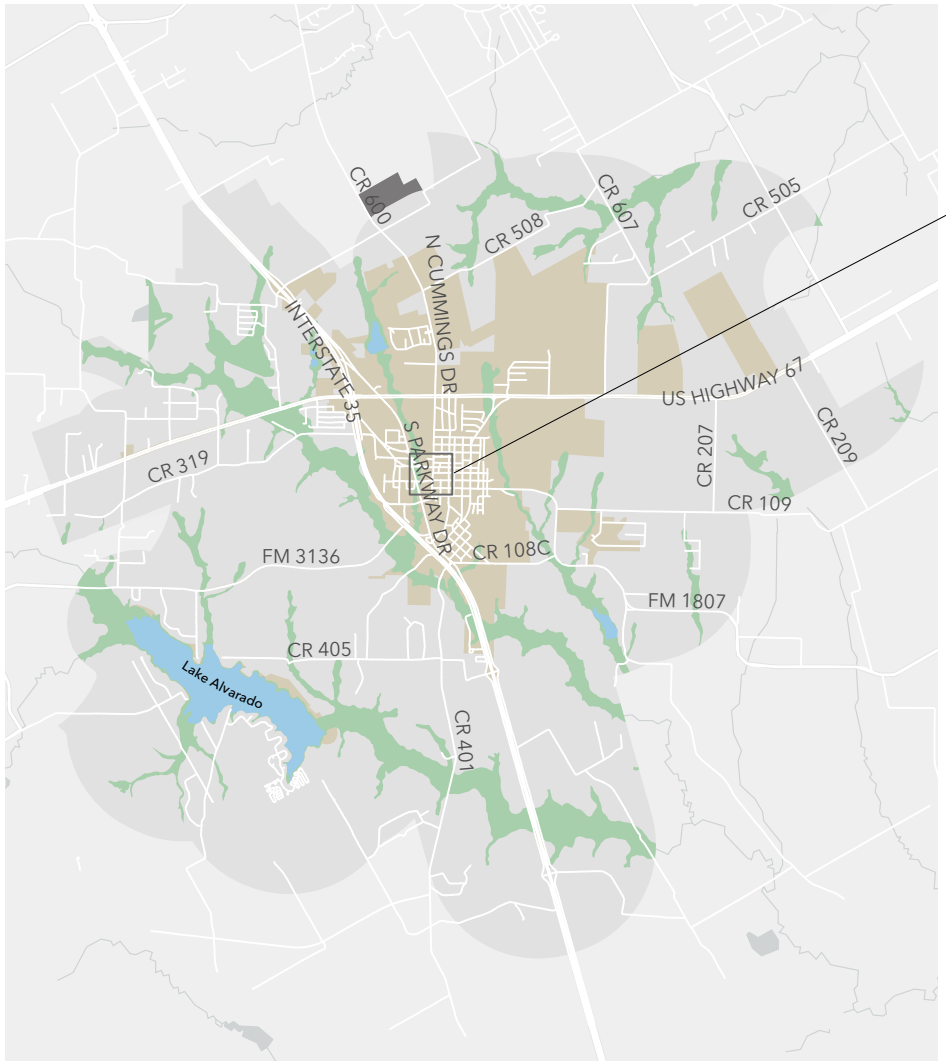
EMPATHIZE
Listen to understand.

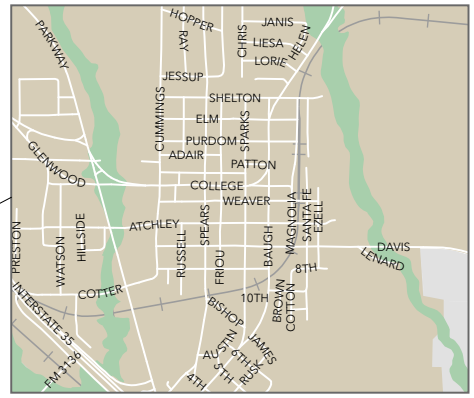
DEFINE
What are we trying to solve?

IDEATE
What can help us achieve our vision?

PROTOTYPE
What do these solutions look like?

TEST
Do these potential solutions meet the needs?





Bodies of Water
Floodplain
City Limits
Potential Future Alvarado
Planning Area

PLANNING AREA

The Alvarado Planning Area includes the city limits, its extraterritorial jurisdiction (ETJ), and one small portion of land that could be potentially annexed in the future. The Planning Area is approximately 37 square miles and sits entirely within Johnson County, Texas. It includes an important regional intersection of two highways: Interstate Highway 35 West (IH-35W) and US Highway 67 (US-67). Alvarado's location allows the city to maintain a rural character while having close proximity and access to the Dallas-Fort Worth Metroplex. Surrounding ETJ boundaries that touch Alvarado's ETJ include Burleson ETJ to the north, Venus ETJ to the east, and Keene ETJ to the west. Alvarado does not have any competing ETJ boundaries to the south.

0 1.5 3 Miles

Source: City of Alvarado and LJA, August 2025

PLANNING AREA

ETJ Changes

Recent legislative changes at the state level have significantly reduced the authority of cities to annex land in the ETJ. These legislative changes are altering the way cities have traditionally expanded their boundaries. In most cases, annexation must now be requested by the property owner. Additionally, under certain circumstances, property owners may now petition to disannex from the ETJ, removing themselves from all city requirements and standards and placing their property entirely within a county's jurisdiction. Although some property owners may choose to remain outside city limits, annexation offers several benefits. These include access to municipal services such as law enforcement, centralized wastewater systems, and parks and recreation facilities.

Legislative changes have also expanded the authority of special districts, such as municipal utility districts (MUDs), while further limiting the influence cities have over controlling development within their ETJ. In the past, cities could more easily require new developments in their ETJs to be annexed, allowing them to guide growth on the city's fringe. With the new legislative updates, cities face greater challenges in managing growth and maintaining consistent development standards within areas that can impact city infrastructure and services.

2025 TEXAS LEGISLATURE 89TH REGULAR SESSION ETJ CHANGES

- Disannexation from ETJ
  Allows a majority of the property owners (instead of voters) of certain annexed areas to petition for disannexation if the city does not currently provide services

- ETJ Release House Bill
  Clarifies that an area is released from the ETJ by petition for release without necessity of city consent by ordinance or resolution.

- Utility Service in Areas Released from ETJ
  Allows an entity to provide water, sewer, or other utility service to land released from a city's ETJ if the entity holds a certificate to serve the land.

PLANNING AREA

Brief History of Alvarado

The following history was adapted from the Texas State Historical Association. Alvarado is the oldest town in Johnson County and is at the intersection of US Highway 67 and Interstate Highway 35W. In the winter of 1849, William Balch staked out a claim near a Native American trail. Balch and a fellow settler, G. H. Sigler, laid out half-acre town lots. The community's first sheriff, A. H. Onstoott, is credited with naming Alvarado for Alvarado, Vera Cruz, Mexico, where he fought in a battle during the Mexican War. By the summer of 1854, Alvarado had an estimated 100 families and a postal service. The focus of the town was a two-story building, where the Masonic lodge held its meetings and an elementary school conducted classes. There was also an Alvarado College, operated by John C. Collier. The town had four churches, more than a dozen businesses, and 350 residents.

Residents voted to incorporate in 1878. In 1881, the tracks of the Gulf, Colorado and Santa Fe and the Missouri, Kansas and Texas railroads arrived. Within a few years the population surpassed 1,000. By that time the community had a bank chartered in 1880, a newspaper named the Alvarado Bulletin, two schools, a number of gins, a hotel, and an opera house. By 1890, a second bank opened and the reported population exceeded 2,000. By the mid-1920s Alvarado had an estimated 1,200 residents and more than 50 businesses. Proximity to Dallas-Fort Worth continues to contribute to the growth of Alvarado today.

PLANNING AREA

Demographics

Using 2025 Esri demographic data provides context to understand broader trends in the City of Alvarado and is important baseline information that will inform many parts of the Plan. More detailed demographic information is included in subsequent chapters.

The primary Esri Tapestry segments in the Planning Area are "Flourishing Families" (30.4%), "Southern Satellites" (24.1%), and "Mobile Meadows" (20.2%) (Esri 2025). These top three segments make up 74.7% of the Planning Area.

FLOURISHING FAMILIES (30.4%)

Most households are comprised of large families with children living in single family homes. Members of this segment are often employed in professional roles and earn middle-tier incomes. Many households have multiple vehicles, and long commutes are common.

SOUTHERN SATELLITES (24.1%)

Households are typically slightly older, settled married-couple families, who own their homes. Two-thirds of the homes are single-family structures; almost a third are mobile homes.

MOBILE MEADOWS (20.2%)

Most households are married and cohabiting couples, and around a third of households have children. Homes in these neighborhoods are primarily mobile homes. Vehicles are a necessary part of everyday life, and open space often surrounds these communities.

PLAN HIERARCHY + RELEVANCE

The Comprehensive Plan remains one of the single most important tools for cities. This unifying document and additional studies identify the community's vision for the future and sets forth recommendations and implementation strategies, both near and long term. To best inform the Comprehensive Plan and additional studies, the following plans, studies, and initiatives were taken into consideration.

Johnson County Major Thoroughfare Plan – Adopted March 2025

The Johnson County Major Thoroughfare Plan (MTP) is a long-range planning document that helps determine when, where, and how to connect roads and other transportation infrastructure as the County grows. The County's MTP is focused on unincorporated areas, so it will be critical to reference the County's planned alignments for roadways that will connect to Alvarado.

Johnson County Hazard Mitigation Plan - Adopted 2024

This Plan establishes nine natural disasters most likely to impact Johnson County communities: drought, earthquakes, expansive soils, extreme heat, flooding, dam failure, thunderstorms (including hail, wind, and lightning), tornadoes, wildfires, and winter storms. For each of these hazards, the Plan provides community-specific assessments related to:

- Location, probability of a future event, and the maximum probable extent of each hazard;
- Overview of assets that could be negatively impacted (people, built environment, economic assets, and natural environment);
- Critical facilities and infrastructure; and
- Active/ongoing mitigation projects. The Plan also recaps city-specific recommendations from the previous Plan (2015) and whether action was deferred.

In all, the Plan provides a strong framework for nine key hazards and will serve as a baseline for corresponding hazards in Alvarado's resilience strategies.

PLAN HIERARCHY + RELEVANCE

Envision Alvarado Strategic Plan – Adopted June 2024

The Strategic Plan is the result of a joint exercise between the City Council, Planning and Zoning Commission, and Economic Development Corporation. The Plan itself contains the top five priorities that came out of that exercise, specifically:

(1) Expanding the scope of code enforcement, (2) business recruitment, (3) Downtown revitalization, (4) street repair and maintenance, and (5) maintenance of City infrastructure.

Given the recency of this Plan and the buy-in of key City Leadership, the Strategic Plan has guided initial research, engineering assessments, and prioritization of the Comprehensive Plan's recommendations. The Community Survey element of the Comprehensive Plan provided an early indication as to how much the community's needs and priorities align with those of City Leadership.

Downtown Strategic Vision – Adopted December 2021

This document outlines an economic Vision for Downtown Alvarado. Key components of the document include:

- Trade area market-significant demographics;
- Key challenges, such as vacancies and storefront activation, streetscape and placemaking, events and programming, and branding and wayfinding; and
- Specific incentives and financing tools, a form-based code, and organizational enhancements to the management of Downtown.

This document serves as a foundation for the Downtown Study, supplemented with further analysis and recommendations related to mobility and connectivity, parking, infrastructure, parks, and housing.

PLAN HIERARCHY + RELEVANCE

Water and Wastewater, Roadway Impact Fee Update – Prepared June 2023

Impact Fees are charges imposed on new developments to help pay for infrastructure and services needed to support new development. The Impact Fee Report helps identify where new development should be prioritized and informs the Future Land Use Plan (FLUP) and Master Thoroughfare Plan (MTP). It also helps inform recommendations related to the Capital Improvements Program (CIP) or changes to the methodology of future Impact Fees.

Water/Wastewater Master Plan – Prepared November 2018

This Master Plan identifies the capacity of Alvarado's existing water and wastewater infrastructure and provides demand based on population trends and land use. Alvarado has made capital improvements and development decisions based on this Master Plan, so it is important that the Comprehensive Plan recommend serviceable land use patterns or ensure that un-serviced growth pays for itself. The Master Plan is outdated, however, and is limited in its applicability and relevance to the Comprehensive Plan effort.

Comprehensive Plan – Adopted June 2017

The 2017 Comprehensive Plan contains context for this new Comprehensive Plan effort, notably the Community Vision, Plan goals and objectives, Future Land Use Plan (FLUP), and community-backed implementation priorities. The Parks Master Plan was included in the Comprehensive Plan as an update of the 2004 and 2010 Parks Master Plans. It identified the location of City parks and recreational facilities, such as public schools; it also identified the Level of Service of parks, proposed a future trail, recommended locations for future parks, and provided ranked guidance on where to focus City efforts. This Plan was utilized as a baseline to update Comprehensive Plan strategies and identify where new focus may be necessary.

COMMUNITY ENGAGEMENT

Overview

Community engagement was a central component of the planning process and occurred throughout development of the Comprehensive Plan, Downtown Study, and Parks and Recreation Study. Engagement included three Community Forums, stakeholder interviews, a community survey, and a Downtown Stakeholder Workshop.

ENGAGEMENT TIMELINE

- Community Survey: March-April 2025
- Online Interactive Map: April-October 2025
- Community Forum 1: April 26, 2025
- Stakeholder Interviews: April–May 2025
- Downtown Stakeholder Workshop: May 15, 2025
- Community Forum 2: June 28, 2025
- Design Focus Groups: August-October 2025
- Community Forum 3: November 18, 2025

OUTREACH METHODS

The methods of community outreach for the planning process were extensive and diverse. Some of those methods are listed below:

- Plan Advisory Committee (PAC) members' personal outreach
- Event flyers (in English and Spanish) posting and distribution
- Utility Bill Stuffers
- Facebook postings and Facebook Events
- Plan Alvarado website
- Emails
- Blackboard Connect Text Messages
- Pre-event "yard signs"
- City newsletter
- Participant social media posts & MORE

COMMUNITY ENGAGEMENT

Planning Groups
Elected officials, advisory committees, City Staff, stakeholders, Downtown representatives, and the broader Alvarado community all played active roles in shaping the Plan through ongoing participation and feedback.

ELECTED + APPOINTED OFFICIALS

The City Council and Planning and Zoning Commission were the two main groups that provided initial direction, approved the Plan's Vision Guiding Principles, and promoted the collaboration opportunities. Ultimately the Planning and Zoning Commission made a recommendation to approve the Plan to City Council, who was the final approval authority.

PLANNING ADVISORY COMMITTEE (PAC)

The PAC members were appointed by City Council to provide feedback and direction throughout the planning process. This group met in-person four times throughout the process and were encouraged to attend and promote public collaboration opportunities and events related to the project. The PAC was encouraged to review the draft Plan and recommended the draft Concepts and Highlights for the Planning and Zoning Commission, City Council, and public consideration.

TECHNICAL ADVISORY COMMITTEE (TAC)

The TAC was comprised of City Staff department leaders to provide technical and project management direction. The TAC met at four key points throughout the planning process, on the same days the PAC met, to provide information and feedback, and to review the draft Plan components as they were formed.

THE ALVARADO COMMUNITY

The Alvarado Community continuously provided feedback and direction to the planning team through both in-person and online engagement. This group was tasked with participating in the engagement activities and to encourage others to do the same.

STAKEHOLDER INTERVIEWEES

As part of the planning process, interviews were conducted with key stakeholders representing a broad cross-section of the Alvarado community. The stakeholder meetings were virtual and led by the Project Manager. These discussions and the feedback received helped inform and direct the Comprehensive Plan, Downtown Study and Parks and Recreation Study. Representatives from the following entities participated in the Stakeholder Interviews:

- Alvarado Independent School District
- Shepherd's Valley Church
- Alvarado Chamber of Commerce
- Atmos
- MHC Kenworth
- Alvarado Youth Sports Association
- MHC Kenworth
- Helping Hands
- G&L General Store

DOWNTOWN STAKEHOLDERS

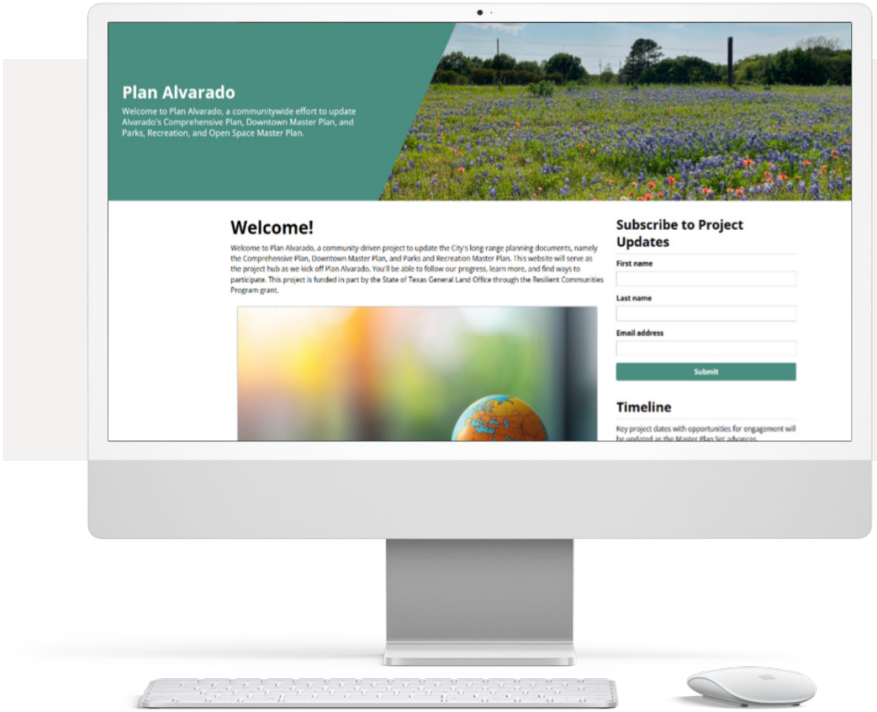
Twenty Downtown Stakeholders were selected to engage in a Downtown Stakeholders Workshop. The group included Downtown merchants, property owners, residents, business leaders, etc. These Downtown Stakeholders engaged in meaningful interactive exercises, including small working groups.

COMMUNITY ENGAGEMENT

Online Outreach + Engagement

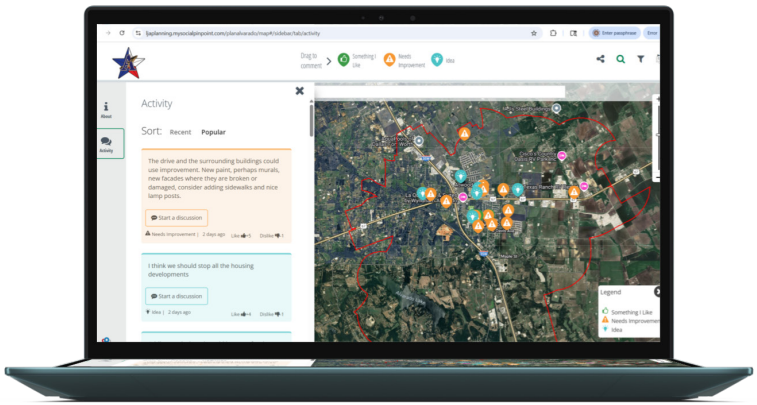
The Plan Alvarado website served as the project hub, hosting updates, event information, the Document Library, the Community Survey, and the Interactive Collaboration Map that allowed location-specific feedback.

The Plan Alvarado website was launched at the start of the planning process to act as the project hub for updates, events, and feedback opportunities. The Document Library stored event announcements, collaboration recaps, past plans, the Plan's Base Studies, and more. Notable online engagement opportunities included the Community Survey and the Interactive Collaboration Map.



INTERACTIVE COLLABORATION MAP

On the Plan Alvarado website, participants voiced their thoughts through the interactive Collaboration Map. During this exercise, participants dropped pins to highlight new ideas, shared something they like, or identified something that needs improvement.



ONLINE TOOLS EXPANDED COMMUNITY VOICES, MAKING ENGAGEMENT ACCESSIBLE, VISUAL, AND LOCATION-SPECIFIC.

COMMUNITY ENGAGEMENT

Online Outreach + Engagement

COMMUNITY SURVEY

The Community Survey offered a robust snapshot of resident sentiment and priorities across a variety of topics. Respondents generally expressed moderate satisfaction with the overall quality of life and City services but identified clear needs for improvement, especially in infrastructure such as streets and trails. A strong majority supported expanding parks, trails, and recreation programming, with many requesting amenities like splash pads, bike trails, and safer play areas for children. While many residents visit Downtown Alvarado occasionally, regular engagement appears limited, suggesting room for revitalization. Open-ended responses reinforced a deep desire for more community amenities, public spaces, and family-friendly events, while also showing concern for over-development and the need to preserve the small-town atmosphere.

STRENGTHS

Events / Festivals
Safety-related
Emergency Services
Growth / Development / Developers
Community / Sense Of Community
School-related
Communication
Collaboration / Involvement
Small Town Feel / Rural Charm
City Services
Location / Access

WEAKNESSES

Roads / Traffic / Mobility
Infrastructure Capacity / Condition
Lack Of Shopping / Dining Options
Parks / Recreation
Grocery Stores
Downtown / Square
Economic Development
Lack of Entertainment
Growth / Development / Developers
Cleanliness / Code Enforcement

S W O T

OPPORTUNITIES

Shopping / Dining-related
Grocery Store
Roads / Traffic / Mobility
Infrastructure Capacity / Condition
Downtown / Square
Parks / Recreation
New Community Center
Economic Development
Youth Sports / Activities
Public Facilities

THREATS

Roads / Traffic / Mobility
Growth / Development / Developers
Infrastructure Capacity / Condition
Loss Of Identity / Character
Safety-related
School-related
Shopping / Dining-related
Lack of Entertainment
Lack of Planning

COMMUNITY ENGAGEMENT

Online Outreach + Engagement

COMMUNITY SURVEY

ALVARADO PERSONIFIED
Every city is unique and has its own personality. In this survey activity respondents were asked to describe the character or soul of Alvarado and then to describe the City as if it was a person. The responses were combined into the following narrative:

"If the City of Alvarado were a person, it would be someone with deep roots and a strong sense of tradition—an "old soul" who takes pride in community values and hard work. This person would be family-oriented and loyal, with a heart that leans into faith, patriotism, and the importance of raising children in a safe, connected environment. Alvarado, in this human form, would exude a small-town charm reminiscent of someone warm, approachable, and proud of their heritage, even as the world around them begins to change. However, this character also shows signs of wear and stubbornness. This version of Alvarado might resist change, longing for the past while struggling to keep up with the pace of growth and modern expectations. There's a tension between the simplicity of yesteryear and the demands of a changing landscape, between nostalgia and the need for progress. Despite these flaws, Alvarado's character holds a quiet resilience and untapped potential. While the city might feel "old and tired" on the surface, with some cleaning up and renewed attention, it could be truly beautiful. Like a person who has all the right traits but just needs a fresh perspective, Alvarado is viewed as someone capable of transformation without losing what makes them unique. Ultimately, Alvarado as a person would be someone who values relationships, honors the past, and carries a quiet hope for the future. While not without imperfections, they are earnest, grounded, and eager to grow, if only given the right support and encouragement."

COMMUNITY ENGAGEMENT

Community Forums

COMMUNITY FORUM 1: PLAN ALVARADO KICKOFF

Community Forum 1 was held on Saturday, April 26, 2025 at Shepherd's Valley Cowboy Church. Stations were set up throughout the venue that included context and activities designed to invite initial community feedback. A sampling of key takeaways is provided below. Chapter-specific feedback related to parks and recreation, Downtown, mobility, land use, and economic development are detailed in later chapters.

Share Your Alvarado Story
This station was one of the Planning Team and participant favorites, with people frequently returning to review new stories throughout the event. This activity asked participants to share their passion for the place that they call "home". Comments described a community of longtime residents with neighbors that support one another.

Big, Bold Ideas
This station asked participants "What is your big, bold idea for Alvarado," allowing residents to think about opportunities for the future. The answers varied widely, with some responses including: Community Center, Dance Halls, Restaurants, Gyms, Walking Trails, Downtown Development, and more.

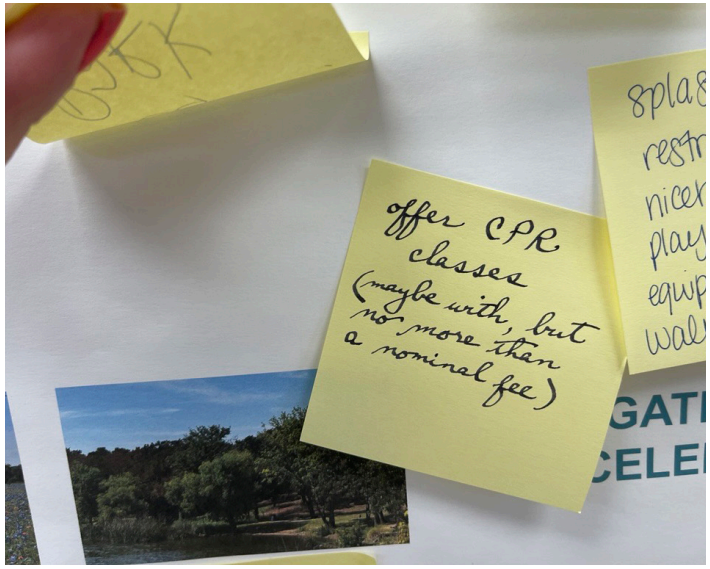
What Does "Small-Town Charm" Mean To You?
Alvarado residents believe that its small-town charm can be attributed to many different elements, but ultimately the people and sense of community are what truly make up the most prevalent theme from this feedback. Some of the common words include: people, community, together, events, and activities.

Alvarado's Values
When asked to define Alvarado's values, participants provided feedback reflective of a small town with traditional values. Some responses included: Small Town, History, Nature, Faith, and Community.

COMMUNITY ENGAGEMENT

Community Forums

COMMUNITY FORUM 1: PLAN ALVARADO KICKOFF



COMMUNITY ENGAGEMENT

Community Forums

COMMUNITY FORUM 2: PUBLIC DESIGN STUDIO

This event was the second of three Community Forums, organized as a Public Design Studio. It was held on Saturday, June 28, 2025, at the Alvarado Public Library. The Public Design Studio was designed to refine previously-gathered feedback and information across several topics including housing, mobility, parks, recreation, Downtown, and more, as well as to provide important planning information and context for participants. A sampling of key takeaways is shared below. Chapter-specific feedback related to parks and recreation, Downtown, mobility, land use, and economic development are detailed in later chapters.

Base Studies Recap
Consistent with the requirements of the Texas General Land Office Resilient Communities Program, the Planning Team prepared a series of Preliminary Base Studies for public review, which were posted online in advance of the public meeting and were available for review and consideration prior to entering into the collaborative exercises. These studies provided insight on the current state of Alvarado's population, housing, infrastructure, land use, and hazard mitigation. These studies also included initial recommendations on future actions that should be taken in these areas for the City. Participants enjoyed learning about the topics covered and expressed curiosity as they learned about Alvarado.

Maintain Historic Roots
Residents emphasized the importance of preserving the defining history and charm of Alvarado through this time of growth and development. This comment was echoed by several attendees.

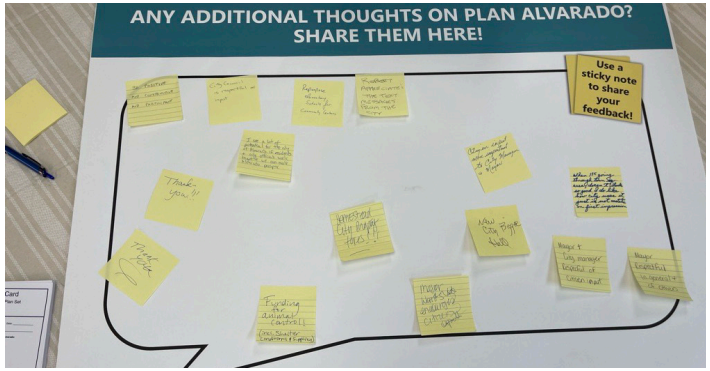
Mindful Development
Attendees acknowledge Alvarado must prepare and plan for growth. They recognize that where development will take place, there will be implications on traffic and resources, including water. One resident noted that it is not a race to the future but, instead, a marathon.

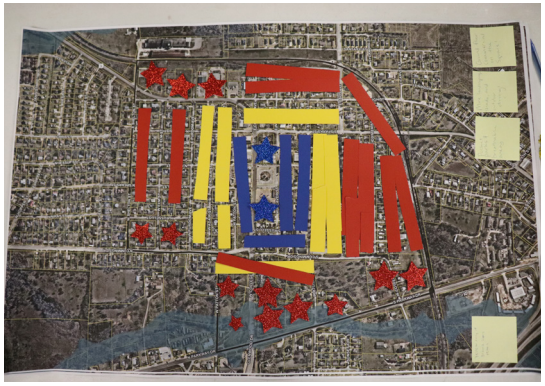
Think Big
Attendees have big dreams for Alvarado. They welcome change but encourage the City to think big and make the most of what the future holds for Alvarado.

COMMUNITY ENGAGEMENT

Community Forums

COMMUNITY FORUM 2: PUBLIC DESIGN STUDIO





COMMUNITY ENGAGEMENT

Community Forums

COMMUNITY FORUM 3: DRAFT CONCEPTS AND HIGHLIGHTS

This event was the last of three Community Forums hosted throughout the community engagement process. It was organized as a virtual townhall, to review highlights of the draft Comprehensive Plan, Downtown Study, and Parks and Recreation Study. The Zoom was live on November 18, 2025 from 6:00 to 8:00pm, and the recording was available for viewing afterwards to expand outreach and engagement. During the Community Forum, the Project Manager presented the following topics:

- Planning Area basics
- Community feedback and process recap
- Economic and fiscal context, vision, and sample actions
- Land use and mobility context, vision, and sample actions
- Utilities, community facilities, resilience/hazard mitigation, and services context, vision, and sample actions
- Implementation highlights
- Project next steps

Following the presentation, the Project Manager and several City Staff held a live panel question and answer session. Participants submitted questions through Zoom, and the team was able to provide information to help clarify technical components. Participants also submitted general feedback on the draft Concepts and Highlights during the Forum.

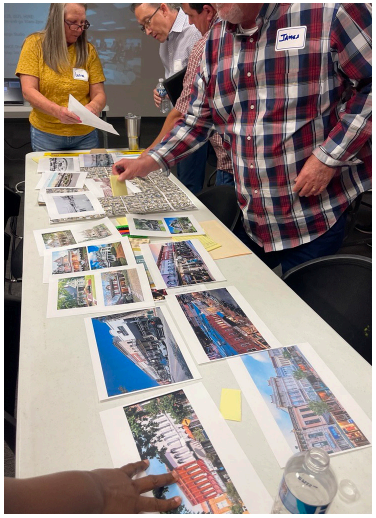
COMMUNITY FORUM 3 SHARED DRAFT CONCEPTS, KEY THEMES, AND NEXT STEPS, INVITING FEEDBACK BEFORE PLAN REFINEMENT.

COMMUNITY ENGAGEMENT

Downtown Stakeholders Workshop

The Downtown Stakeholders Workshop was held on May 15, 2025, from 6:00pm to 8:00pm. Stakeholders in attendance included Downtown businesses owners, property owners, and residents. The purpose of this Workshop was to:

- Inform Downtown stakeholders about the Comprehensive Plan and associated Downtown visioning
- Discuss existing conditions Downtown
- Discuss relevant feedback collected from the public prior to the Workshop
- Draft the boundary for the Downtown Character Area, discuss subarea characteristics
- Envision what the future of Downtown could look like



VISION GUIDING PRINCIPLES

The Vision Guiding Principles were developed from recurring themes in community and stakeholder feedback during the planning process. These Principles reflect how future growth should be approached, what amenities should be prioritized, and what makes Alvarado unique. The Vision Guiding Principles were approved by City Council on July 21, 2025, and are used throughout the Plan and implementation strategies to reinforce the shared vision for Alvarado's future.

Continuously Improving

Alvarado is a city committed to learning, evolving, and delivering better and lasting outcomes for generations.

Fun + Inviting

Alvarado is a vibrant city full of parks, events, and destinations that bring people together and make them feel at home.

Neighborly + Family-Friendly

Alvarado is a community where people know each other, care for one another, and families thrive together.

Efficient + Connected

Alvarado is an infrastructure-efficient city where people, utilities, streets, and services move easily, safely, and reliably.

Intentional + Distinct

Alvarado is a community that grows on its own terms—preserving what matters and embracing what's next in a unique way.

Safe

Alvarado is safe, and community members feel secure in their neighborhoods, public spaces, and daily lives.

Engaged + Collaborative

Alvarado is a city shaped by active voices, shared ideas, and strong partnerships between the community, leaders, and institutions.

Landscaped + Charming

Alvarado is a place of pride, where natural beauty and thoughtful design elevate everyday experiences.

Trusted Action

Alvarado follows through—building trust through results, responsiveness, and visible change.

HOW TO READ + USE THIS PLAN

The Comprehensive Plan provides both long-range policy direction and practical implementation guidance. Chapters may be read independently or together, recognizing the interconnections between land use, infrastructure, mobility, economic vitality, and community services. The Implementation chapter outlines how recommendations are prioritized, tracked, and updated.

2. ECONOMIC + FISCAL VITALITY

INTRODUCTION

Economic + Fiscal Vitality

Alvarado is at a monetary turning point. The city is growing, residents want more places to shop, dine, work, and spend time locally, and Downtown is ready for a new chapter. At the same time, the City must navigate rising costs, aging infrastructure, and state limits on how fast property tax revenue can grow. This chapter explains how Alvarado can strengthen its local economy and budget by capturing more everyday spending in town, supporting existing employers, and attracting the right kinds of new investment.

Grounded in community feedback, real data, and best practices, the Economic + Fiscal Vitality chapter focuses on practical steps the City can take to build a more resilient future. It outlines how Alvarado can grow a more diverse mix of businesses, revitalize Downtown, leverage its recreation assets, align workforce and education, and use modern financing tools to fund needed improvements. Together, these strategies aim to help Alvarado become a place where residents and visitors can live, work, play, and learn without having to leave the community to meet their daily needs.

ALVARADO IS AT A TURNING POINT, POISED TO GROW ITS ECONOMY, STRENGTHEN ITS COMMUNITY, AND INVEST IN ITS FUTURE.

COMMUNITY FEEDBACK

Key Themes from Community Feedback

The strategies in this chapter are designed to directly respond to this community feedback.

Increase Business Variety in Alvarado

Residents and stakeholders express a clear desire for a more diverse mix of businesses to serve the community's daily needs and enhance quality of life. Current options are perceived to be limited, particularly in shopping and dining, prompting many to travel outside the city for basic goods and unique experiences.

Increased Revenue Needed for Infrastructure Maintenance

Community members and stakeholders acknowledge that infrastructure and maintenance costs are a significant challenge in Alvarado. Residents express concern that roads and utility systems are deteriorating faster than the City can address them. Stakeholders and residents see the need for new revenue from expanded business activity and a stronger tax base to fund ongoing maintenance and capital improvements, as well as the other services they value.

Revitalize Downtown

Downtown Alvarado holds significant, untapped potential as an economic driver and community gathering place. While valued for its historic charm, many stakeholders noted that it currently lacks the variety of boutiques and amenities needed to draw consistent foot traffic. Community members envision a revitalized Downtown with improved building façades and welcoming public spaces.

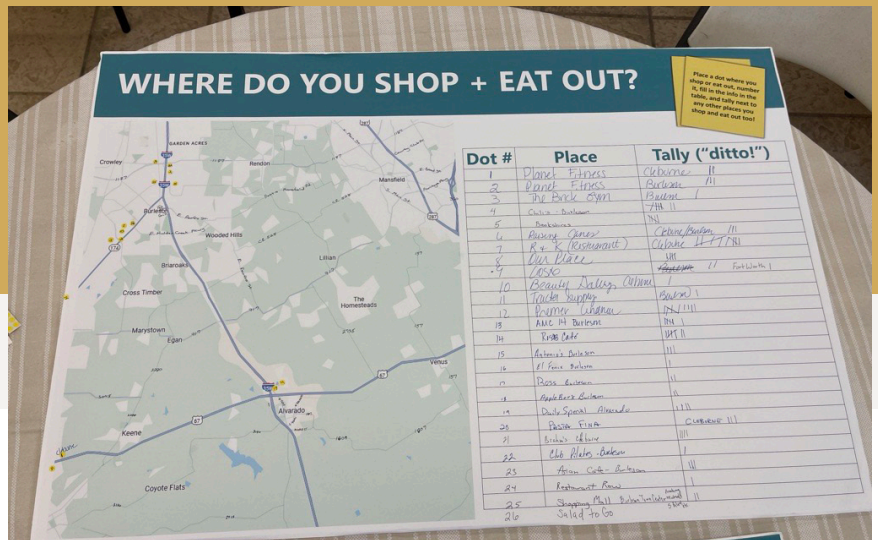
Capture Sales Tax Leakage from Surrounding Cities

Community feedback reveals a loss of potential sales tax revenue to nearby communities like Burleson, Cleburne, and Midlothian. Trips outside Alvarado divert spending that could occur locally. This outward flow (i.e. leakage) reduces sales tax revenue and weakens the customer base for local shops. It also limits the variety of businesses that can succeed in town, since demand appears smaller than it really is. Over time, these patterns influence where new stores and restaurants choose to locate, pulling more daily activity to nearby cities and leaving fewer options close to home.

COMMUNITY FEEDBACK

Sales Tax Leakage Activity at Community Forum 1

This engagement activity included a regional-scaled map to show Alvarado and nearby cities. Participants were asked to locate and name where they visited for shopping and eating out. Restaurants accounted for a significant amount of the trips outside of Alvarado, as well as grocery stores, hardware stores, and retail. Although some of these uses may not be right for Alvarado, this illustrated where potential tax revenue is leaving the city, often to Burleson and Cleburne—not because the demand is not in Alvarado, but because the supply is not yet available locally.



CONTEXT

People of Alvarado

The graphics on this page, along with additional information on pages 36 and 37, cover 2025 ESRI demographic data for the City of Alvarado Planning Area. This information provides broad and generalized insight on the residents of the city, their spending habits, and additional relevant statistics for future planning. These details show the many ways residents contribute to the local economy through their household spending and participation in community life. They also reveal which goods and services are most important to families and individuals, offering a clearer picture of consumer priorities in the city and what could be successful in the near future.

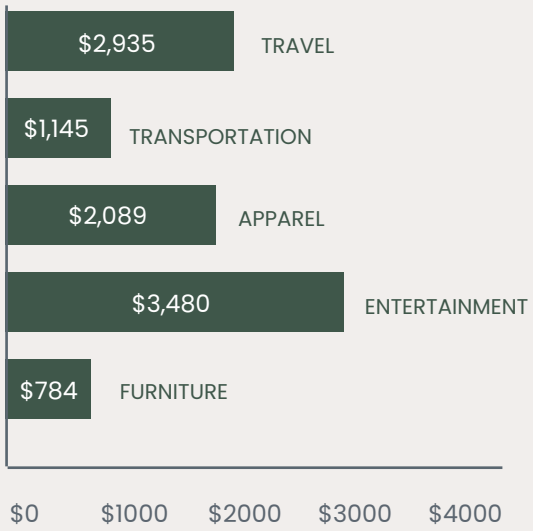
ALVARADO PLANNING AREA
Area: 36.94 square miles

FLOURISHING FAMILIES (H1)
Dominant Tapestry Segment

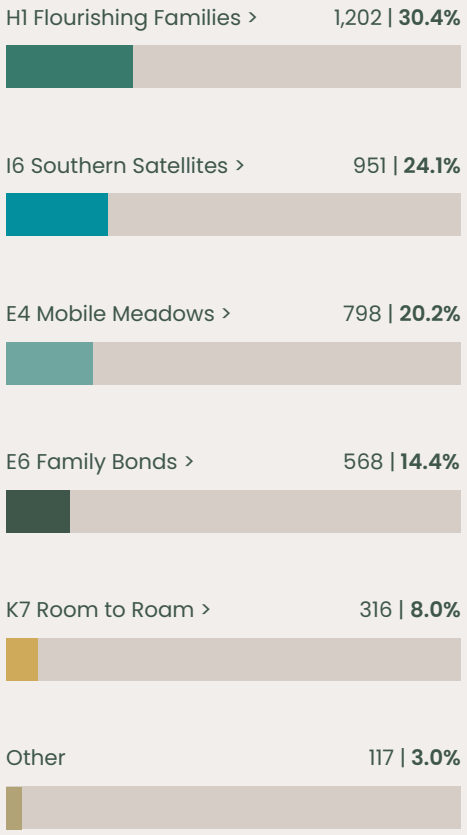
KEY FACTS

12,087	*Total Population*
10,620	*Day Time Population*
323	*Businesses*
36.9	*Median Age*
2.9	*Avg Household Size*
1.9%	*2025-2030 Pop Growth*
$261,831	*Median Home Value*
$87,430	*Median Household Income*
$32,842	Per Capita Income

KEY SPENDING FACTS



TOP 5 SEGMENTS BY HOUSEHOLD COUNT



Flourishing Families accounts for 30.4% of households in the area which is **26.8% higher** than the U.S.

Source: This infographic contains data provided by Esri (2025, 2030), Esri-Data Axle (2025), Esri-U.S. BLS (2025).

CONTEXT

Esri Tapestry Segmentation Excerpts

"FLOURISHING FAMILIES"

"Most householders are between the ages of 35 and 64, and households are mainly comprised of large families with children. Marriage rates are high. Members of this segment are often employed in professional roles and earn middle-tier incomes. Many are self-employed, and some households support their earnings with interest, dividends, or rental properties. Available housing is predominantly composed of single-family units built in the 1990s and 2000s, with home values and rents that mirror national averages. The rate of new development is notably higher here than in most other regions. Many households have multiple vehicles, and long commutes are common."

- For in-store shopping, they frequent large retail hardware and hobby stores, while online shopping caters to a variety of household, children, pet, and personal items.
- Residents prioritize spending on medical, auto, and life insurance, as well as retirement planning. Pickup trucks and SUVs are common vehicle choices.
- They often play board games and read books.
- Residents tend to travel domestically.

"SOUTHERN SATELLITES"

"The population is generally older, with more than half of household heads aged 55 and above, though younger families with school-aged children are also prevalent. Both child and senior age dependency rates are higher than the national averages. Socioeconomically, this segment mirrors national averages, with most earning middle-tier incomes. For the older population, low-tier incomes are often supported by social security and other forms of public assistance. Residents work in industries such as manufacturing, health care, retail, construction, mining, and agriculture. The cost of living is low, and long commutes of more than 30 minutes, sometimes crossing county or state lines, are common."

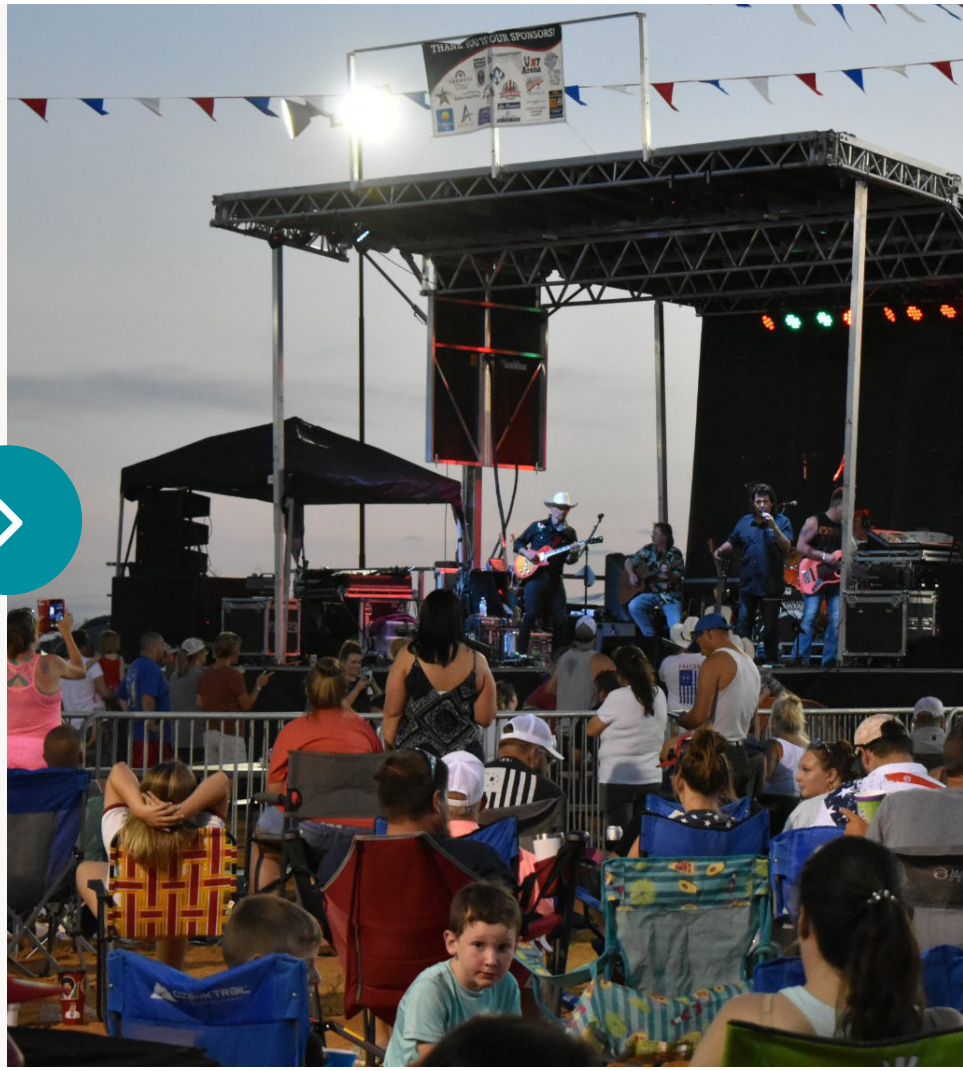
- Residents shop at discount and hardware stores for essentials such as children's clothes, shoes, and books. They tend to shop online for pet and hobby supplies.
- Dining out typically happens at chain restaurants and fast-food establishments.
- For entertainment, residents read physical copies of hunting and fishing magazines and follow college football and auto racing on TV.
- These individuals tend to spend time outside. Common activities include camping trips, fishing, hunting, and gardening, and residents often travel domestically.

CONTEXT

"MOBILE MEADOWS"

"A steady influx of immigration contributes to cultural diversity in these communities, and job opportunities are primarily found in manufacturing, construction, and mining. Married and cohabiting couples outnumber single-individual households, and around a third of households have children. Incomes predominantly fall within the low to middle tiers, with some households supported by social security and other forms of public assistance. Homes in these neighborhoods are primarily mobile homes. Vehicles are a necessary part of everyday life, and abundant open space often surrounds these communities, contributing to a population density of less than 100 people per square mile."

- Residents tend to shop at large retail establishments, often opting for generic brands and waiting for discounts.
- They spend on baby and children's necessities, pets, and video games, and they tend to save rather than borrow for purchases.
- Individuals stay connected and informed with mobile internet access and are willing to pay for streaming services and children's television.
- Their primary concerns are health care and timely retirement.



CONTEXT

Trade + Leakage Area

A trade area defines the geographic region where a community's residents travel for shopping, dining, and services. In Alvarado's case, understanding this area is especially important because many households routinely leave the city to meet their everyday needs. The trade area map helps illustrate how far residents are traveling, and to which nearby cities, to spend money that could otherwise support local businesses and generate sales tax revenue for Alvarado. By showing the true reach of where residents currently shop, the trade area reveals unmet demand, identifies categories of leakage, and highlights opportunities for new businesses that could succeed locally.

The 45-minute trade area used in this plan reflects the broad region where Alvarado's residents are currently spending, as well as the potential capture of households that could choose to spend money in Alvarado under the right conditions. This approach provides a clearer picture of the city's potential customer base and its competitive position in the regional economy. Through community conversations during the planning process, many residents noted that they regularly travel 30 to 45 minutes to reach a preferred restaurant or shopping center, sometimes even going into Fort Worth for special occasions. Conversely, because of the semi-rural development patterns surrounding Alvarado, many households within this same 45-minute radius could just as easily travel to Alvarado as part of their routine shopping, dining, and entertainment if the right options were available closer to home.

TRADE AREA FUTURE DEMAND

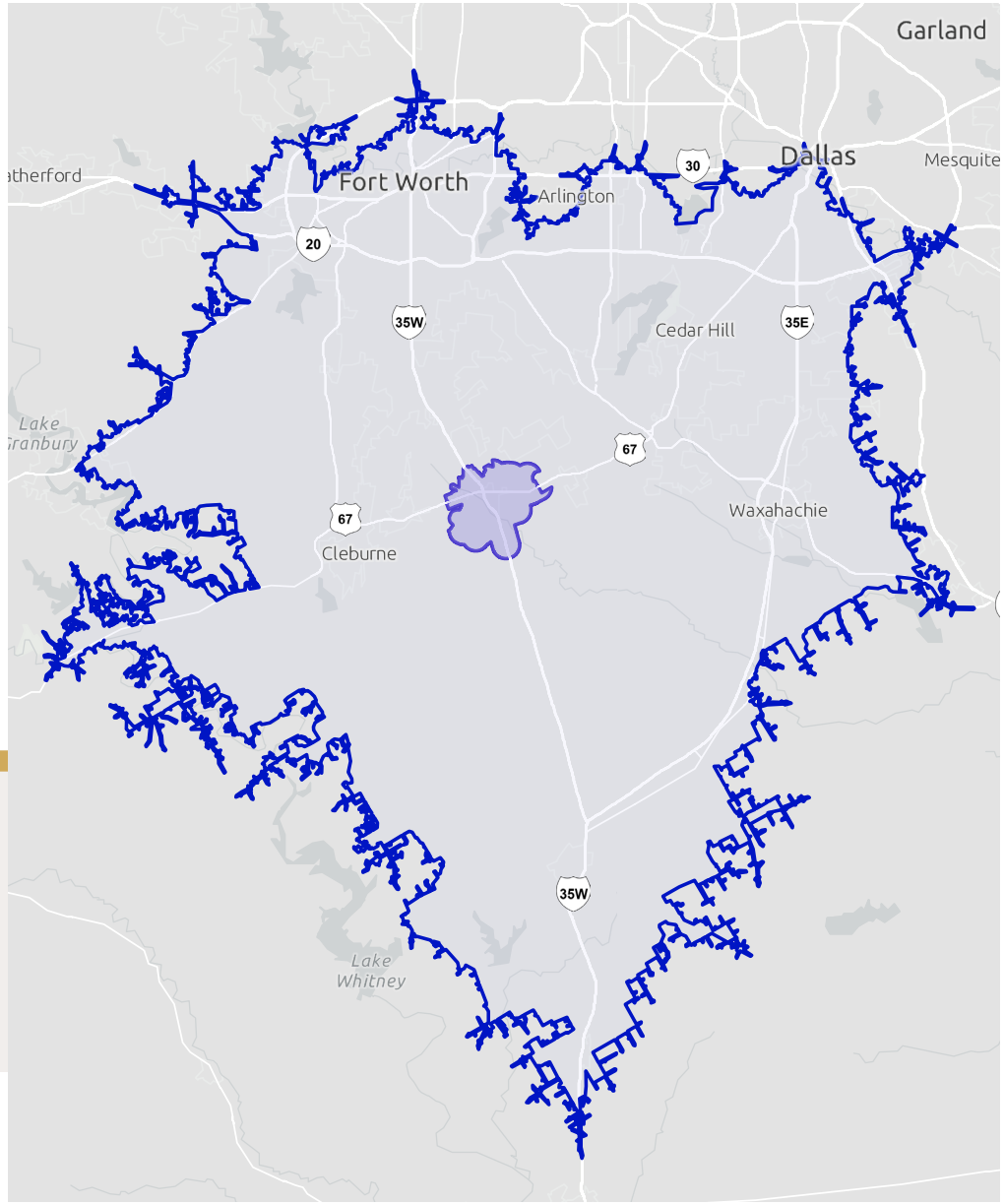
Future demand within Alvarado's trade area is expected to grow substantially as the region adds population, households, and income. According to Esri, by 2030, the Trade Area is projected to reach more than 2.3 million residents and 854,000 households, creating a significantly larger customer base with rising spending power. High Market Potential Index (MPI) scores indicate strong likelihood for restaurant visits, fast-food purchases, entertainment activities, and recreation spending, revealing opportunities for new business growth. As this broader region grows, Alvarado will face increasing competition from nearby cities, but it also has a significant opportunity: capturing even a small share of this expanding market could support new retail, dining, entertainment, and recreation-based businesses in Alvarado. Strengthening these local options will allow the City to keep more household spending close to home while positioning itself as a convenient stop for the growing population surrounding the community.

KEY DEMAND AREAS IDENTIFIED IN THE TRADE AREA

- **Restaurants + Food Services**
  - High MPI scores and strong overall spending show unmet demand for sit-down dining, fast casual, and specialty food options.
- **Grocery + General Merchandise**
  - One of the largest spending categories in the region, with leakage currently flowing to nearby cities.

- **Health, Beauty + Personal Care**
  - Strong household demand for pharmacy, personal wellness, and convenience-oriented services.
- **Recreation, Entertainment + Outdoor Spending**
  - Elevated spending patterns tied to regional parks, lakes, and outdoor lifestyles.
- **Home Improvement + Hardware**
  - Significant demand driven by the area's high rate of single-family housing and ongoing residential growth.
- **Pet Supplies, Children's Goods + Household Items**
  - Consistently high purchase likelihood across dominant lifestyle segments.

Map: Alvarado Trade + Leakage Area



TRADE AREA

CITY OF ALVARADO

Alvarado Planning Area

45 Min Trade Area

0 15 30 Miles

Source: ESRI and LJA, August 2025

CONTEXT

Esri Retail Market Potential

The following charts illustrate the spending patterns of individuals within the defined Trade Area for the City of Alvarado. They also provide insight into the types of goods and services most in demand among local residents. These charts focus on products and consumer behaviors with a Market Potential Index (MPI) greater than 100, which indicates spending levels above the national average or pent-up demand. This information helps identify sectors where the local market demonstrates strong interest and spending power. Understanding these trends is important for future economic development, as they reveal where residents spend more than average. These areas represent opportunities for attracting new businesses and destinations that align with local spending habits.

PRODUCT / CONSUMER BEHAVIOR	EXPECTED NUMBER OF ADULTS OR HH	PERCENT OF ADULTS/HHS	MPI
Went to Family Restnt/Steakhse (6 Mo)	1,278,862	73.7%	101
Went to Family Restnt/Steakhse 4+ Times (30 Days)	444,868	25.6%	105
Went to Most Food/Drive-In Restaurant (6 Mo)	1,600,485	92.2%	101
Went to Fast Food/Drive-In Rest 9+ Times (30 Days)	757,660	43.7%	110
Ordered Eat-In Fast Food (6 Mo)	586,584	33.8%	102
Ordered Home Delivery Fast Food (6 Mo)	248,623	14.3%	117
Take-Out/Drive-Thru/Curbside Fast Food (6 Mo)	859,640	49.5%	102
Ordered Take-Out/Walk-In Fast Food (6 Mo)	372,336	21.5%	94

PSYCHOGRAPHICS (ADULTS) – "Completely Agree" Statements	EXPECTED NUMBER OF ADULTS/HHS	PERCENT OF ADULTS/HHS	MPI
Am Interested in How to Help Env: 4-Agr Cmpl	290,134	16.7%	104
Buying American Is Important: 4-Agr Cmpl	432,206	24.9%	91
Buy Based on Quality Not Price: 4-Agr Cmpl	252,105	14.5%	102
Buy on Credit Rather Than Wait: 4-Agr Cmpl	210,588	12.1%	99
Only Use Coupons Brands Usually Buy: 4-Agr Cmpl	174,523	10.1%	101
Will Pay More for Env Safe Prods: 4-Agr Cmpl	189,197	10.9%	100
Buy Based on Price Not Brands: 4-Agr Cmpl	481,159	27.7%	102

HOME (HOUSEHOLDS)	EXPECTED NUMBER OF HOUSEHOLDS	PERCENT OF HOUSEHOLDS	MPI
HH Did Home Improvement (12 Mo)	266,556	33.2%	98
HH Used Maid/Prof Cln Svc (+ Furn/Carpet) (12 Mo)	252,774	31.5%	92
HH Purchased Low Ticket HH Furnishing (12 Mo)	167,790	20.9%	100
HH Purchased Big Ticket HH Furnishing (12 Mo)	198,689	24.7%	103
HH Bought Small Kitchen Appliance (12 Mo)	193,099	24.0%	105
HH Purchased Large Appliance (12 Mo)	146,401	18.2%	102

READING (ADULTS)	EXPECTED NUMBER OF ADULTS	PERCENT OF ADULTS	MPI
Bought Digital Book (12 Mo)	289,500	16.7%	94
Bought Hardcover Book (12 Mo)	416,281	24.0%	93
Bought Paperback Book (12 Mo)	554,683	32.0%	95
Read Daily Newspaper (Paper Version)	91,902	5.3%	76
Read Digital Newspaper (30 Days)	955,391	55.1%	101
Read Magazine (Paper/Electronic Vers) (6 Mo)	1,506,701	86.8%	100

CONVENIENCE STORES (ADULTS)

PRODUCT / CONSUMER BEHAVIOR	EXPECTED NUMBER OF ADULTS	PERCENT OF ADULTS	MPI
Shopped at C-Store (6 Mo)	1,170,072	67.4%	102
Bought Brewed Coffee at C-Store (30 Days)	220,533	12.7%	101
Bought Cigarettes at C-Store (30 Days)	99,819	5.8%	101
Bought Gas at C-Store (30 Days)	747,230	43.1%	105
Spent $1–19 at C-Store (30 Days)	108,875	6.3%	99
Spent $20–39 at C-Store (30 Days)	141,176	8.1%	101
Spent $40–50 at C-Store (30 Days)	101,885	5.9%	93
Spent $51–99 at C-Store (30 Days)	99,229	5.7%	107
Spent $100+ at C-Store (30 Days)	459,788	26.5%	107

CONTEXT

Esri Retail Market Potential (continued)

ENTERTAINMENT (ADULTS)

PRODUCT / CONSUMER BEHAVIOR	EXPECTED NUMBER OF ADULTS	PERCENT OF ADULTS	MPI
Attended Movie (6 Mo)	938,033	54.1%	102
Went to Live Theater (12 Mo)	174,772	10.1%	87
Went to Bar or Night Club (12 Mo)	320,456	18.5%	95
Dined Out (12 Mo)	901,579	52.0%	92
Gambled at Casino (12 Mo)	214,487	12.4%	96
Visited Theme Park (12 Mo)	350,306	20.2%	107
Viewed Movie (Video-on-Demand) (30 Days)	126,430	7.3%	89
Viewed TV Show (Video-on-Demand) (30 Days)	86,098	5.0%	90
Used Internet to Download Movie (30 Days)	123,024	7.1%	105
Downloaded Individual Song (6 Mo)	320,020	18.4%	102
Used Internet to Watch Movie (30 Days)	642,122	37.0%	105
Used Internet to Watch TV Program (30 Days)	376,614	21.7%	96
Played (Console) Video or Electronic Game (12 Mo)	237,023	13.7%	107
Played (Portable) Video or Electronic Game (12 Mo)	136,096	7.8%	108

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults or households in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average.

Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2025 and 2030.

CONTEXT

ALVARADO DEMONSTRATES HEALTHY CONSUMER ENGAGEMENT ACROSS RETAIL, HOME, AND MEDIA SECTORS.

CONTEXT

Workforce

A strong and diverse workforce is one of Alvarado's most important economic assets. Esri data shows that the Planning Area has 12,087 residents and a daytime population of 10,620, meaning much of the workforce travels in and out of the city each day. *This movement shapes the city's economy: when residents work elsewhere, much of their daily spending follows them.* Capturing more of that economic activity locally will strengthen Alvarado's long-term fiscal stability. Alvarado's workforce composition reflects a community rooted in skilled trades, manufacturing, logistics, service industries, and construction. Esri Tapestry Segmentation confirms this profile:

- **Southern Satellites and Mobile Meadows indicate strong ties to manufacturing, retail, transportation, and health care—industries that align closely with Alvarado's strategic location near I-35W and US 67.**

Across these segments, blue-collar and service occupations make up roughly 60% of employment, while about 40% is white-collar. This balance demonstrates both economic diversity and potential for upward mobility.

Commute data further highlights the City's opportunity: most workers living in the Planning Area travel more than 20 minutes to reach their jobs, confirming that many employment options exist outside of Alvarado. Encouraging more employers to locate within the city would allow more residents to work close to home, increase daytime population, and keep more spending within the community.

WORKFORCE KEY FACTS

Flourishing Families | Dominant Tapestry Segment

12,087	*Total Population*	**2.93**	*Average Household Size*
36.9	*Median Age*	**14.0%**	*% College Educated*
2.9	*% Children (Under 15)*	**1.3%**	*Unemployment Rate*
15.1%	*% Seniors (Age 65+)*	**$314,217**	*Average Home Value*
$98,203	*Average Household Income*	**77.4%**	*% Home Owners*

Source: This infographic contains estimates provided by Esri (2025), U.S. Census (2010), Esri–U.S. BLS (2025).

Alvarado Planning Area

Area: 36.94 square miles

KEY FACTS

12,087
Population

$87,430
Median Household Income

2.9
Average Household Size

36.9
Median Age

BUSINESS

323
Total Businesses

2,949
Total Employees

EMPLOYMENT

39.1%
White Collar

47.8%
Blue Collar

13.1%
Services

1.3%
Unemployment Rate

EDUCATION

17.9%
No High School Diploma

47.1%
High School Graduate

21.0%
Some College/ Associate's Degree

14.0%
Bachelor's/Grad/ Prof Degree

INCOME

$87,430
Median Household Income

$32,862
Per Capita Income

$256,538
Median Net Worth

2025 Households by income (Esri)

The largest group: $100,000 - $149,999 (25.5%)
The smallest group: $25,000 - $34,999 (5.1%)

Indicator	Value	Diff
<$15,000	6.5%	+0.5%
$15,000 - $24,999	5.7%	+0.9%
$25,000 - $34,999	5.1%	-0.5%
$35,000 - $49,999	10.8%	-1.7%
$50,000 - $74,999	13.6%	+0.3%
$75,000 - $99,999	14.7%	+0.7%
$100,000 - $149,999	25.5%	+6.6%
$150,000 - $199,999	11.6%	-2.9%
$200,000+	6.6%	-3.8%

Bars show deviation from Johnson County

Source: This infographic contains data provided by Esri (2025, 2030), Esri-Data Axle (2025). *© 2025 Esri*

CONTEXT

Workforce Future Demand

As the Planning Area population grows, Alvarado will see corresponding increases in demand for jobs across a wide range of occupations, particularly in trades, logistics, health care, retail, construction, and service industries. Median household income is projected to rise from $87,430 in 2025 to $96,037 in 2030, signaling a workforce that is becoming more economically stable and active.

Future workforce needs will be shaped by several factors indicated in Esri's demographic, lifestyle, and expenditure data:

- **A strong presence of blue-collar occupations,**
  - reinforced by Alvarado's access to major transportation corridors
- **Recreation and entertainment expenditures,**
  - while slightly below national averages, represent millions in household spending and could support additional jobs if local amenities expand

Because roughly 70 percent of local residents commute out of the city daily, Alvarado is currently exporting labor and losing the associated daytime spending. As new employers, recreation destinations, and trade-area-serving businesses locate in Alvarado, the city will be able to recapture both workforce activity and consumer spending.

KEY DRIVERS OF FUTURE WORKFORCE DEMAND

- **Population growth**
- **Increasing income levels and spending power**
- **Significant commuter outflow indicating unmet local job demand**
- **Strengthening of logistics, construction, manufacturing, and service industries**
- **Growing opportunities related to recreation, hospitality, and tourism**
- **A diverse resident skill set aligned with multiple target industry sectors**

Over the next decade, Alvarado's economic success will depend on its ability to grow jobs across multiple industries, reduce commuter outflow, strengthen partnerships with training providers, and support employers who can offer stable, long-term opportunity. Building a job market that allows more residents to work close to home will be essential to the city's long-term fiscal resilience and quality of life.

COMMUTE PROFILE

Alvarado Planning Area
Area: 36.94 square miles

This infographic provides information about how population age 16+ travels to work. This data comes from the American Community Survey (ACS) from the US Census Bureau. Read an in-depth analysis on the **ACS documentation page.**

WORKERS

4,532
ACS Workers Age 16+

86.9%
Drove Alone to Work

TRANSPORTATION TO WORK

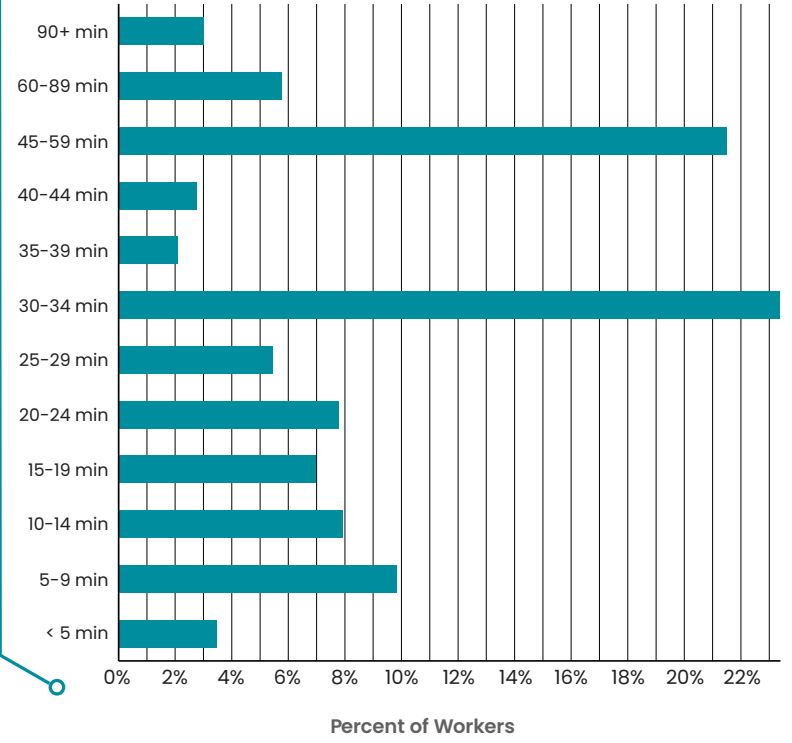
0.0%
Took Public Transportation

6.5%
Carpooled

1.9%
Walked to Work

0.0%
Bike to Work

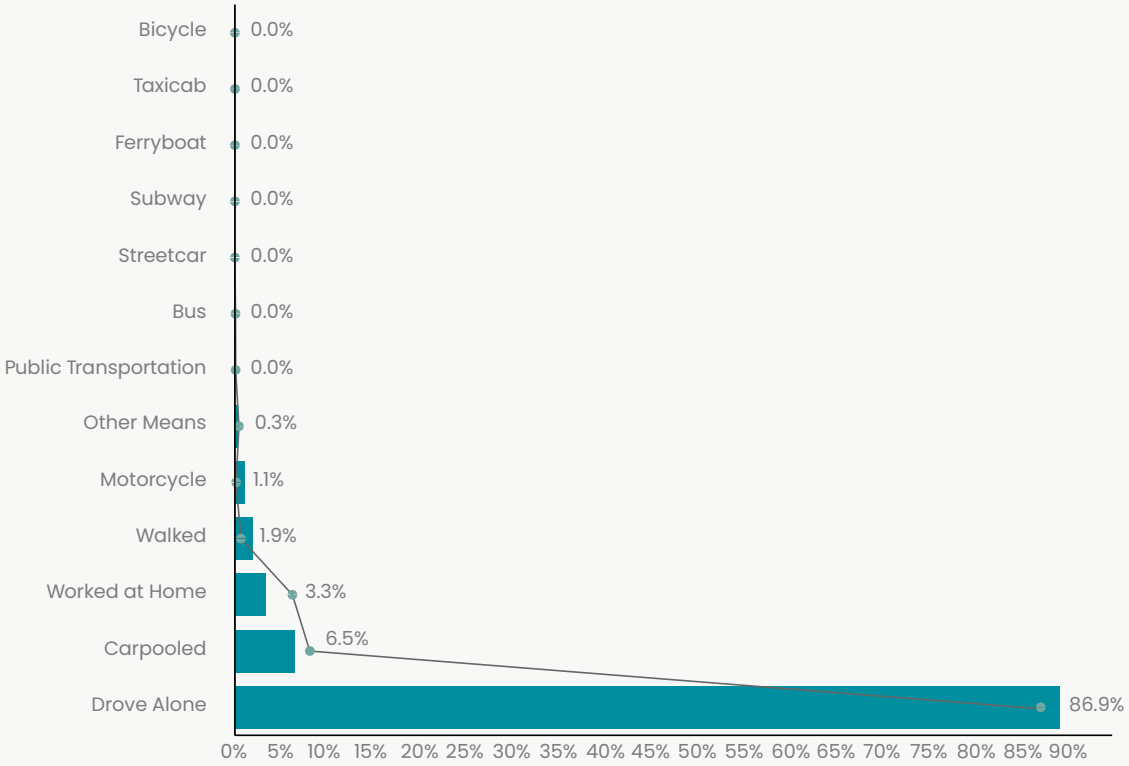
TRAVEL TIME TO WORK



© 2025 Esri

CONTEXT

JOURNEY TO WORK (ACS) (%)



CONTEXT

WORKFORCE BEHAVIOR + COMMUTE PATTERNS

Data shows strong workforce potential and significant commuter leakage that local job creation can help recapture.

CONTEXT

Housing

Within the Alvarado city limits, there were approximately 2,261 housing units as of 2025, consisting of 1,870 single-family units and 391 multi-family units according to the City of Alvarado. There are additional housing units in the unincorporated or extraterritorial jurisdiction (ETJ) areas of the Planning Area. As of 2025, Esri estimated the population within the Planning Area as 12,087, with an average household size of 2.93. Esri data reflects 4,192 households in the larger Planning Area, with similar demographic traits including median age of 36.9, a high owner-occupancy rate (77.4 percent), and moderate educational attainment.

Housing occupancy rates provided by the City indicate a 95 percent occupancy rate for single-family homes and 85 percent for multi-family units, implying vacancy rates of 5 percent and 15 percent, respectively. These counts pertain solely to units within the city limits. Esri projections and development trends suggest increasing demand, particularly as infrastructure expands and new subdivisions are proposed in areas outside the city.

The Planning Area has an average home value of $314,217 and an average household income of $98,203, producing a home value-to-income ratio of approximately 3.2. With a housing affordability index of 115, the area is considered more affordable than the surrounding regional average. This affordability supports continued in-migration of middle-income families and aligns with the spending patterns of dominant lifestyle segments per Esri.

CONTEXT

Housing Future Demand

An additional 7,196 housing units, including 5,949 single-family units and 1,247 muti-family units, are estimated in 10 years by the City based on existing development agreements, City Council approved Planned Development Ordinances, and preliminary plans from pre-submittal. These figures account for some areas expected to be incorporated into the city limits but do not include future dwelling units for the larger Planning Area.

The bulk of the forecasted and planned housing growth is expected to remain single-family. Within the city, projects such as Lone Oak Addition, Agave Trail, and Valor Addition are approved. Additional projects, such as Eagle Glen North, Whisper Park, and a proposal by M&A, at the northeast corner of North Cummings Drive and CR 604, are also expected to contribute to the single-family housing supply, and some of these developments will require annexation. Further expanding this outlook are proposals like the Avalon development near Alvarado High School and a smaller infill proposal at 804 East Davis. Altogether, these several projects account for the projected 5,949 new single-family units over the next 10 years.

Multi-family growth projections are based on planned developments such as the Maple Street Apartments proposal, the Agave Trail Planned Development Ordinance, a development north of Summit at Walnut Creek, and the Parkview at Alvarado Apartments. These projects aim to expand rental housing options which will meet the needs of young professionals, workforce families, and seniors looking for smaller, lower maintenance residences.

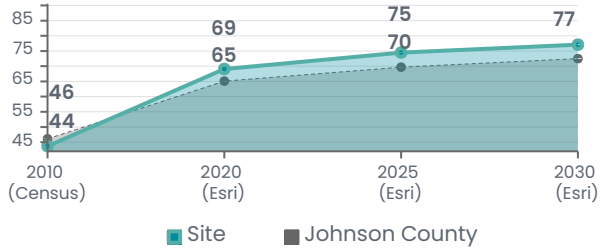
As more households choose to settle in Alvarado, the demand for housing at various price points will continue to rise. Similarly, should Alvarado diversify its housing mix, such as providing unique live-work units, new residents and employers could be attracted to move to Alvarado. Providing modern housing options encourages families to put down roots and remain in the community over the long term. A strong residential foundation ensures a reliable property tax base and supports local schools, businesses, and services.

CONTEXT

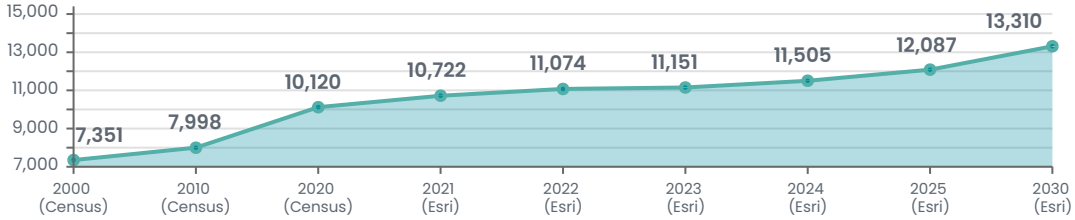
Community Change Snapshot

Alvarado Planning Area
Area: 36.94 square miles

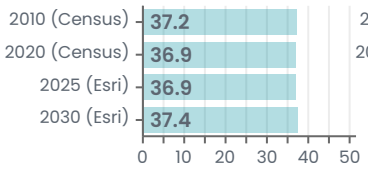
Diversity Index



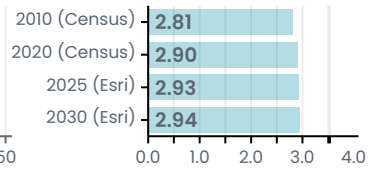
Dots show comparison to Johnson County



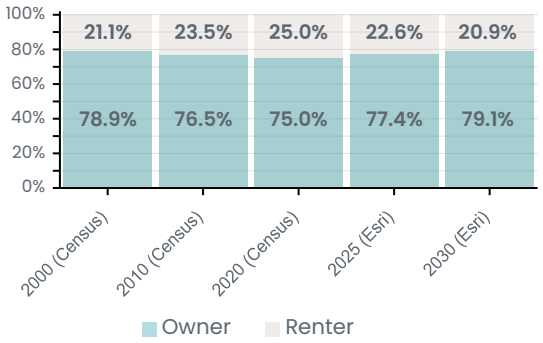
Median Age



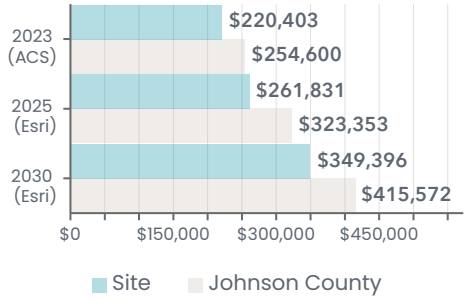
Average Household Size



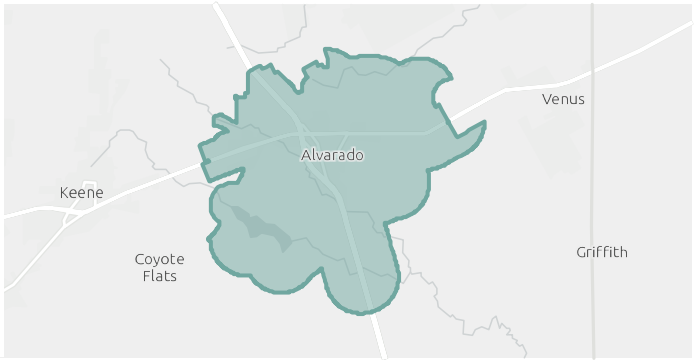
Owner vs Renter Occupied Units



Median Home Value



Bars show comparison to Johnson County



2000-2020 Compound Annual Growth Rate

1.61%	1.32%	1.26%
Population (Census)	Households (Census)	Housing Units (Census)

Total Housing Units: Past, Present, Future

3,188	3,565	4,192	4,613
2010 (Census)	2020 (Census)	2025 (Esri)	2030 (Esri)

Source: This infographic contains data provided by U.S. Census (2000, 2010, 2020), Esri (2025, 2030), ACS (2019-2023). © 2025 Esri

FOR SALE

CONTEXT

Infrastructure and Economic Development

Infrastructure and utilities play a central role in shaping Alvarado's economic and fiscal health. When these systems fall behind, they create challenges that limit development potential and place additional strain on the city's finances. Upgrading utilities and maintaining essential infrastructure ensures that residents and employers can depend on core services but also positions Alvarado as a competitive location for investment. The city's fiscal vitality will be strengthened when infrastructure is viewed as a foundation for economic opportunity and not simply as a background service.

ROAD IMPROVEMENTS

Reliable transportation is essential for connecting residents to destinations both within and beyond the city. When mobility is limited or traffic congestion is high, it can discourage new residents from moving in and prompt existing residents to leave. Investing in roadway improvements and overall mobility is critical to sustaining the City's financial health because a stable and growing population is key to maintaining a strong tax base.

UTILITY ACCESS

Reliable utilities are a critical part of modern infrastructure, supporting both everyday life and economic opportunity. Without it, businesses and residents are less likely to choose a community and those who do may struggle to succeed. Access to water and sanitary sewer are two factors currently affecting the rate of growth in the Planning Area. Since employers and residents form the foundation of a city's tax base, ensuring strong utility access is essential to sustaining fiscal health and resilience.

CITY SERVICES

City services form the core of a community's stability and growth. They reach into nearly every part of daily life by ensuring that homes have clean water and dependable utilities. They also keep streets maintained and safe for travel, provide places for recreation and gathering, and deliver essential protection through police, fire, and emergency response. These efforts give residents confidence that their needs will be met close to home and give businesses assurance that the city is a reliable place to operate. Well-functioning services help retain population, which sustains property values and household spending that feed into the local tax base. In this way, the reliability and quality of city services are related to the financial health and vitality of the community.

INFRASTRUCTURE FUTURE DEMAND

Upgrading the roads in Alvarado is essential for managing the pace of growth in the community. Stronger roadway networks further support local commerce by making it easier for customers to reach businesses and for goods to move efficiently through the city. Strong utility infrastructure ensures the city can support new development and retain existing businesses. Planned wastewater expansion, water system upgrades, and expanded high-speed internet will boost Alvarado's competitiveness. Coordinated utility planning will keep services reliable while supporting economic expansion. As Alvarado grows, the City will need to expand its capacity to serve a larger and more active community. Providing reliable services will help preserve the character of the community and ensure residents feel confident in the City's ability to meet future needs.

REFER TO THE STRATEGIC GROWTH CHAPTER FOR MORE INFORMATION.

CONTEXT

Financing Tools

As Alvarado grows, the City will need more than property taxes to keep up with community needs. Growth brings new neighborhoods, parks, streets, utility demands, and business activity, and each of these requires different types of funding. Because state law limits how fast property tax revenue can grow, cities like Alvarado rely on a mix of financing tools that help pay for improvements without placing all the cost on residents. These tools can support Downtown revitalization, new development, roadway projects, parks and open space, economic development, and community events.

Many of these tools, such as Tax Increment Reinvestment Zones (TIRZs), Public Improvement Districts (PIDs), Hotel Occupancy Taxes (HOT), 380 Agreements, and state or federal grants, allow the City to direct specific types of revenue toward the areas that need them most. Some help attract private investment, some pay for infrastructure that supports new neighborhoods, and others bring in funding from visitors instead of taxpayers.

The following few pages explain several tools, how they work, and why they matter for Alvarado's long-term financial health. Together, these financing strategies help the City:

- Support growth without relying too much on property taxes
- Improve roads, utilities, parks, and Downtown amenities
- Encourage new businesses and jobs
- Reinvest in older areas that need upgrades
- Use outside funds—like developer dollars, visitor taxes, or grants—to reduce pressure on the General Fund

These tools give Alvarado more flexibility and help ensure the City can continue improving services, infrastructure, and quality of life as the community grows. These tools will be essential to funding the implementation strategies outlined in this Plan.

CONTEXT

City of Alvarado Budget

The City of Alvarado's budget is the annual plan for how the City pays for important services like police, fire, parks, streets, the library, and everyday operations that keep the community running. Most of the City's money comes from property taxes, sales taxes, and utility fees, and these funds must be used in specific ways based on state law. Each year, the City balances its budget by matching revenues with expenses, while also setting aside some savings for emergencies or unexpected needs. As Alvarado grows, the budget helps the City decide how to provide high-quality services, maintain infrastructure, and plan ahead for future needs in a responsible and resilient way. These fiscal realities shape which economic development strategies will deliver the strongest return for Alvarado.

Key Insights from the FY 2025-2026 Budget

Alvarado's budget looks bigger than it did 10 years ago, but the City's available funds are still tight. Costs for almost everything the City provides, such as police, fire, roads, parks, equipment, and basic operations, have gone up much faster than the City is allowed to raise revenue.

2/3

ALMOST TWO-THIRDS OF THE GENERAL FUND NOW PAY FOR PUBLIC SAFETY.

This includes Police, Fire, Animal Control, Municipal Court, and other safety services. These services have gotten more expensive because of:

- Higher wages needed to keep trained staff
- Rising equipment and vehicle costs
- More calls for service as the community grows

That means only about one-third of the City's main operating fund is left for **everything else,** like parks, streets, the library, facilities, customer service, and non-public safety personnel.

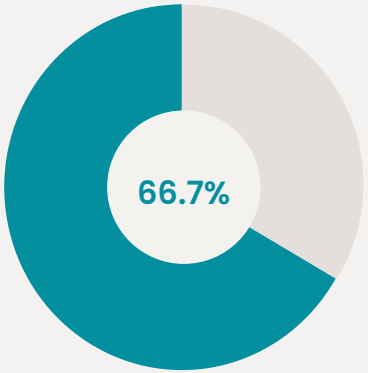
THE CITY'S SAVINGS (THE "ENDING FUND BALANCE") IS A LITTLE LOWER THIS YEAR.

This is not a sign of trouble. It is mostly because:

- **The City is legally limited** in how fast it can grow property tax revenue
- **Inflation** makes equipment, materials, and services more expensive
- **New growth adds workload right away,** but tax benefits show up slowly

The City has used some of its savings to keep services running without raising taxes or cutting important programs. This is a normal and responsible choice when costs jump quickly, but it means that there are not a lot of extra funds available to handle significant unexpected issues that may arise.

CONTEXT



2/3 OF ALVARADO'S GENERAL FUND SUPPORTS PUBLIC SAFETY

Police, Fire, Animal Control, and Municipal Court account for the **largest share of City operating costs.**

THE REMAINING 1/3 SUPPORTS:

- Parks & Recreation
- Streets & Infrastructure
- Library
- Facilities & Customer Service
- Non-Public Safety Personnel

AS ALVARADO GROWS, COSTS INCREASE IMMEDIATELY WHILE REVENUE GROWTH IS MORE GRADUAL, CREATING SHORT-TERM PRESSURE ON THE CITY'S AVAILABLE FUNDS.

WHAT THIS MEANS FOR ALVARADO

The City used savings to maintain services without raising taxes or reducing programs. This approach is responsible in the short term, but limits flexibility for future unexpected needs.

CONTEXT

City of Alvarado Budget: Future Demand

As Alvarado continues to grow, the City's budget will face increasing pressure from both rising service demand and the limits placed on municipal revenue sources. Population growth brings more calls for Police and Fire, more wear on streets and parks, more library and customer service needs, and greater demands on administrative staff. These demands increase costs faster than the City's main revenue sources are legally allowed to grow under state caps, specifically property tax.

At the same time, inflation continues to affect wages, equipment, vehicles, construction, and everyday operations. Public Safety will remain the City's largest cost driver, and new neighborhoods, commercial areas, and industrial growth will add to long-term infrastructure and service needs. While new development does expand the tax base, the cost of serving that development begins immediately, while new revenue arrives more slowly and is limited by state law.

These trends mean that future budgets will need more support from revenue sources outside traditional property tax. To meet future demand, Alvarado will need to rely on a broader mix of tools, including impact fees, utility revenues, sales tax growth, partnerships, tourism revenue, and special districts, to maintain high-quality services and continue investing in safety, infrastructure, Downtown, parks, and community amenities.

Alvarado
THE
MITC
HELL
WAGON

CONTEXT

Tax Increment Reinvestment Zones (TIRZs)

A TIRZ is a designated area where future increases in property tax revenue are set aside to fund improvements within that same area/zone. As property values rise due to new development or reinvestment, the additional tax revenue is reinvested into projects such as infrastructure, public spaces, or redevelopment efforts. For Alvarado, a TIRZ is relevant because it creates a tool to stimulate growth in targeted areas without drawing from the general budget. By encouraging development and raising property values, a TIRZ strengthens the local tax base and supports the vitality of the community. The following describe the existing TIRZs in the City of Alvarado, including boundary areas and related uses for the funds.

TIRZ #1

First established in 2005 with a 20-year term. This TIRZ covered 10 acres with the City as the proposed taxing jurisdiction. The project was never developed as intended and is currently void.

TIRZ #2

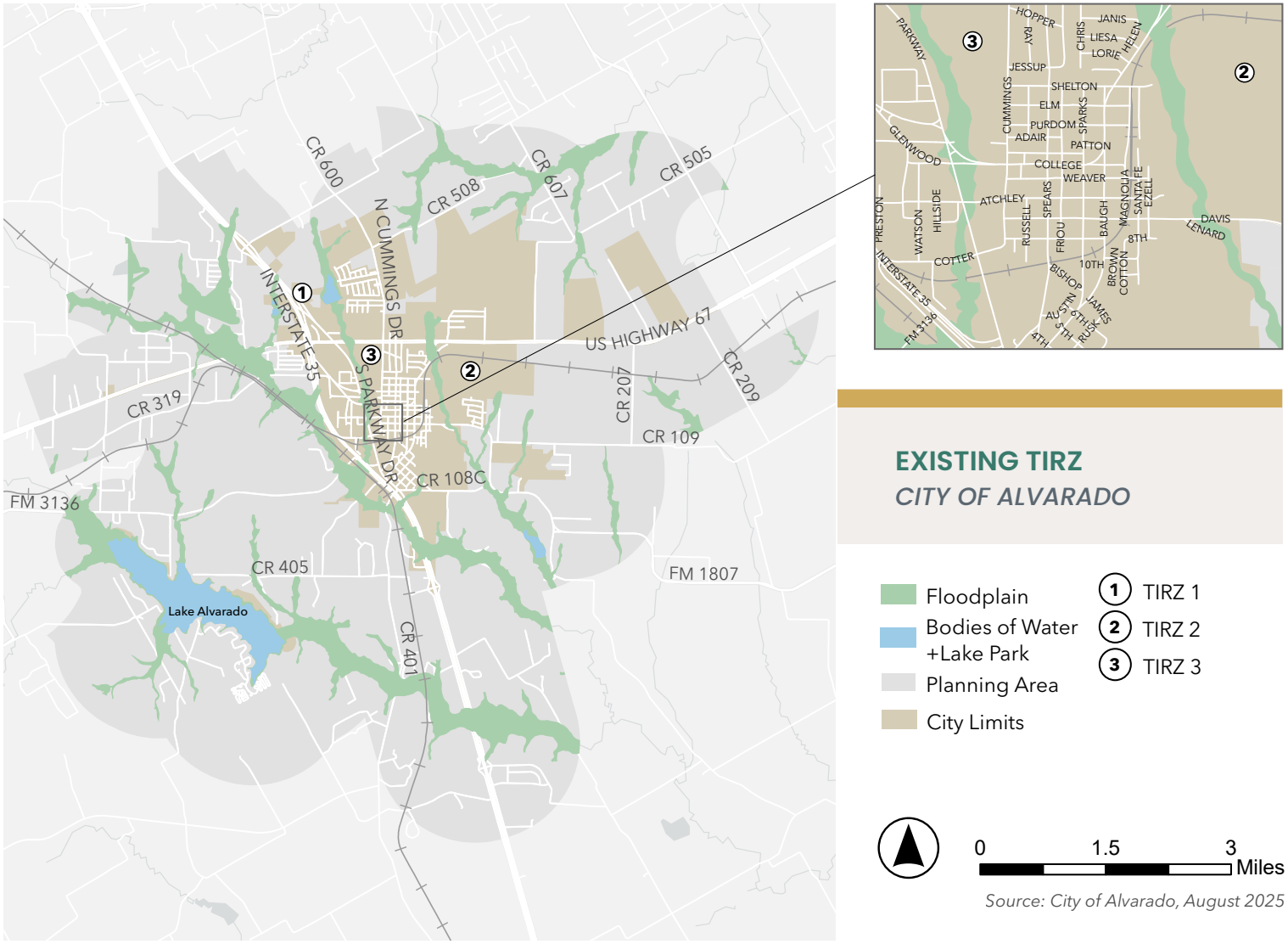
Created in 2010, with a 20-year term, involving both the City of Alvarado and Johnson County as participating taxing jurisdictions. This TIRZ covers approximately 375 acres and was initially designated for industrial development across two areas (the Welborn tract and a portion of another tract). Actual development shifted to residential, instead of industrial. The current location is in the Eagle Glen North Addition, south of the Highway 67 and Sunflower Lane intersection.

TIRZ #3

Reinvestment Zone Number Three (TIRZ No. 3) was created on January 22, 2025, specifically to support Downtown revitalization. The exact area is located east of Parkway and west of Baugh Street between Patton Street, College Street and Weaver Street. The zone encompasses approximately 257 acres that contain deteriorated structures, inadequate street layouts, and other factors that hinder growth. Its purpose is to finance public improvements, such as streets, lighting, utilities, parking, and economic development projects that will stimulate private investment, increase property values, and generate economic benefits for the city. The financing plan commits the City of Alvarado to deposit 75 percent of incremental property tax revenues into the TIRZ fund each year, based on 2025 assessed values. After the adoption of this Plan, including the Downtown Study, the boundaries are recommended to be revised consistent with the updated boundaries of Downtown.

CONTEXT

Tax Increment Reinvestment Zones (TIRZs)



Source: City of Alvarado, August 2025

CONTEXT

Public Improvement Districts (PIDs)

A PID is a defined area where property owners agree to pay an additional assessment that is dedicated to projects and services within that boundary. The funds collected may be used for a variety of enhancements, such as improved landscaping or upgraded infrastructure. PIDs are important because they allow targeted areas to receive a higher level of investment without placing the full responsibility on the general budget. They can also help developers finance expensive infrastructure that would otherwise not be possible to install. By creating visible improvements and increasing the appeal of a district, a PID supports reinvestment, raises property values, and contributes to the financial strength of the community. As of 2026, the City has five known PIDs. These five PIDs are as follows and are shown on the associated map:

LONE OAK PID (CURRENTLY ACTIVE)

Projected to develop multiple phases, totaling 1,657 single family homes. The current phase in development is Improvement #1, containing 253 50-foot lots, with an estimated buildout value of $315,000 per lot. The projected Improvement Area #1 Assessment amount is $5,640,000 with the projected Assessment per unit being $22,292.49. Projected average Annual Installment will be $1,954, resulting in a $0.62 tax rate equivalent for the PID. Total Improvement cost for Improvement Area #1 is $11,238,442. Cost includes roadway, sanitary sewer, water and drainage improvements. PID area is located south on County Road 508, west of County Road 607 and north of Highway 67.

WHISPER PARK PID (RECENTLY ACTIVE)

Initial PID was created in 2022, and the developer recently petitioned for updates to the previously approved Whisper Park PID. Coverage of additional infrastructure improvements within the PID include roadway, water and sanitary sewer improvements. City Council adopted the filing of an amended and restated petition for the Whisper Park PID in 2025. Total improvement costs for all improvements and related expenses is $35,000,000. PID area is located south of Highway 67, southwest of Davis Street, and north of Maple.

EAGLE GLEN NORTH PID (NOT ACTIVE YET)

Developer Agreement mentions the creation of a PID.

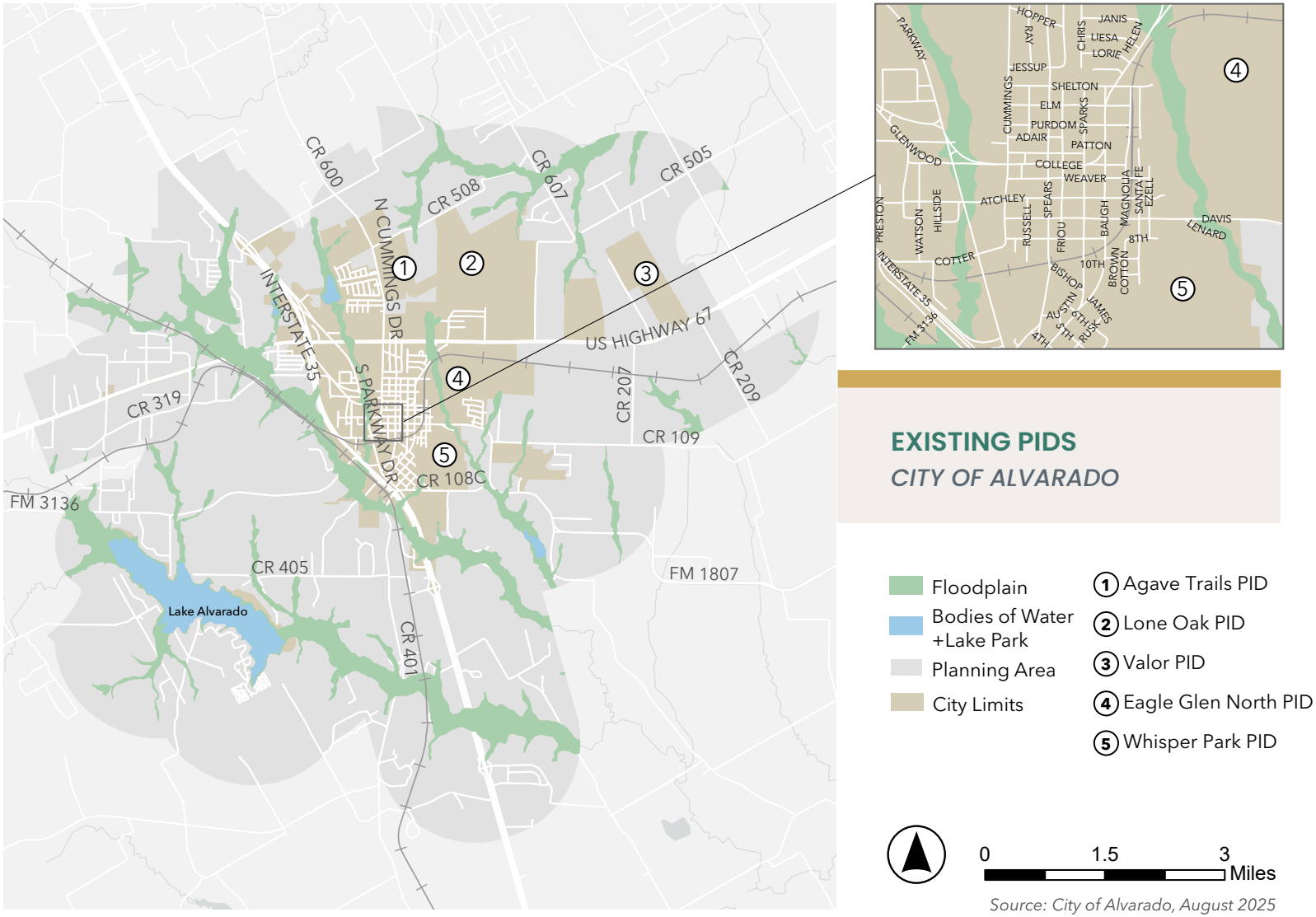
AGAVE TRAIL PID (NOT ACTIVE YET)

Developer Agreement mentions the creation of a PID.

VALOR PID (NOT ACTIVE YET)

Developer Agreement mentions the creation of a PID. PID area is north of Highway 67 at the city limit to the east.

CONTEXT



Source: City of Alvarado, August 2025

CONTEXT

Other Financing Tools

HOTEL OCCUPANCY TAX (HOT) FUNDS

HOT Funds are generated through a tax placed on visitors who stay in hotels or similar lodging within a city. The revenue collected is restricted by state law and is typically used to support tourism, cultural activities, convention centers, and events that encourage overnight stays. These funds are significant for Alvarado because they provide a dedicated source of revenue that comes from visitors rather than residents, which can relieve pressure from the General Fund. The City uses these funds to help organize community events and enhance communications. For fiscal year 2025–2026, HOT revenue is projected to reach approximately $400,000. This marks an increase of $31,421 compared to the previous year.

380 AGREEMENTS

These agreements allow for the City, most often the Economic Development Corporation, to create incentives to attract and retain businesses. Businesses that receive incentive payments through these agreements commit to building improvements, job creation, or investment in infrastructure that ultimately benefit the long-term prosperity of the community. Recently executed 380 agreements include

- A partnership with Millis Transfer to extend a 1,784-foot sewer line and rebuild a roadway
- A partnership with Atwoods to build a new location in Alvarado

ECONOMIC DEVELOPMENT-FUNDED CAPITAL IMPROVEMENTS

This commits economic development funds for use on water, sewer, and roadway upgrades in conjunction with key development incentives. Such investment can be useful in a growing community like Alvarado, where access to needed utilities or improvements may be unavailable or cost prohibitive. It is a tool that can be useful in attracting new business to Alvarado when infrastructure costs would make a new location in the community unattainable.

STATE OR FEDERAL ECONOMIC DEVELOPMENT GRANTS

Primarily funded in Texas through the US Economic Development Administration (EDA) and Texas Economic Development & Tourism Office, these grants are designed to support a wide range of initiatives that encourage business expansion and create employment opportunities, while helping communities plan for lasting success. By securing this type of funding, cities can ease the financial pressure on local taxpayers and move forward with projects that attract new investment and stimulate local spending. The City of Alvarado most recently obtained a grant for approximately 1.4 million dollars for improvements to Parkway Drive through the EDA's Public Works program. Advancements made on Parkway Drive through this funding will improve mobility within the community and improve the viability of new commercial development along Parkway Drive, which happens to be the western border of Downtown, as well as a key arterial in the City's roadway network.

VISION: ECONOMIC + FISCAL VITALITY

A RESILIENT, PEOPLE-CENTERED ECONOMY THAT STRENGTHENS LOCAL BUSINESSES, SUPPORTS FAMILIES, AND SUSTAINS ALVARADO'S LONG-TERM FINANCIAL HEALTH.

THE FOLLOWING PAGES FOCUS ON THIS VISION >

VISION: ECONOMIC + FISCAL VITALITY

ALVARADO'S FUTURE IS SHAPED BY A RARE MIX OF STRENGTHS:

Its crossroads location, access to major recreation assets, room to grow, and a Downtown ready for revival. These advantages position the City to build a resilient, people-centered economy that strengthens local businesses, supports families, and stabilizes the City's finances.

As the community grows, Alvarado must balance rising service demands with the realities of limited revenue tools. This means leaning on reinvestment strategies that reduce pressure on property taxes, such as TIRZs, PIDs, HOT funds, economic development partnerships, and state and federal grants. These tools allow the City to modernize infrastructure, revitalize Downtown, shape new neighborhoods, and attract high-value development without shifting additional costs onto residents.

The goal is to evolve from a community where people often leave for jobs, shopping, and entertainment into a place where residents and visitors choose to spend their time and money. Stronger local activity will expand the tax base, diversify job opportunities, and give families more reasons to stay connected to their community.

At its core, the Vision for Economic + Fiscal Vitality is about resilience. It is about building a thriving, well-connected, family-focused city where businesses succeed, public services remain strong, and the City's financial foundation is stable enough to support long-term needs, as well as economic shocks and stresses. This section outlines the path toward that future through strategic investment, diversified revenue, and development that honors Alvarado's identity.

VISION

The following four characteristics of Alvarado distinguish it from other cities in the region and set it apart in a competitive market.

Community Differentiators

REGIONAL ACCESS

Alvarado's position at the crossroads of IH-35 and US-67 is one of its greatest economic assets. These highways connect the city directly to regional markets and employment centers, making Alvarado an attractive location for commerce, living, and visiting. This supports economic opportunity by attracting businesses that rely on regional distribution and mobility, while also increasing the potential for retail, dining, and service growth to capture traffic traveling through the area. It strengthens Alvarado's ability to compete for employers seeking a strategic location with highway access, and it enhances visibility for Downtown and other commercial areas located near the corridors. This crossroads location ties Alvarado directly into the economic engine of North Texas, offering a foundation for fiscal vitality and resilient growth.

RECREATION PROXIMITY

Alvarado is in an advantageous location that highlights the accessibility to major regional recreation assets. Not only does Alvarado have its own Lake Alvarado within the city limits, Alvarado is also within 30 minutes of two state parks and within 45 minutes of two more state parks (four state parks within 45 minutes)! There are also multiple lakes within the 45-minute radius, such as Joe Pool Lake and Lake Pat Cleburne. Lakes and State Parks are valuable amenities that can attract both residential and commercial development to the city. Alvarado also serves as a key hub for residents and visitors traveling to these amazing destinations. Alvarado Lake has the potential for outdoor activities and small events that can draw people into the city and contribute to the local economy, as well as provide quality of life benefits to Alvarado residents. Its proximity to major transportation corridors amplifies this recreation potential, offering Alvarado a rare chance to build a recreation tourism economy that reinforces both community identity and economic growth.

OPPORTUNITY FOR FUTURE DEVELOPMENT

The availability of developable land within Alvarado's Planning Area provides significant opportunity for long-term economic growth. Unlike many communities that face constraints from lack of remaining developable land, Alvarado has room to accommodate expansion. This supply of land allows the city to attract investment and guide development in ways that strengthen the tax base, while meeting community needs and achieving priorities. It also gives the City an opportunity to evaluate the impact of proposed developments to encourage those that align with the vision of the city. Alvarado is additionally positioned to capture regional growth by offering space for both local businesses and larger employers seeking access to major transportation corridors. The presence of this land ensures that the city can remain flexible and responsive to a wide array of future demands.

DOWNTOWN ALVARADO

Although Downtown Alvarado has not seen significant investment in recent years, it has significant potential to be a charming destination with a unique blend of old/historic and fresh/new. Existing vacant spaces in Downtown offer an opportunity for new restaurants, shops, and other businesses, as well as homes within a walkable setting. By installing capital improvements and modernizing infrastructure and amenities, the City can attract new investment and momentum by drawing more businesses and people to the area. Community members express strong support for seeing this part of the city become more active and vibrant. Further elaboration can be found in the Downtown Study later in this Plan, which is focused on Downtown Alvarado.

VISION

Triple Bottom Line

Using the Triple Bottom Line framework, this Plan ensures that growth and the City's evolution are managed in ways that promote financial stability and health, while focusing on community members and maintaining responsible stewardship of the city's natural assets. Economic and fiscal vitality is central to this approach, reflecting the financial strength and strategic investment necessary to sustain long-term success.

NATURE

Natural landscapes and parks improve quality of life and enhance the city's visual appeal, which helps attract new investment and tourism. Protecting natural assets, such as Alvarado's floodplains and Lake Alvarado, also reduces long-term costs by managing natural infrastructure and preventing environmental damage that can irreversibly strain public resources.

PEOPLE OF ALVARADO

People provide the workforce and local spending that sustain growth. When residents have access to quality services and amenities, while also feeling a sense of belonging, they are more likely to invest in their city and support local business. Prioritizing the quality of life in Alvarado for residents and visitors alike strengthens the community and creates a foundation for future prosperity.

ECONOMIC + FISCAL VITALITY

A healthy financial base allows the City to invest in needed resources that support economic development and encourage private investment. Fiscal planning and responsibility ensure that Alvarado can adapt to changing needs without compromising its future. A vibrant local economy with strategic budgeting support the city's ability to thrive for years to come.

VISION: ECONOMIC + FISCAL VITALITY

Alignment with Vision Guiding Principles

Continuously Improving

Alvarado builds lasting prosperity by pursuing steady growth and reinvestment that adapts to changing community needs.

Fun + Inviting

A welcoming atmosphere that offers vibrant boutiques, dining, and activities draws visitors while enhancing the quality of life for residents.

Neighborly + Family-Friendly

Strong community ties and amenities for families encourage households to contribute and grow within the city.

Efficient + Connected

The city strengthens its future by linking people and services through well-planned housing and business amenities.

Intentional + Distinct

Growth reflects thoughtful choices that preserve Alvarado's character while establishing a unique identity in the region.

Safe

Confidence in well-maintained infrastructure and public spaces builds trust among residents and investors alike.

Engaged + Collaborative

Progress is achieved when all members of the community work together to shape a thriving community.

Landscaped + Charming

Attractive streetscapes and well-designed public spaces create an appealing environment that supports local investment.

Trusted Action

Transparent decisions and consistent follow-through ensure confidence in the city's ability to manage resources wisely.

VISION: ECONOMIC + FISCAL VITALITY

Alignment with Best Practices

The following section highlights recognized best practices for economic development at the local, regional, and national levels. It describes the methods and strategies that have proven effective in fostering sustainable growth and attracting new investment. These practices serve as guiding examples for how communities can balance economic opportunity with overall fiscal health. The section also explains how these approaches align with the current direction and future vision for economic development in the City of Alvarado.

1. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

The U.S. Economic Development Administration's CEDS framework emphasizes data-driven planning, regional collaboration, and clear action steps.
For Alvarado, this means:

- Identifying target industries aligned with location, workforce, and land supply
- Coordinating with regional partners on infrastructure and workforce needs
- Using data and community input to guide decisions and prioritize investments
- Aligning goals with grant eligibility and long-term resilience strategies

CEDS ALIGNMENT HELPS ALVARADO PREPARE FOR RESILIENT ECONOMIC GROWTH.

2. BUSINESS RETENTION AND EXPANSION (BRE)

The International Economic Development Council (IEDC) identifies BRE as one of the most effective tools for strengthening local economies.
Key components include:

- Structured employer outreach to understand needs and opportunities
- Business intelligence gathering on workforce, facilities, and supply chains
- Rapid response support for businesses facing risks or barriers
- Connection to resources such as training, incentives, or infrastructure solutions
- Long-term partnership building with industry leaders

BRE DIRECTLY SUPPORTS ALVARADO'S EFFORTS TO GROW JOBS AND STABILIZE ITS TAX BASE BY HELPING EXISTING EMPLOYERS THRIVE.

VISION: ECONOMIC + FISCAL VITALITY

6 | **SIX PROVEN STRATEGIES THAT STRENGTHEN ALVARADO'S ECONOMY, SUPPORT EMPLOYERS, AND BUILD A MORE RESILIENT FUTURE.**

3. WORKFORCE DEVELOPMENT (TALENT PIPELINE MANAGEMENT FRAMEWORK)

The U.S. Chamber Foundation's Talent Pipeline Management (TPM) framework emphasizes employer-led partnerships and alignment between education and job demand.
For Alvarado, this includes:

- Organizing employers around shared workforce needs
- Aligning Alvarado ISD, Career and Technical Education (CTE), and regional training programs with target industries
- Creating clear pathways for certifications, apprenticeships, and internships
- Using shared performance metrics to track progress
- Addressing barriers such as transportation or childcare

A TPM-ALIGNED WORKFORCE STRATEGY HELPS RESIDENTS ACCESS QUALITY JOBS WHILE MAKING ALVARADO MORE ATTRACTIVE TO EMPLOYERS.

4. FISCAL HEALTH + REVENUE STRATEGY (NATIONAL LEAGUE OF CITIES FRAMEWORK)

The National League of Cities highlights the importance of diversified revenue, predictable funding, and long-term fiscal resilience, which are all critical for communities facing state-imposed property tax limits.
Best-practice elements include:

- Strengthening locally controlled revenues, such as s ales tax and utilities
- Using TIRZs, PIDs, and impact fees to ensure growth pays for growth
- Leveraging grants, partnerships, and public-private collaborations
- Maintaining reserves and avoiding over-reliance on sensitive or externally controlled funds

THESE STRATEGIES HELP STABILIZE ALVARADO'S GENERAL FUND AND SUPPORT ESSENTIAL SERVICES.

VISION: ECONOMIC + FISCAL VITALITY

Alignment with Best Practices

5. DOWNTOWN REVITALIZATION (MAIN STREET AMERICA FOUR POINTS)

Main Street America's national framework organizes downtown revitalization into four coordinated strategies:

THIS MODEL PROVIDES A CLEAR ROADMAP FOR TRANSFORMING DOWNTOWN ALVARADO INTO A VIBRANT CIVIC AND ECONOMIC ANCHOR AND IS EXPLAINED IN MORE DETAIL IN THE DOWNTOWN STUDY.

VISION: ECONOMIC + FISCAL VITALITY

6. CORRIDOR DEVELOPMENT + SITE READINESS (EDA + IAMC FRAMEWORKS)

The U.S. Economic Development Administration and industrial site selection experts emphasize preparing corridors and development sites so they are competitive and "investment ready." Best practices include:

- Organizing employers around shared workforce needs
- Aligning Alvarado ISD, Career and Technical Education (CTE), and regional training programs with target industries
- Creating clear pathways for certifications, apprenticeships, and internships
- Using shared performance metrics to track progress
- Addressing barriers such as transportation or childcare

THESE PRINCIPLES GUIDE ALVARADO'S EFFORTS TO STRENGTHEN KEY CORRIDORS LIKE US 67 AND I-35W AND ATTRACT HIGH-VALUE DEVELOPMENT.

IMPLEMENTATION: ECONOMIC + FISCAL VITALITY

GOAL: GROW ALVARADO INTO A VIBRANT PLACE TO LIVE, WORK, PLAY, AND LEARN LOCALLY.

STRATEGY: SUPPORT THE GROWTH OF NEW AND DIVERSE BUSINESSES THAT MEET LOCAL NEEDS AND STRENGTHEN ALVARADO'S OVERALL ECONOMIC BASE.

ACTIONS:

- Create and publish a "Regional Crossroads Industry Packet" marketing Alvarado's location, workforce, and available sites to logistics, manufacturing, and service employers.
- Prepare annexation outreach packets for key commercial and industrial properties, showing utility/service benefits and financial impacts to owners.
- Develop a prioritized business recruitment list based on retail leakage data, daytime population, traffic counts, and local demand.
- Complete a targeted marketing campaign along I-35W and US 67 promoting business-ready sites with a unified visual identity.
- Create and launch a Hotel + Tourism Opportunity Brief that identifies viable lodging locations and expected Hotel Occupancy Tax (HOT) revenue impacts; proactively distribute to hospitality groups and developers.
- Host one annual "Economic Development Roundtable" with regional partners (NCTCOG, Dallas Regional Chamber, TEDC) to pitch Alvarado projects and align on workforce + infrastructure needs.

IMPLEMENTATION: ECONOMIC + FISCAL VITALITY

**FOUR STRATEGIES.
ONE STRONGER ALVARADO.**

STRATEGY: INVEST IN IMPROVEMENTS AND ACTIVITIES THAT ENHANCE DOWNTOWN ALVARADO'S APPEAL AS A VIBRANT CENTER FOR COMMUNITY LIFE.

ACTIONS:

- Form a Downtown Merchants Association and adopt bylaws establishing roles for promotion, design feedback, and collaborative events.
- Prepare three Downtown Redevelopment Site Sheets identifying catalytic buildings or blocks and outlining incentives, market demand, and redevelopment feasibility.
- Apply for at least two state or federal grants supporting Downtown improvements (e.g., TxCDBG, EDA Public Works, TCA arts grants).
- Complete a Downtown Branding Strategy (logo, colors, tagline, storefront guidelines, furnishings, etc.) aligned with the Downtown Study.
- Install a pilot placemaking project (lighting, seating, crosswalk, shade, public art) on one Downtown block to test design concepts.
- Host a "Downtown Investor Tour" for brokers, developers, and entrepreneurs showcasing available spaces and planned streetscape improvements.

IMPLEMENTATION: ECONOMIC + FISCAL VITALITY

STRATEGY: BUILD A SKILLED LOCAL WORKFORCE THAT SUPPORTS KEY INDUSTRIES, WHILE LEVERAGING ALVARADO'S DIFFERENTIATORS.

ACTIONS:

- Form a Workforce Advisory Group with employers, Alvarado ISD, and regional training partners to establish shared priorities across major sectors, such as logistics, manufacturing, construction trades, healthcare, and hospitality.
- Work with the Workforce Advisory Group to identify three priority career pathways aligned with local and regional job demand (ex. logistics, manufacturing, emergency services, construction trades) and map the certifications, training partners, and general job progression for each.
- Develop a High School + Employer Internship Pilot Program with at least two local employers in different sectors (ex., logistics and healthcare), with optional tracks for recreation or hospitality businesses.
- Create a "Local Talent + Career Guide" that highlights available training programs, apprenticeships, and job pathways for residents, including internships and entry-level to advanced and leadership opportunities.
- Complete a Workforce Barrier Assessment to identify local needs, such as transportation gaps, childcare constraints, digital access, and flexible scheduling, with a short list of actionable solutions for employers (potential and current).
- Establish at least one partnership with a regional training provider (ex., Hill College in Hillsboro, other community colleges or trade schools) to offer credentialing or upskilling opportunities within 20 to 30 minutes of Alvarado.
- Develop a "Live, Work, Play, Learn in Alvarado" workforce attraction piece highlighting quality-of-life advantages, including recreation access and new destinations, as part of a broader strategy to attract and retain skilled workers.

IMPLEMENTATION: ECONOMIC + FISCAL VITALITY

STRATEGY: STRENGTHEN ALVARADO'S FISCAL FOUNDATION THROUGH SMART GROWTH, RECREATION INVESTMENT, AND CORRIDOR READINESS.

ACTIONS:

- Adopt an updated impact fee schedule that reflects planned growth near Lake Alvarado, key corridors, and Downtown.
- Develop a 5-year "Recreation-Driven Capital Strategy" to complement the City's Capital Improvements Program (CIP), which highlights and prioritizes Downtown recreation, Lake access, roadway and trail enhancements, and corridor beautification tied to recreation tourism.
- Prepare TIRZ + PID briefing sheets specifically identifying how these tools can support lake-oriented commercial development, tourism nodes, and small-event infrastructure.
- Create Infrastructure Readiness Maps for recreation-adjacent corridors (ex. Lake Alvarado access, Parkway Drive, etc.) showing utilities, constraints, and opportunity areas.
- Identify and secure control of a strategic lake-oriented property for future public use, events, or tourism-focused development.
- Publish a "Recreation Opportunity + Development Guide" outlining preferred uses, design expectations, incentives, and branding for lake-adjacent and other recreation investments.

3. DESIGN SYSTEM

INTRODUCTION

The Design System provides a clear framework that City leadership, staff, residents, and the development community can use to guide how Alvarado evolves over time. This chapter translates Vision Guiding Principles and community input into shared expectations related to land use, development intensity, character, and connectivity. Rather than regulating individual projects, the Design System establishes consistent, place-based guidance that supports informed decision-making and helps evaluate future proposals in a predictable and transparent way.

The Design System is intended to balance preservation and growth by identifying where different forms and intensities of development are appropriate and how they should relate to surrounding neighborhoods, infrastructure, and public spaces. Through the Future Land Use Plan and supporting , this chapter emphasizes compatibility, walkability, and efficient use of infrastructure without prescribing a single development outcome. It is meant to be used alongside future, incremental zoning ordinance updates and the Master Thoroughfare Plan to ensure that new development and redevelopment strengthen Alvarado's character, improves connectivity, and supports better and lasting outcomes for the community.

PROVIDES CONSISTENT, PLACE-BASED GUIDANCE TO SUPPORT PREDICTABLE, TRANSPARENT DECISION-MAKING AS ALVARADO GROWS.

COMMUNITY FEEDBACK

Key Themes from Community Feedback

The strategies in this chapter are designed to directly respond to this community feedback.

Manage growth and development in Alvarado effectively

Community members and stakeholders expressed a shared understanding that Alvarado is growing. Many residents voiced concern that development seems to be moving faster than the City's ability to maintain infrastructure and services. Others emphasized the importance of thoughtful planning to ensure that new projects align with community values and preserve the city's character. There broad recognition that effective growth management is essential to maintaining quality of life.

Preserve Alvarado's charm

Residents consistently emphasized that preserving the character of Alvarado is an important priority as the city continues to grow. Many described the city's identity as welcoming and family-oriented, with roots in history and a pace of life that reflects a small town nature. Stakeholders and community members expressed concern that unchecked development could erode these defining qualities.

Open to multi-family in strategic locations

Community and stakeholder input supported more diverse housing options, including multi-family development in some strategic areas, to maintain a growing population and workforce. While some residents expressed concerns about quality and density, community members recognized well-designed and properly sited multi-family housing can improve affordability and provide revenue for community priorities, as well as provide needed activity Downtown.

Traffic and Mobility issues on IH-35W, US-67, and Cummings Drive

Traffic congestion on IH-35W, US-67, and Cummings Drive was frequently identified as a top concern by community members. These corridors are heavily used and have limited alternative routes, creating perceived safety and accessibility issues. Discussion about adding more connections and capacity in these areas was common during the planning process.

COMMUNITY FEEDBACK

Mobility Priorities

At Community Forum 1, community members were invited to identify their top mobility priorities by dividing eight coins among eight jars, however they felt was relevant to reflect Alvarado's mobility needs. The activity revealed strong consensus around the need for improved travel and enriched community experiences. Traffic and Recreation emerged as the leading priorities, with Placemaking and Health + Safety tied for third. These results highlight a clear desire to reduce travel time between key destinations while also creating opportunities for engaging and enjoyable activities within the Planning Area. Participant results emphasized the importance of accessible recreational routes, like trails and sidewalks, as well as the need for thoughtful design elements, such as trees and wayfinding, that enhance the everyday experience of moving through Alvarado. In addition, the emphasis on health and safety underscores the community's call for infrastructure that protects both drivers and pedestrians

COMMUNITY FEEDBACK

Mobility Priorities

1. TRAFFIC

Reduce the amount of time spent traveling between home, work, school, or destinations in Alvarado.

2. RECREATION

Provide fun and engaging mobility opportunities for enjoyment, sightseeing, and/or fitness.

3. PLACEMAKING

Enhance the transportation network that encourages social interaction and beauty through high quality design to the places that make the city unique.

4. HEALTH + SAFETY

Protect the community by lowering the risk of travel-related injury and promoting public health.

COMMUNITY FEEDBACK

Mobility Priorities

At Community Forum 2, participants were given the opportunity to discuss specific traffic and transportation topics within the city. Feedback regarding transportation and mobility in Alvarado was provided in a "Mind Map" activity, as well as a tabletop discussion with an LJA traffic engineer. Some of the highlights from this activity are noted below:

- Residents note the growing congestion on US-67, IH-35W, and streets including Cummings Drive and Percifield Trail.
- Speeding, deteriorated roads, traffic signal timing, and low road capacity are primary transportation issues affecting Alvarado.
- Other concerns include lack of sidewalks, emergency service response, and pedestrian safety.
- Some participants offered solutions, including a light rail along US-67 and an alternate bypass or loop that connects US-67 to IH-35W on the north and south sides to disperse through traffic instead of funneling it all to US-67 and IH-35W.

COMMUNITY FEEDBACK

Walkable Multi-story development

At Community Forum 2, participants were asked to share comments and concerns regarding walkable, multi-story development in Alvarado. Participants were enthusiastic about high-quality, visually-appealing development that complements and preserves the existing character of Alvarado. Highlights included:

POSITIVE FEEDBACK

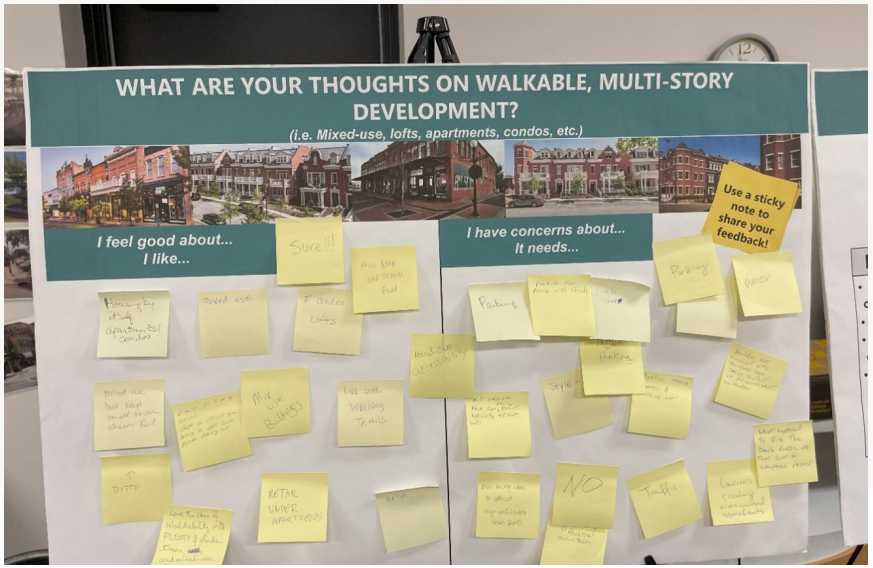
- Many participants expressed support for multi-family housing as a good addition to Alvarado.
- There was enthusiasm for walkability, with participants emphasizing desire for more trails and shade trees.
- Participants liked the idea of mixed-use development, with retail/restaurant on the ground floor and residential above.

CONCERNS AND NEEDS

- Participants expressed concern that increased multi-family development could worsen parking and traffic, particularly in already congested areas. They emphasized the need for adequate on-site parking to prevent spillover into surrounding neighborhoods.
- Some residents worried that an oversupply of mixed-use multi-family units could lead to high retail vacancy rates. Concerns focused on the potential for neglected properties and decreased neighborhood appeal.
- There were concerns about the quality of homebuilders and developers who might come to Alvarado, with participants expressing a desire to avoid ugly and cheap neighborhoods.

TOP THREE SPENDING PRIORITIES

1. Mobility, Connectivity, Traffic Management, + Streets
2. Shopping + Dining Location Incentives
3. Parks + Recreation

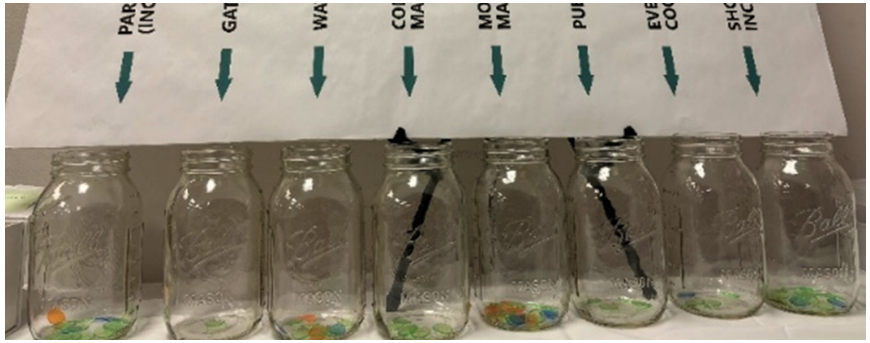


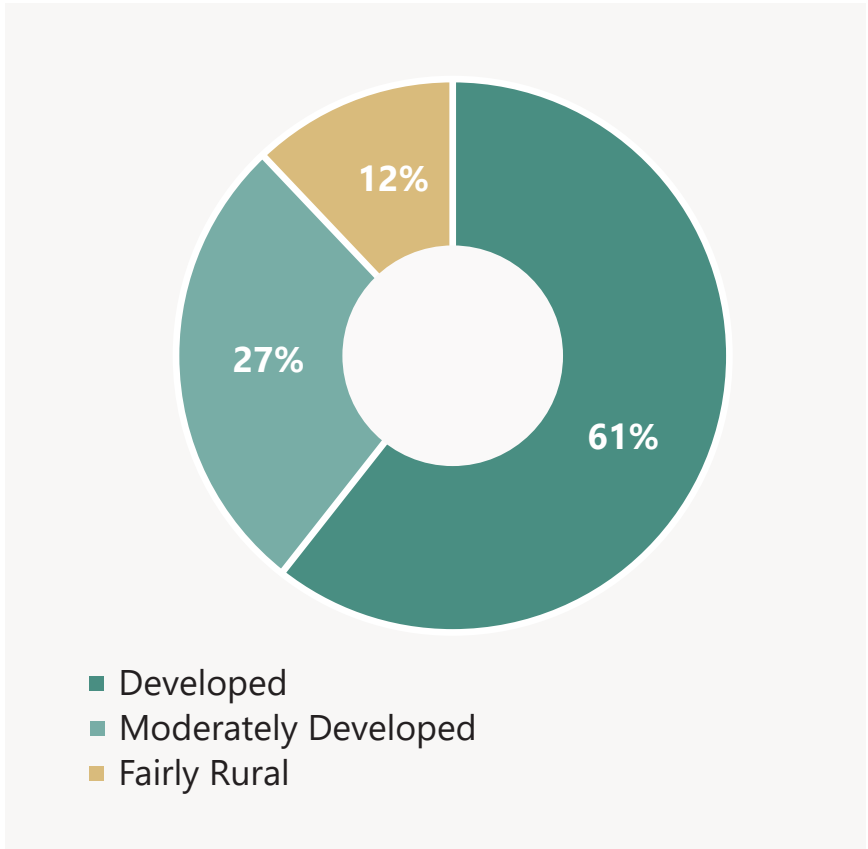
COMMUNITY FEEDBACK

Level of Development + Multi-Family

Attendees at Community Forum 2 provided feedback on the level of development they deemed appropriate for the future of Alvarado. They were given the opportunity to choose one of three preferred levels of development, with a corresponding number of coins, to spend on desired amenities and services. The levels of development were "developed," "moderately developed," and "fairly rural." The Developed level resulted in five coins, the Moderately Developed level resulted in three coins, and the Fairly Rural level resulted in two coins, recognizing that more development and multi-family generally results in more property tax and sales tax to spend on amenities, services, and other needs/wants.

Of particular note between the three levels of preferred development, were the associated options for multi-family residential (MFR) development (Developed = MFR and other housing types besides single family, Moderately Developed = some MFR, and Fairly Rural = no additional MFR). Most participants (88 percent) opted for the two higher levels of development (green and blue), with the most amount of packs selected being the "Developed Alvarado" with the most coins to fund priorities. This indicates a desire to generate revenue for desired services, amenities, and infrastructure among participants, as long as it is done strategically and with great design.





CONTEXT

Existing Land Use + Existing Zoning

EXISTING LAND USE

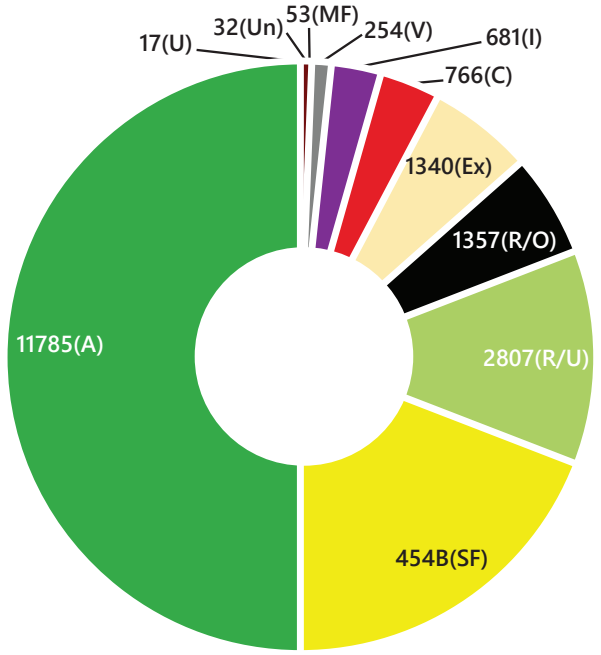
A large amount of the Alvarado Planning Area consists of agricultural or rural/undeveloped land. There are also several existing single-family neighborhoods. Existing commercial properties exist mainly along the major highways of IH-35W and US-67, showing up minimally elsewhere within the Planning Area. There are also two main areas with industrial development: one in the northeast section of the Planning Area, along US-67, and the other in the south, along IH-35W. Two smaller areas of industrial development can also be found in the far western corner of the Planning Area and northwest off of IH-35W.

Data from the Johnson County Appraisal District was utilized to create the following map, which illustrates existing land uses for parcels in the Planning Area boundary. Some land uses may be different than what is shown, but the data is intended to be conceptual and show a glimpse of how land is generally being utilized in Alvarado:

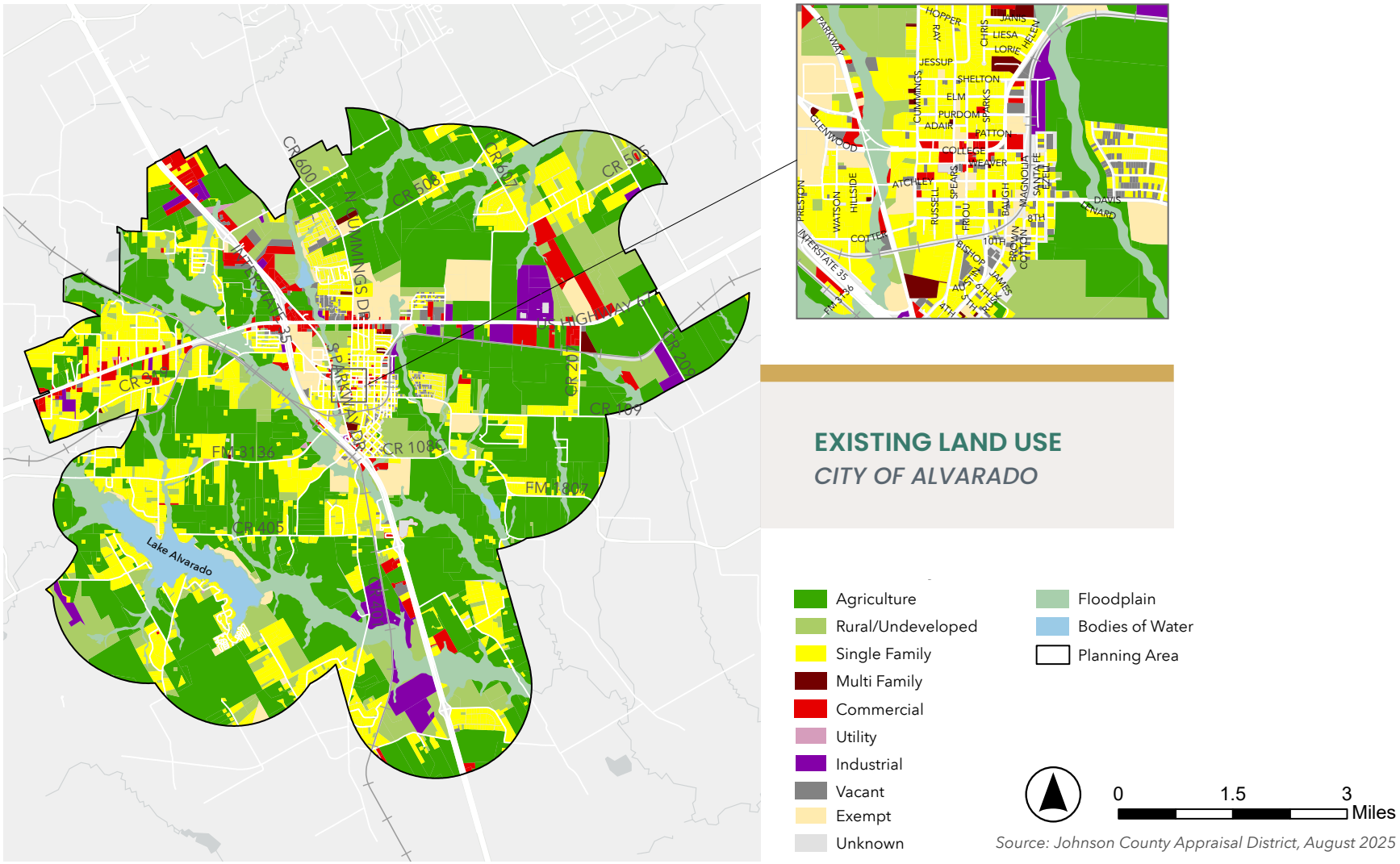
AGRICULTURAL AND RURAL LAND USES CURRENTLY DOMINATE THE PLANNING AREA, WITH DEVELOPMENT CONCENTRATED ALONG MAJOR HIGHWAY CORRIDORS.

2025 EXISTING LAND USE MIX

LAND USE TYPE	ACRES	SQ MILES
Utility (U)	17	0.03
Unknown (Un)	32	0.05
Multi Family (MF)	53	0.08
Vacant (V)	254	0.40
Industrial (I)	681	1.06
Commercial (C)	766	1.20
Exempt (Ex)	1340	2.09
ROW/Other (R/O)	1357	2.12
Rural/Underdeveloped (R/U)	2807	4.39
Single Family (SF)	4548	7.11
Agriculture (A)	11785	18.41
TOTAL	23640	36.94



CONTEXT



Source: Johnson County Appraisal District, August 2025

CONTEXT

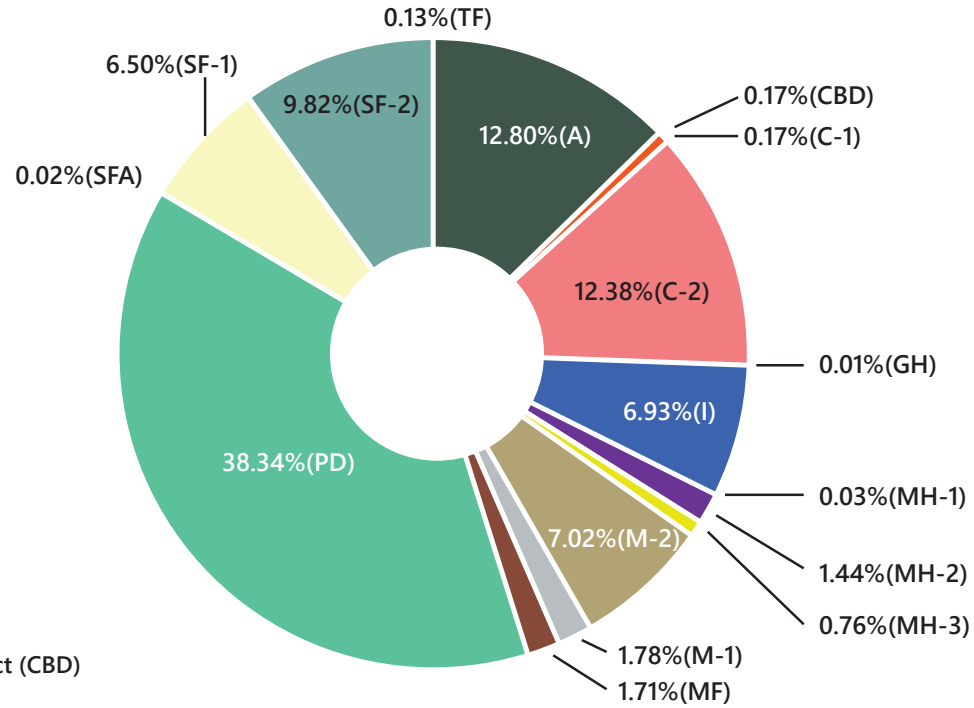
Existing Land Use + Existing Zoning

EXISTING ZONING

Zoning is a set of rules cities use to guide how land can be used and to shape future development in an organized way. It does not always reflect what is currently on the land but rather what the City of Alvarado would allow if new development occurred. In some cases, existing uses do not match current zoning because they were established before zoning regulations changed. These situations are known to "grandfather in," prior land uses meaning the property can continue its current use, under certain circumstances, even if it no longer aligns with updated zoning.

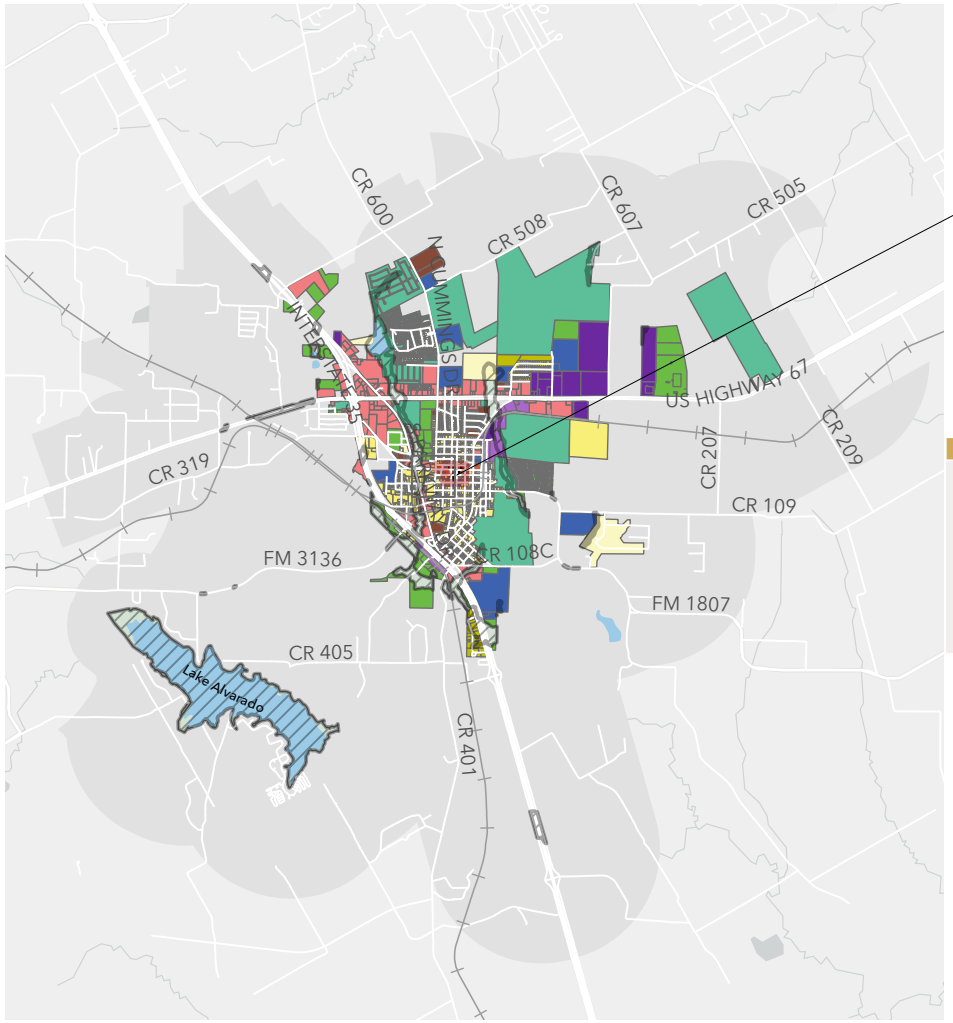
The chart and map that follow show the City's existing zoning designations. There are portions of the Planning Area unzoned since they are outside the city limits, and Alvarado can only zone what is inside of the city limits.

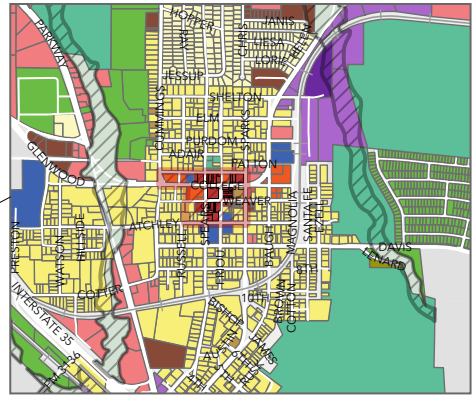
ZONING DISTRICTS (% OF CITY LIMITS)



- Agricultural District (A)
- Central Business District (CBD)
- Commercial District 2(C-2)
- Garden Home (GH)
- Manufactured Home Park District 1 (MH-1)
- Manufactured Home Park District 2 (MH-2)
- Manufacturing Industrial District - Heavy (M-2)
- Manufacturing Industrial District - Light (M-1)
- Planned Development District (PD)
- Single Family Apartments (SFA)
- Single Family District 2(SF-2)
- Two Family Duplex District (TF)
- Commercial District 1 (C-1)
- Multifamily District (MF)
- Institutional Overlay District (I)
- Single Family District 1 (SF-1)
- Manufactured Home Park District 3 (MH-3)

CONTEXT





0 1.5 3 Miles

Source: City of Alvarado, August 2025

EXISTING ZONING
CITY OF ALVARADO

- Agriculture
- Single Family 1
- Single Family 2
- Single Family Apartments
- Garden Home
- Two Family Duplex
- Multi Family
- Manufactured Home Park 1
- Manufactured Home Park 2
- Manufactured Home Park 3
- Central Business
- Commercial 1
- Commercial 2
- Light Industrial
- Heavy Industrial
- Institutional Overlay
- Planned Development
- Floodplain Overlay
- Downtown Overlay

PLANNED DEVELOPMENT ZONING ACCOUNTS FOR THE LARGEST SHARE OF LAND WITHIN THE CITY LIMITS.

CONTEXT

Existing Land Use + Existing Zoning

Observations + Analysis

THERE IS A NOTABLE PRESENCE OF SINGLE-FAMILY HOUSING, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT OUTSIDE OF THE CITY LIMITS.

- Areas within the City's ETJ (outside of the city limits) are not subject to the City's zoning standards and requirements and are in Johnson County.
- The Existing Land Use map shows a large portion of the western, southern, and northeastern part of the Planning Area with existing single family development. The western and southern portions of the Existing Land Use Map also show commercial and industrial development outside of the city limits.

HOUSING VARIETY IS LIMITED.

- Single-family District (SF-1, SF-2) and Planned Development District (PD) make up a majority of the zoning areas for housing in Alvarado. Multi-family District (MF) and Manufactured Home Park (MH-1, MH-2, MH-3), which allow for more housing choices, are sparsely designated within the city limits.
- Like zoning, existing land use shows little to no availability of multi-family development within the Planning Area.

A LARGE PART OF THE PLANNING AREA IS AGRICULTURAL OR UNDEVELOPED LAND.

- A majority of land in the Planning Area is currently designated as agriculture or rural/undeveloped on the Existing Land Use Map.
- Key open spaces should be considered in an effort to help preserve the City's valued rural character and sense of place.
- Growth should be concentrated in areas that are practical to develop and financially sustainable for the City to support over time.

THE PLANNING AREA IN ALVARADO HAS EXISTING, LARGE INDUSTRIAL TRACTS OUTSIDE THE CITY LIMITS.

- Almost 10% of the city limits is zoned either Manufacturing Industrial District – Heavy (M-2) or Manufacturing Industrial District-Light (M-1).
- The eastern part of US-67 and the southern part of IH-35W show significant tracts of industrial land use.
- Industrial properties located within the Planning Area could be evaluated for annexation to support potential revenue growth for the City.

COMMERCIAL DEVELOPMENT IS CONCENTRATED ALONG EXISTING US-67 AND IH-35W.

- Nearly all land zoned Commercial District 1 (C-1) or Commercial District 2 (C-2) is concentrated along US-67 or IH-35W, excluding a few parcels in Downtown Alvarado.
- A majority of parcels (not all parcels) designated as commercial land use are along US-67 and the northern area of IH-35W.

CONTEXT

Prior Future Land Use Plan

The Future Land Use Plan (FLUP) adopted in 2017 (shown following this section) included 11 future land use designations. Much of the Planning Area at that time was designated for low-density residential use with no substantive foresight or vision established for areas that are different in character or that could be in the future. A significant portion of land to the east was allocated for industrial and utility purposes. The FLUP identified some intersections as suitable locations for mixed-use development. The FLUP from 2017 did not change much from the FLUP that it updated from 2004. Over 20 years later, some things remain relevant, but many things have changed, including best practices for establishing a vision for future land use.

LAND USE FUTURE DEMAND

The way land is planned and developed will influence the quality of life of existing and future residents. Much of the recent growth in Alvarado has occurred near or just beyond the city limits, which creates both opportunities and challenges for shaping future development. The need for coordinated planning between existing neighborhoods and future development areas will become increasingly more significant as additional people move into the area. The limited presence of mixed-use development within the Planning Area reduces new and existing resident housing options and therefore adversely affects economic development and tax base. Future development of housing, places of business, and gathering spaces will play a major role in defining Alvarado's character as it grows. Future patterns of land use will also determine whether new development strengthens the sense of place that residents value or leads to a dispersed pattern of growth outside city boundaries. The State of Texas influences this dynamic by providing cities limited tools to influence or regulate development on the edge or fringe of city limits. Overall land use and character will continue to shape how Alvarado evolves and how it sustains a connected community.

STILL RELEVANT

- Commercial tracts prevalent along IH-35W
- Preserving existing floodplain
- Some future industrial uses along US-67, on the east side of the planning area
- Need for housing variety
- Designation of a Downtown area (although it needs to be expanded to reflect community feedback and best practices)
- Utilization of mixed-use along key corridors and at major intersections where appropriate

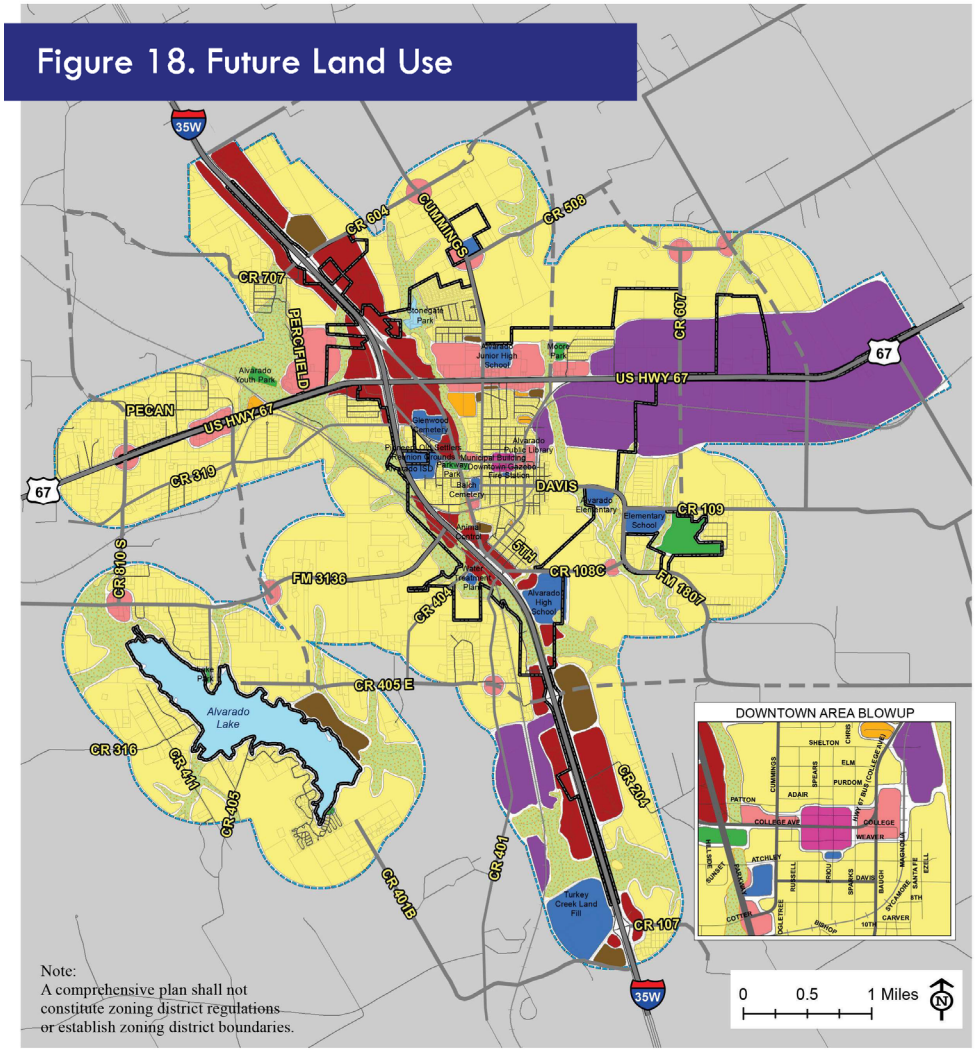
ADJUSTMENTS NEEDED

- The Planning Area from the prior Future Land Use Plan has been extended for the current Plan
- The Downtown boundary has been expanded
- US-67, west of IH-35W, has been developed with more commercial and industrial uses than previously anticipated
- Areas previously designated as low-density residential could be different in character
- Designation of high-density residential is not preferred and should be considered in mixed-use contexts

CONTEXT

Prior Future Land Use Plan (2017)

Figure 18. Future Land Use



City of Alvarado

Future Land Use

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Industrial/Utility
- Local Business District
- Interstate Business District
- Parks and Open Space
- Public/Semi-Public
- Downtown Square
- Lake
- Approximate Location of 100 Year Floodplain
- City Limits
- ETJ

CONTEXT

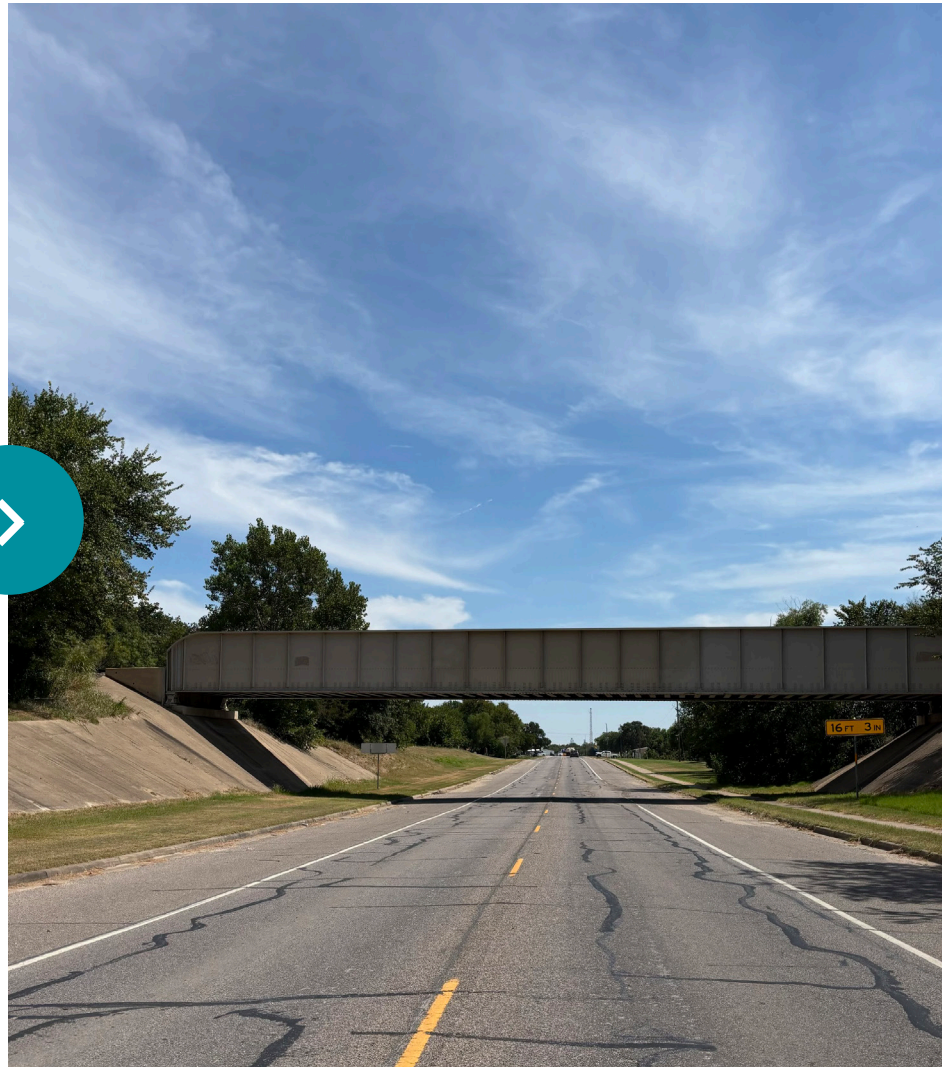
Existing Streets and Paths

EXISTING STREETS

The existing roadway system in Alvarado consists of a combination of TxDOT-controlled arterials, County maintained collectors, and local streets maintained by the City. In newly developed areas, roadways are typically constructed in concrete with curb and gutter and include sidewalks, providing a more complete streetscape. In contrast, many older areas of the city lack sidewalks and pedestrian connectivity, presenting a safety and accessibility challenge for residents. There is a high level of community feedback, particularly in the community survey, highlighting the dilapidated condition of Alvarado streets. Engagement feedback also emphasizes the need for alternate routes within the City of Alvarado due to traffic back up on collector streets that limit access to existing homes at peak times. The City has a prioritized list of 20 streets identified for rehabilitation that is included in the Capital Improvements Program (CIP) detailed in the Strategic Growth chapter.

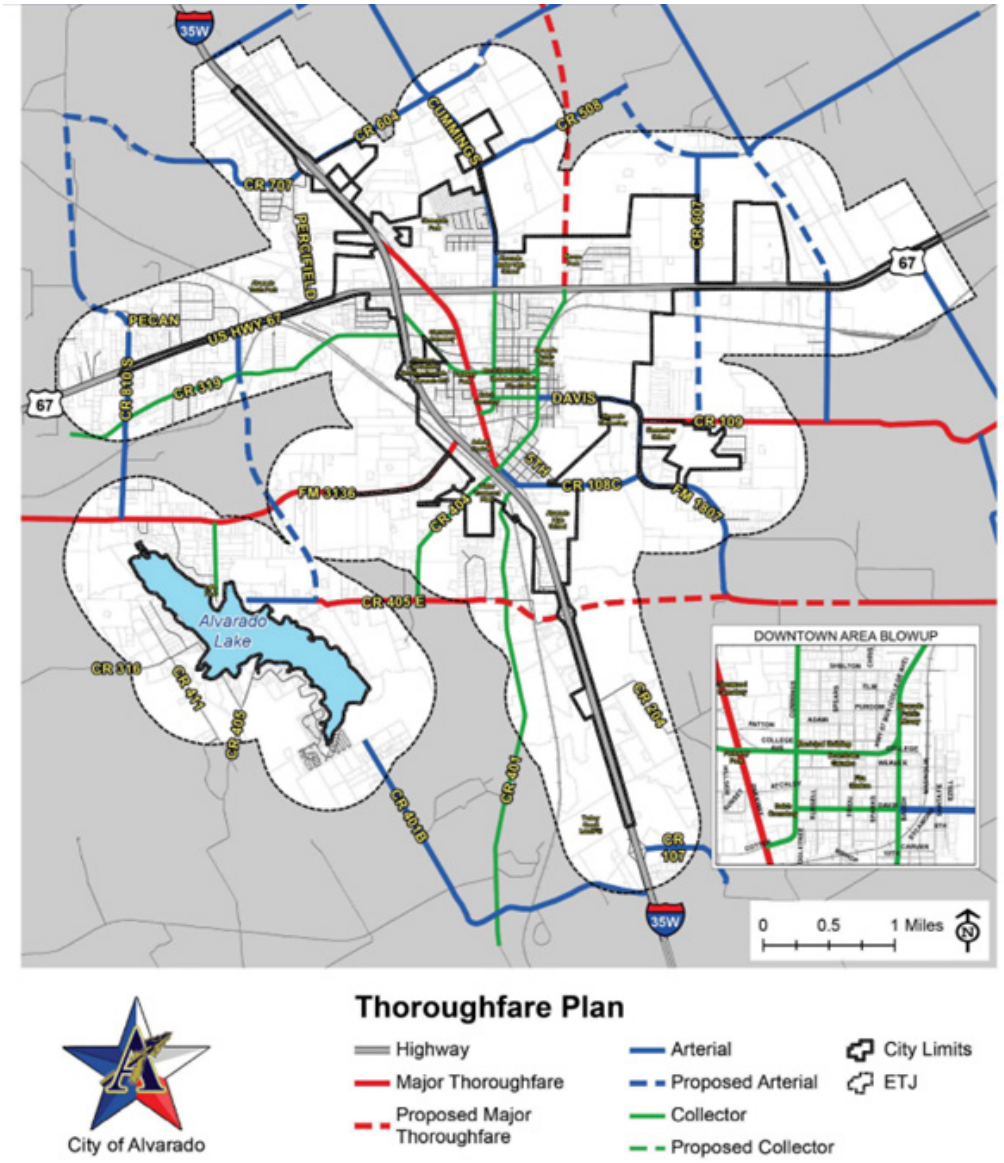
PRIOR MASTER THOROUGHFARE PLAN

The City adopted a Master Thoroughfare Plan (MTP) as part of the 2017 Comprehensive Plan. The MTP proposed roadway modifications, emphasized the use of Context Sensitive Design (CSD) to align street planning with surrounding development, and encouraged a Complete Streets approach to enhance safety and convenience. While the 2017 MTP identified priority repairs, the mobility improvement recommendations need to be expanded.



CONTEXT

Prior Master Thoroughfare Plan (2017)



CONTEXT

Vehicle Crashes

Vehicle crashes provide a clear picture of how people interact with the transportation network. Each crash represents a moment where the use of the roadway may not have worked as intended. Examining where and why crashes occur helps reveal how travel patterns and traffic volumes influence safety across the city. It also highlights conditions that may be placing drivers and pedestrians at risk, and where improvements could make the greatest impact. A city can move toward a transportation system that is both efficient and safe for everyone who uses it by grounding mobility decisions in this knowledge.

DAYTIME CRASH MAP ANALYSIS

Based on the crash data reflected in the adjacent graphic and on the following maps, a large majority of crashes have occurred at the intersection of US-67 and IH-35W. Another large group of crashes has occurred on the eastern side of US-67 in Alvarado, as well as near Parkway Drive and IH-35W. Another notable hot spot occurs within Downtown Alvarado. The northern part of N. Cummings Road, just north of CR 604, also shows a significant number of crashes.

NIGHTTIME CRASH MAP ANALYSIS

Crash density increases at night (8 pm – 6 am), with a significant number of crashes along the entirety of IH-35W and US-67, and continued concentration at the intersection of US-67 and IH-35W. The concentration of crashes near Parkway Drive and IH-35W is also significant at night.

VEHICLE CRASH QUICK FACTS FROM 2020 - 2025 CRIS DATA

26

TOTAL CRASH DEATHS

- 11 fatalities on US-67
- 6 fatalities on IH-35W
- 2 fatalities on CR 401
- 2 fatalities on CR 604
- 2 fatalities on FM 1706
- 6 of these crashes happened between 1 – 4 am
- 7 of these crashes happened between 2 – 4 pm
- 3 of these crashes happened between 8 pm – 12 am

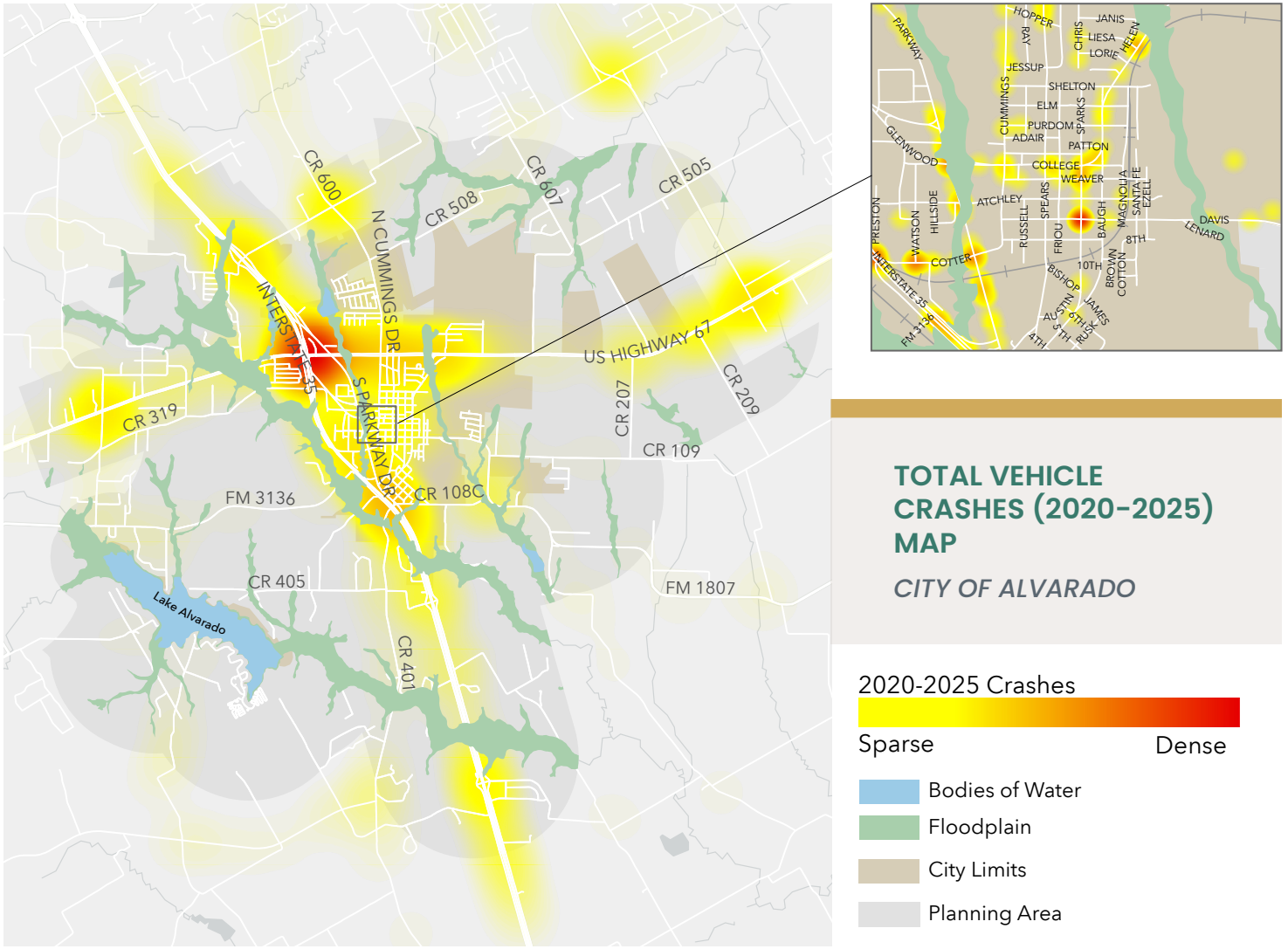
104

CRASHES WITH SUSPECTED SERIOUS INJURY

- 23 of these crashes occurred on 2 lane roads
- 57 of these crashed occurred on 4 lane roads
- 34 of these crashes were on IH-35WW
- 10 of these crashes were on FM2738
- 23 of these crashes were on US-67
- 23 of these crashes happened between 4 – 6 pm
- 14 of these crashes happened between 8 pm – 12 am

CONTEXT

Vehicle Crashes



Source: TxDOT, City of Alvarado and LJA, August 2025

TOTAL VEHICLE CRASHES (2020-2025) MAP

CITY OF ALVARADO

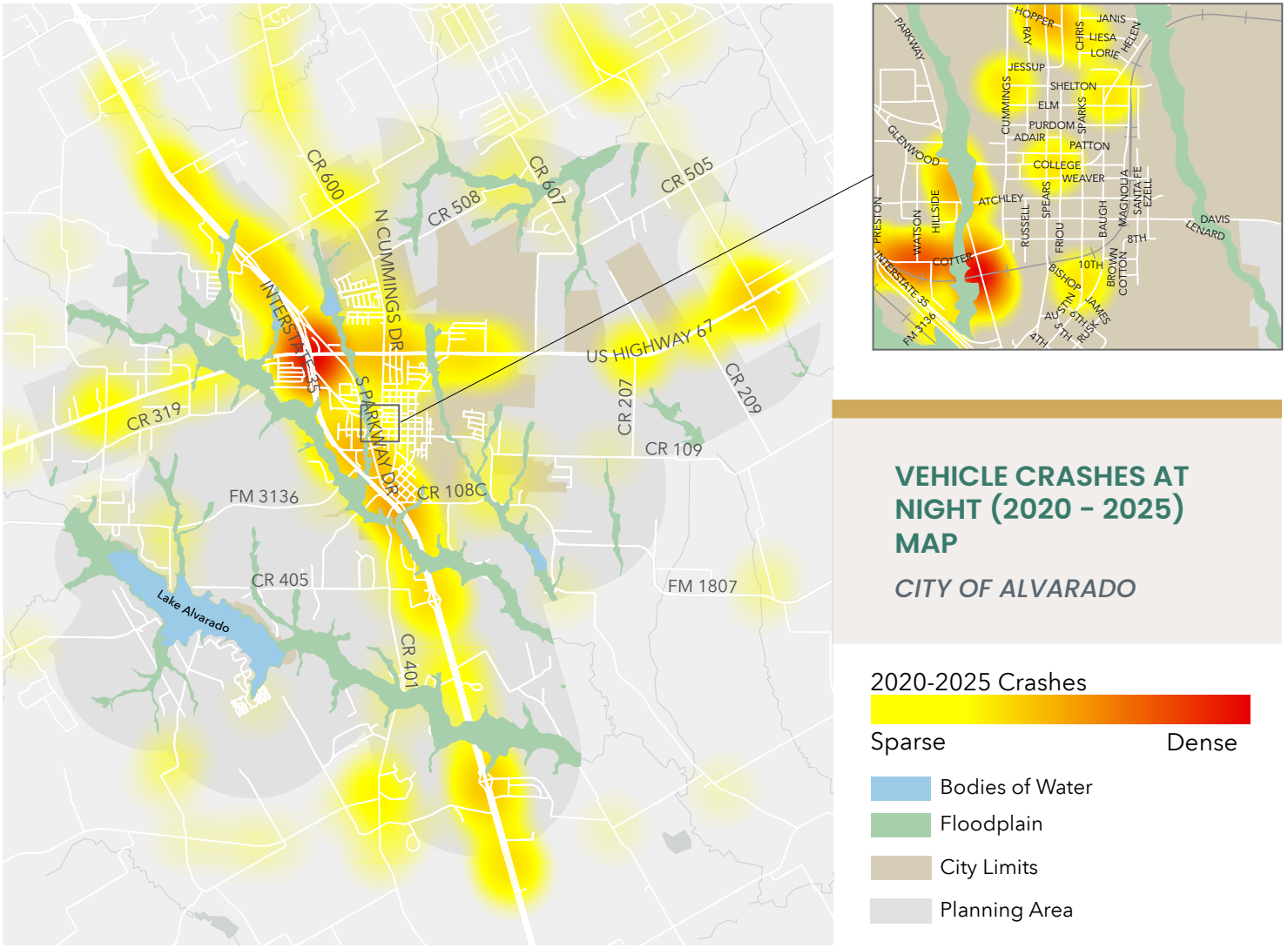
2020-2025 Crashes

Sparse — Dense

- Bodies of Water
- Floodplain
- City Limits
- Planning Area

CONTEXT

Vehicle Crashes



VEHICLE CRASHES AT NIGHT (2020 - 2025) MAP

CITY OF ALVARADO

CONTEXT

EXISTING SIDEWALKS + TRAILS

Many parts of Alvarado are difficult to navigate on foot, especially outside of residential neighborhoods. Sidewalks are missing entirely in some areas and those that do exist, most noticeably Downtown, have deteriorated and need attention. Limited accessibility also makes it harder for people with mobility challenges to move comfortably through the city. Residents and committee members have voiced a clear interest in improving walking and recreation opportunities by expanding the local trail system. Two trail segments are currently mapped within the city limits, however, they are not used very frequently due to concerns about safety from lack of lighting and supporting amenities.

REFER TO THE PARKS + RECREATION STUDY FOR MORE INFORMATION.

FUTURE DEMAND MOBILITY + CONNECTIVITY

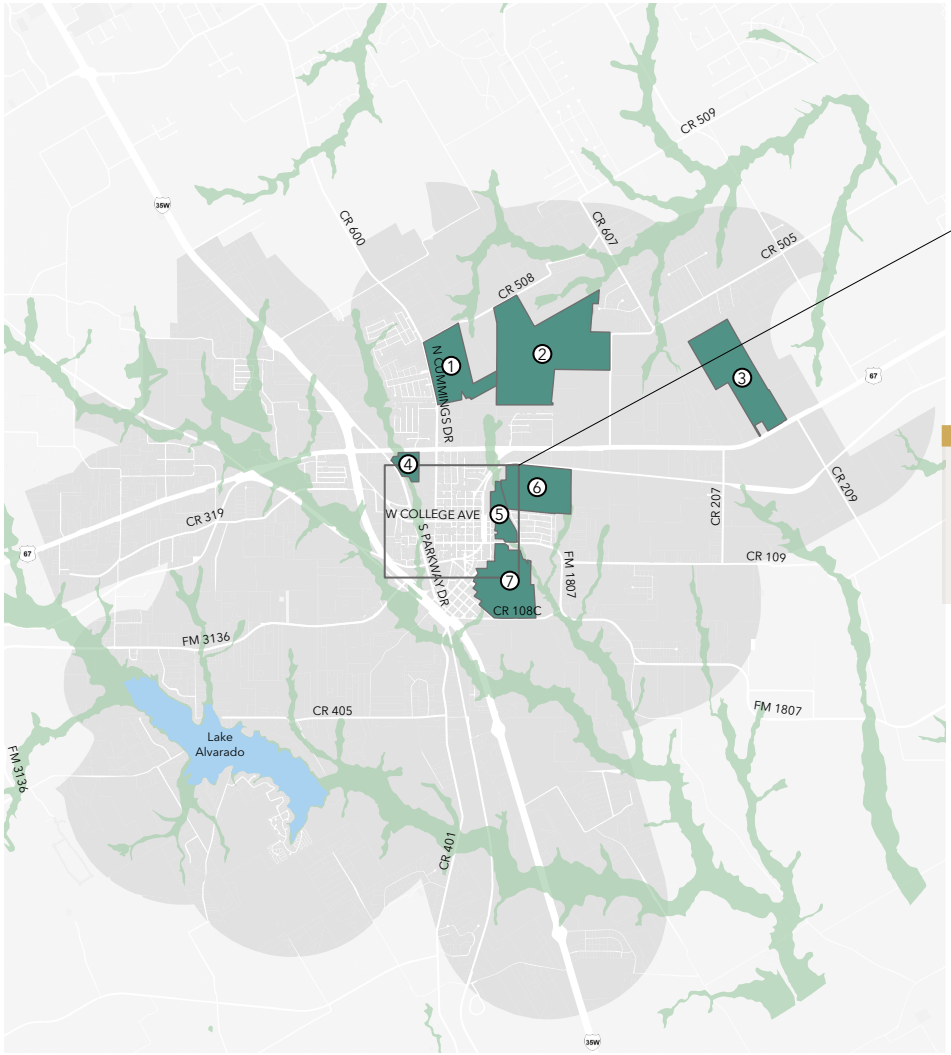
Alvarado is rapidly growing due to its proximity to the DFW Metroplex. Alvarado's strategic location along IH-35WW, just south of the DFW Metroplex, positions it for significant growth in both population and employment. Continued development pressures from the north are expected to increase traffic volumes along all major corridors, including IH-35W and US-67. Industrial and residential developments will generate higher truck and commuter traffic, particularly on routes with regional access. The existing network will face capacity constraints as this development increases. There is a need to expand two-lane farm-to-market roads into multi-lane arterials, extend local collectors, and provide alternate east-west and north-south connections to reduce bottlenecks.

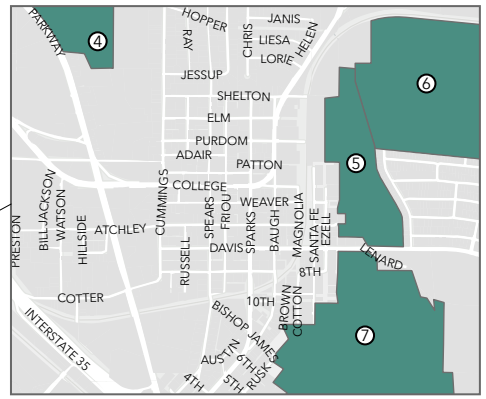
The need for safe and continuous pedestrian connections will also become even more important as community growth continues. Sidewalks and trails will play a central role in linking key areas, helping people move through the city more easily and comfortably. Strengthening these connections will also encourage a more active lifestyle and contribute to a stronger sense of community identity.

ANTICIPATED DEVELOPMENT

The City of Alvarado is projected to grow by over 7,000 additional housing units by 2035 according to approved planned development ordinances, development agreements, and preliminary plans. This level of growth will demand infrastructure improvements and additions, as well as careful planning for the coming developments. Eight single family additions are anticipated, totaling 5,949 new units, as well as four new multi-family developments, estimated at 1,247 new units. These projects will play a major role in shaping the City's future and are an important part of this planning process. As recommendations for future growth are developed, these upcoming developments will be considered and thoughtfully integrated into the Plan.

CONTEXT





ANTICIPATED DEVELOPMENTS MAP (2025)

CITY OF ALVARADO

- Floodplain
- Lake Alvarado
- Planning Area

Anticipated Developments

1. Agave Trails
2. Lone Oak
3. Alvarado 215
4. Parkview at Alvarado
5. Hillcrest of Alvarado
6. Eagle Glen North
7. Whisper Park

0 1.5 3 Miles

Source: City of Alvarado and LJA, August 2025

VISION: DESIGN SYSTEM

Design System in Alvarado focuses on aligning land use, community character, and mobility so that growth reinforces a cohesive sense of place, supports safe and convenient daily movement, and strengthens long-term community resilience. As the City grows, decisions related to where housing, employment, retail, parks, and civic destinations are located must be coordinated with the transportation network and public realm to ensure that development patterns function well, feel intentional, and reflect community priorities.

By coordinating land use patterns with mobility choices and the design of streets and public spaces, Alvarado can support local businesses, improve access to community destinations, and create places where residents feel safe, welcomed, and proud of the city. The Design System is intended to support practical implementation through zoning alignment, capital planning, and development review, while preserving flexibility to respond to market conditions and community needs over time.

THE FOLLOWING PAGES FOCUS ON THIS VISION >

VISION: DESIGN SYSTEM

Triple Bottom Line

Using the Triple Bottom Line framework, the Design System in Alvarado focuses on coordinating land use, character, and mobility decisions in a way that supports quality of life, long-term fiscal health, and the responsible use of land. Decisions about where development occurs, how places are connected, and how streets and public spaces are designed shape not only how the city looks, but how it functions over time. By balancing the needs of people, economic + fiscal vitality, and natural systems, the Design System helps guide growth in a manner that is intentional, resilient, and reflective of community values.

PEOPLE OF ALVARADO

Land use and mobility decisions directly affect how people experience and move through the city each day. Connected neighborhoods, walkable destinations, safe streets, and inviting public spaces make it easier for residents to access daily needs, gather with others, and feel a sense of belonging. The Design System prioritizes development patterns that support comfort, safety, and accessibility for people of all ages and abilities. By shaping growth around people rather than solely around vehicles or isolated uses, Alvarado can strengthen social connections and enhance everyday life.

NATURE

Natural features and physical constraints play an important role in shaping the Design System. Floodplains, drainage corridors, open spaces, and other environmental features influence where development is appropriate and how areas should be connected. Working with the landscape—rather than against it—helps reinforce community character, supports long-term resilience, and reduces conflicts between development and natural systems. Thoughtful land use and mobility design that respects these conditions allows Alvarado to grow in a way that feels grounded and responsive to its physical setting.

ECONOMIC + FISCAL VITALITY

The Design System supports economic and fiscal vitality by encouraging development patterns that function efficiently and reinforce activity in key areas of the city. Coordinating land use with mobility helps businesses remain accessible, supports local spending, and reduces inefficiencies associated with fragmented or poorly connected development. Clear expectations for character and form also provide predictability for reinvestment and new development. Over time, these coordinated decisions help protect public investment, support sustainable growth, and strengthen Alvarado's ability to maintain and enhance its built environment.

VISION: DESIGN SYSTEM

Alignment with Vision Guiding Principles

Continuously Improving
The city will adapt its land use and mobility systems to meet changing needs and create lasting value.

Fun + Inviting
Thoughtful design that supports gathering spaces and enjoyable public places is encouraged.

Neighborly + Family-Friendly
Fostering a pattern of development that establishes connections among residents and promotes safe and accessible routes for all ages.

Efficient + Connected
Homes, jobs, and services are placed in ways that reduce travel time and strengthen accessibility.

Intentional + Distinct
Growth is directed to create character and identity while supporting mobility that enhances daily life.

Safe
Emphasize planning that reduces traffic hazards and creates public spaces where people feel secure and confident.

Engaged + Collaborative
Residents and leaders work together to shape growth that reflects shared priorities for the city's future.

Landscaped + Charming
Beauty and comfort in both streets and neighborhoods encourage pride in the city's appearance.

Trusted Action
Ensure that decisions about land use and mobility are guided by transparency and a long-term commitment to the well-being of the community.

VISION: DESIGN SYSTEM

Alignment with Other Plans + Best practices

The following section highlights recognized best practices for land use planning, community design, and mobility coordination at the local, state, and national levels. These frameworks emphasize predictable development patterns, safe and connected transportation systems, and people-centered public spaces. Together, they provide a practical foundation for shaping how Alvarado grows while reinforcing community character, supporting daily activity, and guiding implementation over time.

1. PLACEMAKING + DESTINATION-BASED DESIGN

(Project for Public Spaces + APA Community Design Practices)

Placemaking best practices inform the Design System by emphasizing the role of public spaces, streets, and destinations as the foundation of community life. Placemaking focuses on strengthening the connection between people and the places they share by shaping land use, mobility, and the public realm to support daily activity, social interaction, and local identity.

In the Design System, placemaking supports development patterns that prioritize destinations rather than isolated projects. This includes reinforcing Downtown, neighborhood centers, parks, and civic spaces as places where multiple activities can occur throughout the day and across seasons. Coordinating land use with mobility and public space design helps ensure these destinations are visible, accessible, and comfortable to reach on foot, by bike, or by vehicle.

KEY PLACEMAKING CONCEPTS REFLECTED IN THIS CHAPTER INCLUDE:

- *Destination-based planning,* which emphasizes creating identifiable places that anchor neighborhoods and attract regular use rather than dispersing activity across disconnected corridors.
- *Layered uses and activities,* recognizing that successful places offer multiple reasons to visit, such as seating, shade, retail, recreation, and events, rather than a single programmed function.
- *Access and connectivity,* ensuring public spaces and destinations are easy to reach, visually connected to surrounding areas, and integrated into the street and trail network.
- *Comfort and image,* supported through streetscape design, building orientation, shade, seating, and ongoing maintenance that make places inviting and easy to use.
- *Sociability and everyday use,* encouraging environments where people naturally gather, interact, and return frequently, reinforcing a sense of community ownership.

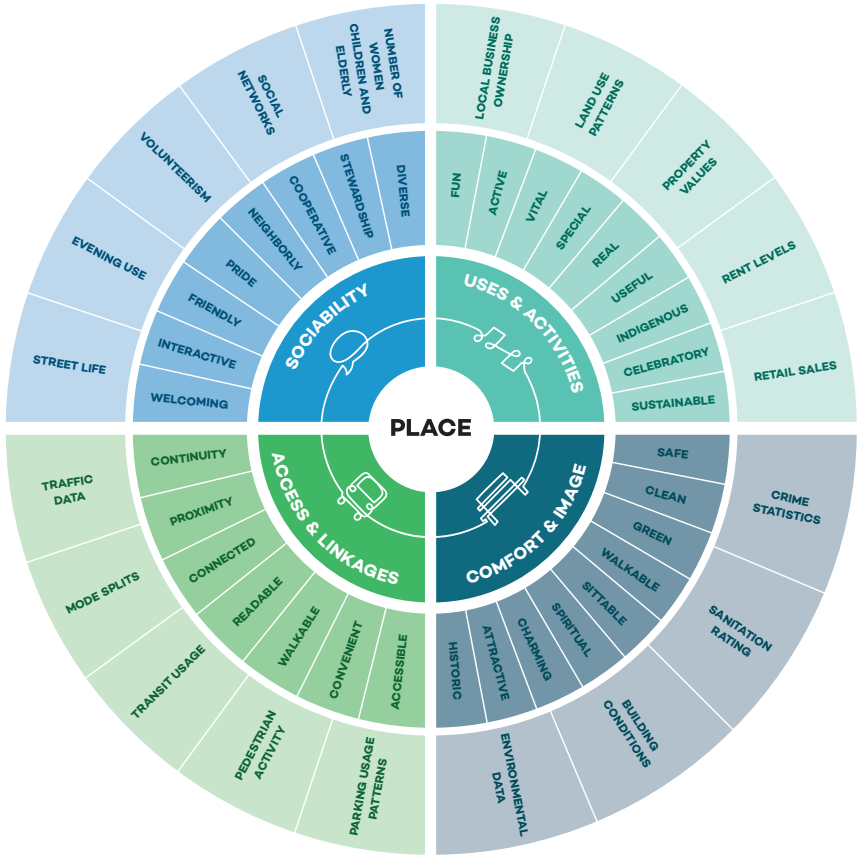
VISION: DESIGN SYSTEM

1

Alignment with Other Plans + Best practices

1. PLACEMAKING + DESTINATION-BASED DESIGN

Project for Public Spaces Placemaking Components



Rather than treating placemaking as a standalone initiative, the Design System integrates these principles into land use planning, street design, and development expectations. This approach helps Alvarado shape places that function well, feel welcoming, and support long-term reinvestment while remaining flexible to evolve over time.

WHAT MAKES A GREAT PLACE?

It's surprisingly simple.

Most great places, whether a grand downtown plaza or humble neighborhood park, share four key attributes:

1. They are accessible and well connected to other important places in the area.
2. They are comfortable and project a good image.
3. They attract people to participate in activities there.
4. They are sociable environments in which people want to gather and visit again and again.

VISION: DESIGN SYSTEM

Alignment with Other Plans + Best practices

2. TRANSPORTATION SAFETY + SAFE SYSTEMS INTEGRATION

(Federal Highway Administration + Safe Systems Approach)

The Safe Systems approach emphasizes designing transportation networks that anticipate human error and reduce the likelihood of serious injury or fatality. It focuses on street design, speed management, and access planning rather than relying solely on enforcement or user behavior.

FOR ALVARADO, THIS INCLUDES:

- Coordinating land use decisions with roadway function and access management
- Designing streets that support safe travel for all users through a connected network
- Reducing conflicts between high-speed traffic and community destinations

Integrating safety principles into land use and mobility decisions helps ensure that growth does not introduce avoidable risks.

SAFE SYSTEM APPROACH

2

VISION: DESIGN SYSTEM

3

Alignment with Other Plans + Best practices

3. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

(CPTED Principles + Municipal Design Guidance)

Crime Prevention Through Environmental Design (CPTED) informs the Design System by reinforcing the relationship between land use, mobility, and the perception of safety in everyday environments. CPTED is based on the principle that the thoughtful design and management of the built environment can reduce both the opportunity for crime and the fear of crime, while supporting active, welcoming, and well-used public spaces.

In the Design System, CPTED supports development patterns that place buildings, streets, parks, and destinations in ways that encourage visibility, activity, and shared responsibility for public spaces. This includes aligning land uses to create "eyes on the street," designing streets and pathways that avoid hidden or isolated routes, and reinforcing clear transitions between public, semi-public, and private spaces. When land use and mobility decisions are coordinated with these principles, public spaces tend to feel safer, more intuitive, and more comfortable for daily use.

KEY CPTED CONCEPTS REFLECTED IN THIS CHAPTER INCLUDE:

- Natural surveillance, achieved through building orientation, windows, active ground-floor uses, and street layouts that allow people to see and be seen.
- Natural access control, which uses street design, site layout, landscaping, and clear entry points to guide movement without relying on barriers or restrictive measures.
- Territorial reinforcement, created through well-defined public spaces, consistent streetscape design, signage, and maintenance that signal care, ownership, and appropriate use.
- Maintenance and management, recognizing that the long-term condition of streets, parks, corridors, and buildings directly influences how safe and welcoming they feel over time.

Rather than relying on overt security features, the Design System applies CPTED as a people-focused design approach that complements placemaking, walkability, and connected land use patterns. By integrating CPTED principles into land use planning, street design, and development review, Alvarado can support public safety outcomes while reinforcing community character, encouraging activity, and strengthening confidence in shared spaces.

4

VISION: DESIGN SYSTEM

Alignment with Other Plans + Best practices

4. CONTEXT SENSITIVE SOLUTIONS (CSS) + COMPLETE STREETS

(FHWA + Texas Transportation Guidance)

Context Sensitive Solutions and Complete Streets practices emphasize designing roadways to reflect surrounding land use, character, and community context. These approaches recognize that streets serve multiple functions beyond traffic movement, including access, placemaking, and public life.

FOR ALVARADO, THIS INCLUDES:

- Matching roadway design to surrounding character areas
- Coordinating street improvements with land use and development intensity
- Balancing vehicular mobility with pedestrian, bicycle, and local access needs
- Supporting corridor designs that enhance comfort and community identity

These practices allow mobility investments to reinforce, rather than undermine, desired development patterns.

VISION: DESIGN SYSTEM

5

Alignment with Other Plans + Best practices

5. LAND USE + MOBILITY PLANNING IN ENERGY AND INDUSTRIAL CONTEXTS

(Texas Municipal League + State Planning Guidance)

Communities with energy infrastructure and industrial activity face unique land use and mobility considerations. In Alvarado, the presence of gas wells, pipelines, and related access routes influences development feasibility, roadway conditions, and safety considerations.

FOR ALVARADO THIS INCLUDES:

- Accounting for gas well locations and pipeline corridors in land use planning
- Coordinating roadway design and access near industrial uses
- Avoiding land use conflicts in sensitive areas

Recognizing these conditions within the Design System helps ensure that growth recommendations remain realistic, safe, and context-aware.

VISION: CHARACTER FRAMEWORK

Integrating Land Use + Mobility

The Design System establishes a coordinated vision for how land use and mobility work together to shape Alvarado's physical form over time. It builds on the Future Land Use Plan and the Master Thoroughfare Plan by expanding beyond traditional classifications to address development character, transitions, and how places are experienced. This integrated approach provides a clear framework for guiding growth, improving connectivity, and reinforcing community character as Alvarado evolves.

As the City grows, land use decisions influence travel patterns, access to services, and the performance of the transportation network. Likewise, the function and design of streets shape development potential, neighborhood compatibility, and the character of adjacent areas. By planning land use and mobility together through a character- and context-based approach, Alvarado can guide growth in a way that is predictable, functional, and responsive to both existing conditions and future needs.

FUTURE LAND USE PLAN + MASTER THOROUGHFARE PLAN AS FOUNDATIONAL TOOLS

The Future Land Use Plan (FLUP) establishes the long-term pattern of growth by identifying where different land uses and development intensities are appropriate. The Master Thoroughfare Plan (MTP) defines the roadway network needed to support that growth, including connections within the city and to the surrounding region. Together, these plans provide the foundation for the Design System. Within the Design System, the FLUP and MTP are not standalone documents. They inform broader Character and Mobility Frameworks that guide:

- How neighborhoods, employment areas, and destinations relate to one another
- How development form and intensity respond to street function and access
- How mobility investments support desired character and safe movement

This approach helps reduce conflicts between development and transportation while reinforcing the intended role and feel of different areas of the city.

GUIDING GROWTH THROUGH COORDINATED DECISIONS

By using the FLUP and MTP as a foundation, while applying character- and mobility-based guidance, Alvarado can make informed decisions that balance growth, access, and community identity. This approach supports:

- Intentional development patterns that reduce uncertainty for residents and investors
- Connected neighborhoods with clear access to daily destinations
- Streets that function appropriately for their context and surrounding uses
- Long-term flexibility as conditions and priorities change

The Design System provides the structure needed to translate vision into consistent decisions, ensuring that land use, character, and mobility investments reinforce one another and contribute to a cohesive, well-functioning city.

VISION: CHARACTER FRAMEWORK

Purpose of the Character Framework

The Character Framework establishes how the Future Land Use Plan (FLUP) is applied to guide development form, scale, and community character across Alvarado. While the FLUP defines the long-term pattern of growth and anticipated land uses, the Character Framework provides the place-based guidance needed to ensure that development reflects local identity, supports walkability and connectivity, and responds appropriately to surrounding contexts.

Rather than focusing solely on land use categories, the Character Framework emphasizes how development is experienced on the ground—including building form, height, transitions, and the relationship between buildings and public spaces. It recognizes that different parts of the city serve different roles and that growth should be shaped in a way that feels intentional and cohesive.

CHARACTER FRAMEWORK + MOBILITY FRAMEWORK INTEGRATION

The Character Framework works in direct coordination with the Mobility Framework to ensure that land use decisions and transportation design reinforce one another. Development patterns influence how people move through the city, while mobility choices shape access, visibility, and the overall function of places. Aligning these frameworks helps ensure that growth is supported by streets and connections that are safe, functional, and appropriate for their context.

In residential areas, it emphasizes compatibility, transitions, and preservation of neighborhood character. In employment areas and along regional corridors, it supports development that functions efficiently while managing transitions to nearby neighborhoods and public spaces.

FUTURE LAND USE PLAN (FLUP) AS A FOUNDATIONAL TOOL

The Future Land Use Plan (FLUP) serves as the City's primary land use policy document, establishing the long-term pattern of growth and anticipated land uses across Alvarado. Within the Design System, the FLUP is implemented through the Character Framework, which expands traditional land use guidance to include character intent, maximum building heights, development form, transitions, and broad placemaking expectations for each designation.

This approach preserves the clarity and familiarity of the FLUP while providing more precise, place-based guidance for evaluating development proposals, updating zoning standards, and aligning public investment with community priorities. The Character Framework ensures that the FLUP functions as a practical decision-making tool rather than a static map.

Within the FLUP, each Future Land Use Designation is considered a Character Area. These two terms are used interchangeably reflecting that the "Character Area" concept is an evolution of the more traditional/outdated "Future Land Use Designation."

VISION: CHARACTER FRAMEWORK

Designing Places by Character and Context

The Character Framework recognizes that different areas of Alvarado require different development approaches based on their role, location, and surrounding context. While anticipated uses and maximum heights provide structure, decisions are guided by the intended character and function of each place.

BY CONSIDERING CHARACTER ALONGSIDE LAND USE, ALVARADO CAN:

- Protect Existing Neighborhoods through compatibility and transition strategies
- Support walkable, mixed-use environments in appropriate locations
- Reinforce placemaking through building orientation, public spaces, and streetscape relationships

This place-based approach helps ensure that new development and reinvestment contribute positively to the city's identity and long-term vision.

APPLYING THE CHARACTER FRAMEWORK

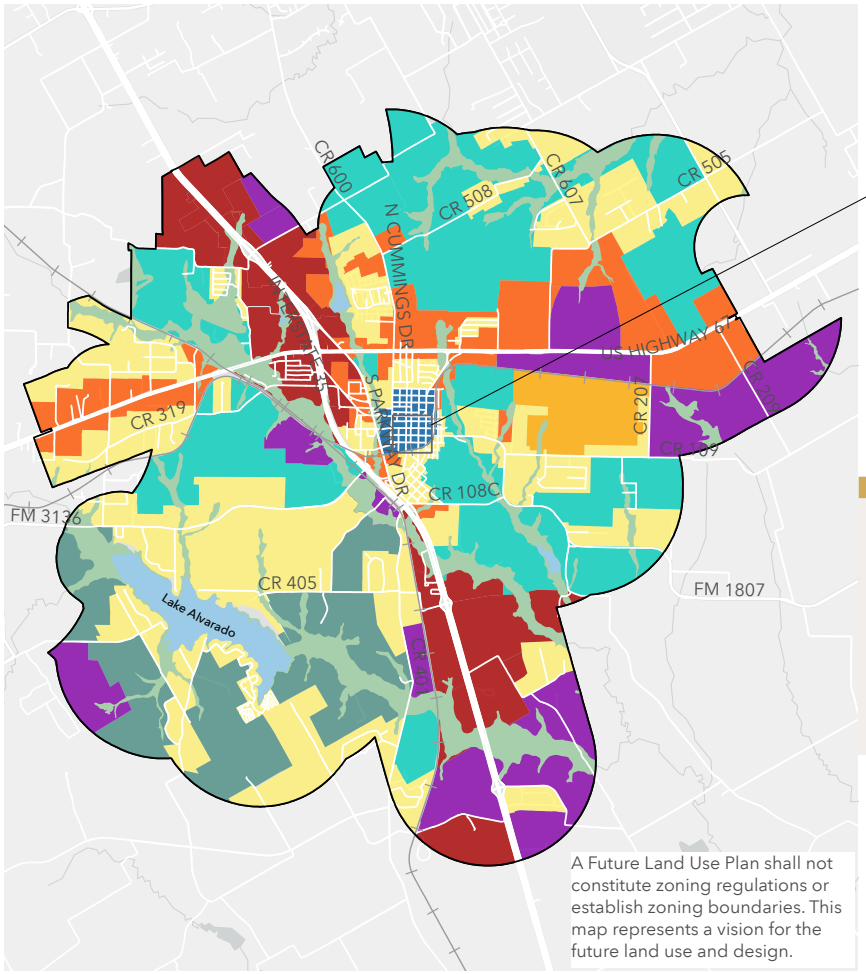
The Character Framework is intended to guide land use planning, zoning decisions, development review, and investment. It provides a consistent lens for both crafting and creating new developments and redevelopment, as well as evaluating development proposals by considering form, character, transitions, and placemaking outcomes in addition to permitted uses.

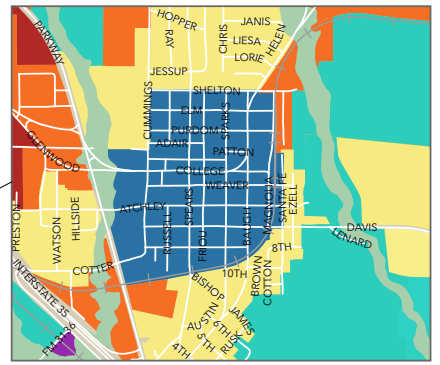
By applying the Character Framework in conjunction with the Mobility Framework and other portions of the Comprehensive Plan, Alvarado can ensure that growth reinforces community character, supports safe and connected movement, and aligns with the overall Design System vision over time.

VISION: CHARACTER FRAMEWORK

FUTURE LAND USE IS SHAPED BY CHARACTER, CONTEXT, AND HOW PLACES FUNCTION TOGETHER.

- Bodies of Water
- Floodplain + Nature
- Existing Neighborhood
- Lake Area
- Master Planned Community
- Downtown
- Neighborhood Mixed Use
- Commerce Flex
- Innovation
- Regional Mixed Use
- Railroads
- Planning Area





A Future Land Use Plan shall not constitute zoning regulations or establish zoning boundaries. This map represents a vision for the future land use and design.

Source: LJA, February 2026

DRAFT FUTURE LAND USE PLAN (FLUP)

CITY OF ALVARADO

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Floodplain + Nature

ROLE IN ALVARADO
Floodplain + Nature areas shape where development should not occur while strengthening resilience, recreation, and environmental stewardship across the city.

CHARACTER VISION

Floodplain + Nature areas form Alvarado's green space backbone. These green, natural spaces are essential to flood management, ecological health, and public access to open space. They are intentionally preserved as functional systems that protect the community, while enhancing quality of life and providing trail corridors.

DESIGN + PLACE PRINCIPLES

- Conserve floodplains and limit the level of development within these areas
- Support uses such as open space, parks, trails, and other low-impact amenities
- Preserve green, natural areas as functional floodplain and drainage systems
- Prioritize habitat preservation and enhancement, protection and installation of native landscaping, and natural drainage features
- Focus improvements on trails, passive recreation, and nature restoration
- Avoid development that increases flood risk or long-term maintenance obligations

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Existing Neighborhoods

ROLE IN ALVARADO
Existing Neighborhoods provide continuity and trust as other parts of the city evolve, reinforcing quality of life and long-term community stability.

CHARACTER VISION

Existing Neighborhoods represent the established residential fabric of Alvarado and reflect long-standing community character. These areas are defined by stability, familiarity, and everyday life, with the future focused on preservation, compatibility, and thoughtful reinvestment.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of two stories to reinforce neighborhood scale
- Support residential uses alongside parks, schools, and neighborhood open space
- Where the neighborhood agrees, support neighborhood-scale retail or restaurant, if applicable
- Ensure new development is compatible with existing design to maintain current character and a cohesive look and feel
- Preserve prevailing neighborhood patterns related to massing, setbacks, and rhythm
- Strengthen connections to nearby destinations through sidewalks and trails
- Improve walkability and safety while avoiding incompatible intensity or use

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Lake Area

CHARACTER VISION

The Lake Area is shaped by Lake Alvarado and its surrounding natural amenities. This area should feel relaxed, scenic, and outdoor-oriented, serving both residents and visitors while preserving the Lake's natural and visual quality.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of two stories to preserve views and natural character
- Support recreation, parks, trails, hospitality, and Lake-oriented residential uses with related amenities
- Maintain natural features with relevant enhancements that support recreation and access
- Incorporate placemaking through wayfinding and signage that reinforces the Lake Alvarado identity
- Strengthen trail connections, gathering spaces, and access points
- Integrate development thoughtfully with the surrounding landscape

ROLE IN ALVARADO
The Lake Area reinforces Alvarado's recreational identity and provides a signature natural destination that supports community life and passive tourism.

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Master Planned Community

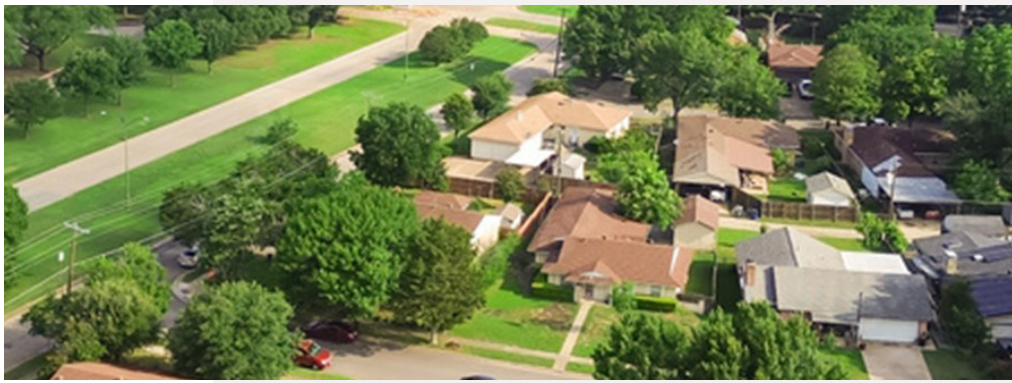
ROLE IN ALVARADO
Master Planned Communities accommodate growth while reinforcing Alvarado's values through great design and connectivity that support families and long-term identity.

CHARACTER VISION

Master Planned Communities are intended to function as complete, thoughtfully designed neighborhoods rather than collections of isolated subdivisions. These areas integrate housing, amenities, parks, and small commercial nodes into a cohesive and recognizable place. Master Planned Communities can also be primarily commercial in nature, as long as they are designed as a neighborhood or village, with complementary residential areas.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of two stories, with three stories possible at key intersections
- Integrate residential uses with neighborhood commercial, parks, schools, recreation, and open space
- Organize development around neighborhood centers, small commercial nodes, and community gathering spaces
- Incorporate green space, trails, and family-friendly recreation areas throughout the community
- Preserve floodplain and natural areas where possible
- Establish strategic and branded character and design across streetscapes, architecture, and signage
- Create connected internal networks of sidewalks and trails that support walkability and daily needs



VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Downtown

CHARACTER VISION

Downtown is Alvarado's civic, cultural, and commercial heart. It is intended to be a walkable, active destination that supports reinvestment, local businesses, and community gathering while respecting historic patterns and features, as well as nearby neighborhoods.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of four stories, with varying heights per subarea
- Support main street-style mixed-use development with walkability and charming design
- Encourage uses such as shops, restaurants, residential, and lofts that activate Downtown throughout the day
- Require residential uses above ground-floor commercial where mixed-use development occurs
- Incorporate shade and public gathering areas into a connected sidewalk and trail system
- Reinforce pedestrian-oriented building placement, streetscapes, and public spaces

ROLE IN ALVARADO
Downtown anchors community identity and economic vitality as the city's primary gathering place and reinvestment focus.

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Neighborhood Mixed-use

CHARACTER VISION

Neighborhood Mixed-use areas provide everyday destinations close to home. These areas balance activity and convenience with compatibility, functioning as transition zones between traditional residential neighborhoods and small-scale commercial and mixed-use.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of two stories, with three stories possible at key intersections and where compatible with adjacent uses
- Support family-oriented amenities and entertainment, including residential, restaurant, and shopping destinations
- Function as transition spaces between major corridors or commercial uses and surrounding residential areas
- Incorporate needed service businesses and retail that serve nearby neighborhoods
- Emphasize walkability, human-scale design, and neighborhood access/connectivity
- Manage traffic, noise, light, access, etc. to protect adjacent residential areas

ROLE IN ALVARADO
Neighborhood Mixed-use areas provide needed businesses and housing that support daily life, while buffering traditional residential neighborhoods from more intense development or major corridors.

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Innovation

CHARACTER VISION

Innovation areas represent Alvarado's forward-looking employment and commercial future. These places should feel modern, flexible, and campus-oriented, supporting collaboration, education, and economic diversification.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of four stories
- Provide for mainly non-residential uses but could include residential components as part of a larger mixed-use development
- Support research and development, office parks, institutional, educational, and commercial uses
- Establish a hub for new ideas and forward-thinking development
- Integrate green space, trails, and outdoor gathering areas
- Encourage flexible building layouts that include adaptable features, such as roll-up bay doors or functional windows
- Maintain compatibility with adjacent character areas

ROLE IN ALVARADO

Innovation areas provide modern, local jobs while projecting a progressive, high-quality image for the city.

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Commerce Flex

CHARACTER VISION

Commerce Flex areas support local jobs and the local economy through adaptable, production-oriented development that leverages regional access, while remaining compatible with surrounding uses.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of four stories
- Ensure compatibility with surrounding land uses by evaluating if complex or impactful commercial uses are appropriate in certain circumstances
- Support clean manufacturing, warehousing, light industrial, and office uses
- Take advantage of convenient access to IH-35W and US-67
- Incorporate screening and downward-facing, shielded lights to reduce visual impacts
- Integrate bike trails, walking paths, and other access options where feasible
- Manage truck circulation and operational impacts through thoughtful site design

ROLE IN ALVARADO
Commerce Flex areas support economic strength and job creation while balancing efficiency with community compatibility.

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Regional Mixed-Use

CHARACTER VISION

Regional Mixed-use areas serve as Alvarado's regional-facing gateways and hubs of activity. These areas accommodate higher-intensity development that benefits from visibility and access, while creating recognizable destinations.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of five stories due to Fire Department equipment constraints
- Support highway-oriented commercial, residential, and hospitality uses along US-67 and IH-35W
- Encourage developments, destinations, and employment centers with regional draw
- Balance highway access with internal connectivity and walkability
- Establish cohesive site design and strong arrival experiences
- Manage transitions to adjacent land uses and corridors

ROLE IN ALVARADO
Regional Mixed-use areas position Alvarado within the broader region, attracting investment while supporting long-term growth objectives.

VISION: MOBILITY FRAMEWORK

PURPOSE OF THE MOBILITY FRAMEWORK

The Mobility Framework establishes how people, goods, and services move throughout Alvarado in a way that supports community character, safety, access, and long-term growth. It provides a coordinated approach for evaluating transportation decisions so that roadway investments align with land use patterns, development intensity, and the everyday needs of residents and businesses. Rather than focusing solely on roadway capacity or technical standards, the Mobility Framework emphasizes how streets function within their surrounding context.

MOBILITY FRAMEWORK + CHARACTER FRAMEWORK INTEGRATION

The Mobility Framework works in direct coordination with the Character Framework to ensure that transportation decisions reinforce the intended form and function of different areas of the city. Street design, connectivity, and access management are aligned with land use and character expectations so that mobility supports, rather than conflicts with, surrounding development.

In areas intended to be walkable and active, such as Downtown and Neighborhood Mixed-Use areas, mobility prioritizes pedestrian comfort, safe crossings, and reduced conflicts between vehicles and people. In residential areas, mobility emphasizes neighborhood access, safety, and connectivity without introducing unnecessary through-traffic. Along employment areas and regional corridors, mobility focuses on efficient movement while managing transitions to nearby neighborhoods.

MASTER THOROUGHFARE PLAN AS A FOUNDATIONAL TOOL

The Master Thoroughfare Plan (MTP) provides the long-term structure for Alvarado's roadway network by identifying street classifications, connectivity, and right-of-way needs. It establishes how major corridors, arterials, collectors, and local streets work together to support local and regional movement. Within the Mobility Framework, the MTP is not a standalone decision-making document. Instead, it serves as a foundational tool that informs how streets are designed, improved, and phased over time. When applied alongside the Character Framework, the MTP helps ensure that roadway improvements are appropriate for their surrounding context and aligned with land use patterns and development intensity.

MOBILITY DECISIONS ARE GROUNDED IN COMMUNITY CHARACTER: BALANCING SAFETY, ACCESS, AND LONG-TERM GROWTH WHILE SUPPORTING THE WAY ALVARADO'S NEIGHBORHOODS FUNCTION TODAY

VISION: MOBILITY FRAMEWORK

Designing Streets by Function and Context

The Mobility Framework recognizes that streets serve different purposes depending on their location and surrounding character. While functional classifications help define the role of a street within the overall network, design decisions are guided by both function and place.

BY CONSIDERING CONTEXT ALONGSIDE CLASSIFICATION, ALVARADO CAN:

- Design streets that support surrounding land uses and character
- Improve safety for all users, including pedestrians and cyclists
- Manage access and traffic flow more effectively
- Balance regional mobility with local access and neighborhood compatibility

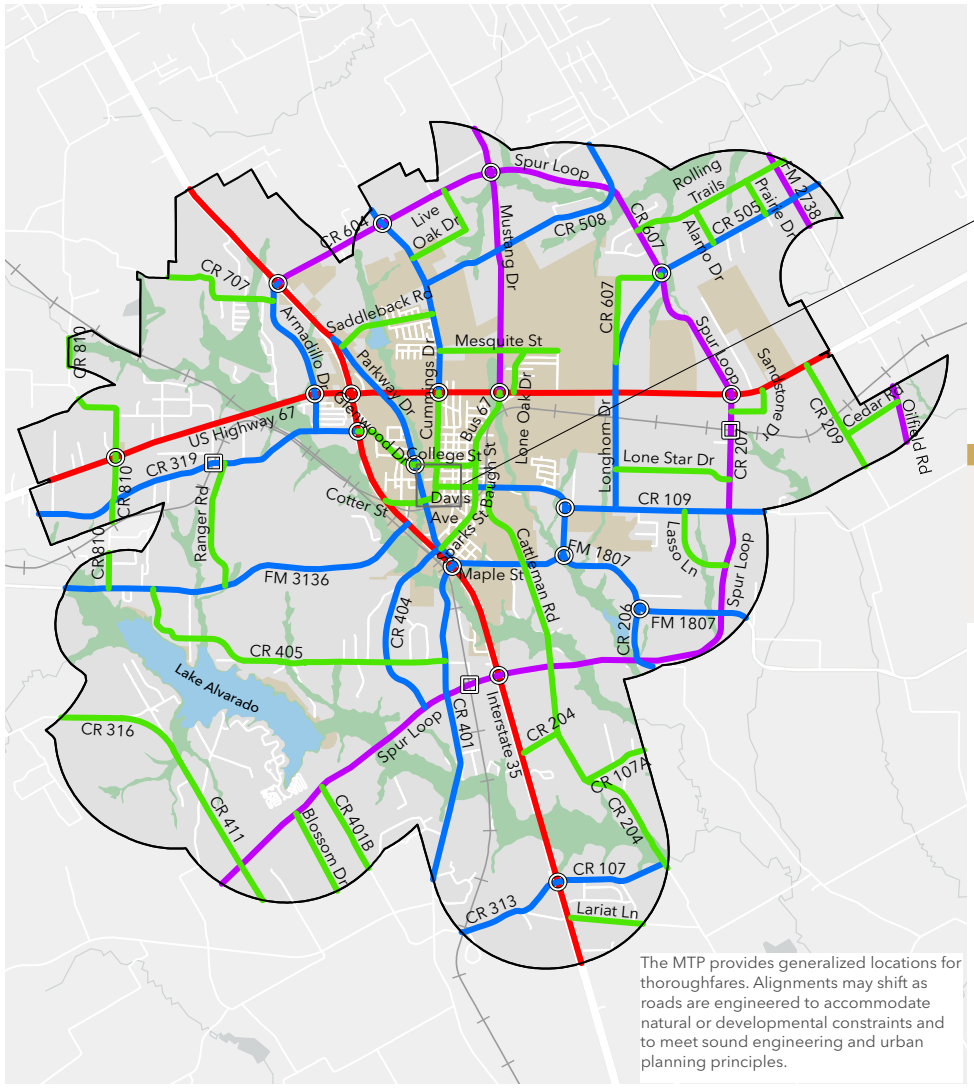
THIS CONTEXT-SENSITIVE APPROACH ENSURES THAT STREETS ARE DESIGNED TO FUNCTION WELL, SUPPORT DEVELOPMENT GOALS, AND CONTRIBUTE POSITIVELY TO THE CHARACTER OF THE AREAS THEY SERVE.

APPLYING THE MOBILITY FRAMEWORK

The Mobility Framework is intended to guide roadway planning, capital investments, development review, and coordination with regional partners. It provides a consistent lens for evaluating transportation projects by considering safety, access, connectivity, and compatibility with surrounding development.

By using the Mobility Framework in conjunction with the Character Framework, Alvarado can ensure that mobility investments reinforce community character, support safe and connected movement, and align with the Design System vision over time.

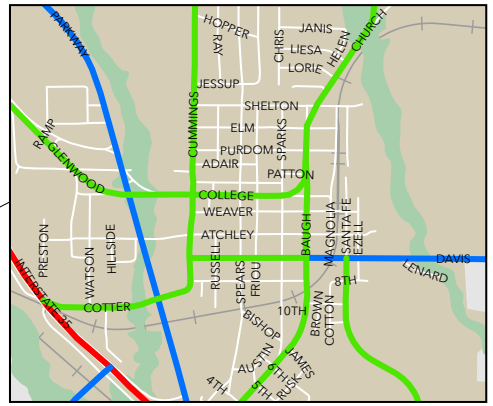
VISION: MOBILITY FRAMEWORK



The MTP provides generalized locations for thoroughfares. Alignments may shift as roads are engineered to accommodate natural or developmental constraints and to meet sound engineering and urban planning principles.

0 1.5 3 Miles

Source: LJA, October 2025



MASTER THOROUGHFARE PLAN

CITY OF ALVARADO

- Highway 400' ROW
- Principal Arterial 120' ROW 6LD
- Minor Arterial 90' ROW 4LD
- Collector 70' ROW 2LU
- Railroads
- Special Consideration Intersections
- Grade Separated Crossings
- City Limits
- Bodies of Water
- Floodplain
- Planning Area

VISION: MOBILITY FRAMEWORK

Master Thoroughfare Plan Functional Classifications

The following listing describes the specific roles that different streets play within Alvarado's transportation network. Each classification defines the general purpose, design, and level of mobility that a roadway provides. Some streets are intended to move traffic across longer distances, while others focus on providing local access within neighborhoods and business areas. Within the Master Thoroughfare Plan, roadway classifications create a clear structure that guide how streets are planned and improved so that travel remains efficient and safe while achieving Alvarado's overall vision for the future.

HIGHWAYS (400' ROW, DIVIDED)

Freeways and highways are the primary travel routes that carry the most amount of traffic within and beyond Alvarado. Access is carefully managed to maintain a steady flow of movement and reduce delays, allowing for consistent travel between different parts of the region. Because of their capacity and design, freeways and highways form the base of the transportation system and provide the foundation upon which other roadway types and connections depend.

The two Highways in Alvarado, IH-35W and US-67, are existing but could be improved or expanded in the future. Both Highways are owned and maintained by the Texas Department of Transportation (TxDOT). TxDOT has two long-range IH-35W widening projects planned through Alvarado that are both currently in the planning stage with implementation more than 10 years out, targeting a 2040 fiscal year. Together, these projects would widen approximately 12 miles of IH-35W (from FM 3391/E. Renfro Street to south of CR 401), reinforce the corridor's role in the National Highway System and regional freight network, and represent a combined estimated investment of over $700 million, underscoring the corridor's long-term regional and economic significance rather than near-term construction certainty.

The intersection of IH-35W and US-67 is not only the busiest intersection in the City, it is one of the busiest in the greater vicinity of Alvarado and beyond. It has significant delays, a noteworthy quantity and severity of crashes, and is the subject of recent traffic engineering study. In 2025, a consultant reviewed and analyzed the intersection and the immediate area for potential safety and efficiency improvements. The Study resulted in multiple recommendations that are in need of coordination between the City and TxDOT to complete.

US-67 is a main commercial spine of the city as of 2025. As Alvarado grows and evolves, a study of the US-67 right-of-way to identify its ultimate condition may be warranted. The following features should be considered for its ultimate condition: number of lanes, median configuration, median openings, shared driveway openings, intersections, trails, trees and landscaping, lighting, and branding/gateways. It will be important to also evaluate the interface between uses along US-67 and their access in the ultimate configuration of US-67. Being proactive and planning ahead along this corridor is most effective for Alvarado's future and can help TxDOT plan for and accommodate future improvements.

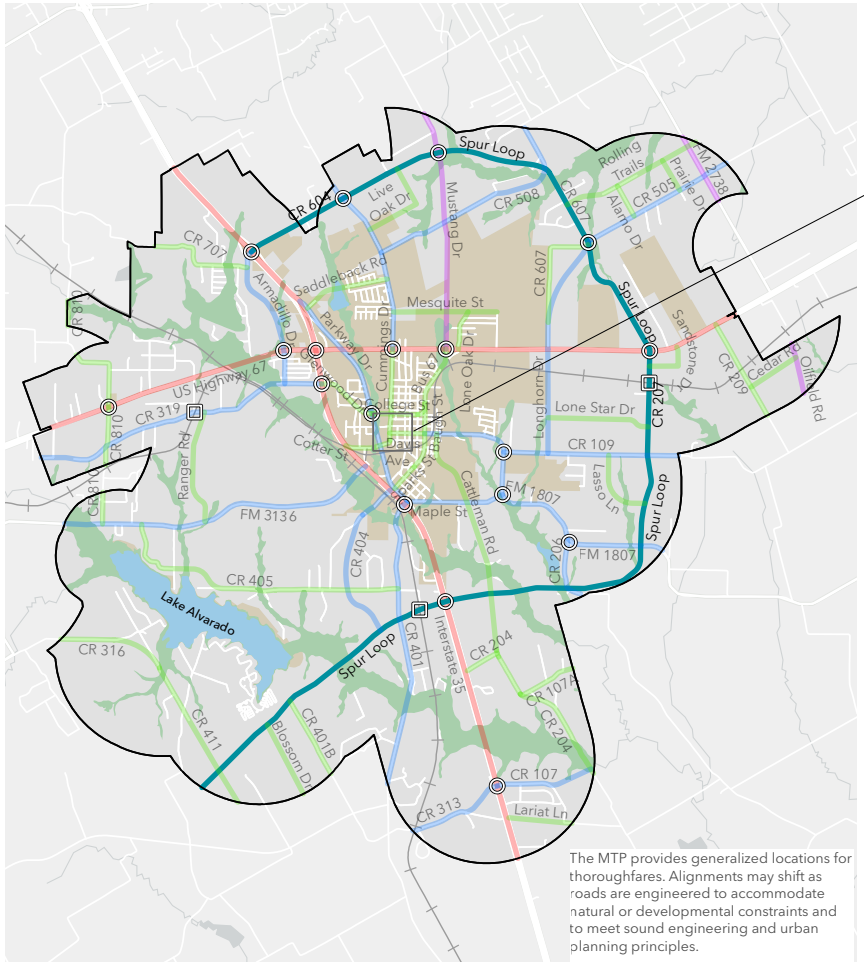
VISION: MOBILITY FRAMEWORK

Master Thoroughfare Plan Functional Classifications

PRINCIPAL ARTERIALS (120' ROW, DIVIDED, 6 LANES)

Principal Arterials connect important destinations serving as the primary routes for daily travel within the community. These rights-of-way are designed to balance movement and access by providing safe intersections, managed entry points, and facilities that support multiple modes of transportation. Medians help organize traffic flow and improve safety while also offering opportunities for stormwater management and attractive landscaping that enhance the appearance of the corridor. Principal Arterials also extend beyond the city, creating strong regional links that connect Alvarado to nearby towns and employment centers. Over time, these corridors will continue to evolve to meet growing travel demand while maintaining an appealing travel environment for all users.

There are three main Principle Arterial systems in Alvarado's existing network and in its future: the Spur Loop, FM 2738, and Mustang Drive. During the planning process, a theme arose to build a "bypass" so that through traffic could stay out of the IH-35W and US-67 intersection entirely. When the Planning Team evaluated prior-planned roadways of the Alvarado Master Thoroughfare Plan and the Johnson County Master Thoroughfare Plan, it was discovered that with a few minor adjustments, a major "loop" around the perimeter of the Planning Area could be created. Named the Spur Loop, this Principle Arterial system would be a limited access, local highway, that connects to IH-35W at CR 604 on the north side, CR 607/CR 207 at US-67 on the east side of town, and then to IH-35W at CR 405 on the south side. The Spur Loop, following mainly alignments that have been planned for decades, would relieve pressure at IH-35W and US-67, as well as activate the perimeter of the Planning Area with access and convenience.



VISION: MOBILITY FRAMEWORK

Master Thoroughfare Plan Functional Classifications

MINOR ARTERIALS (90' ROW, DIVIDED, 4 LANES)

Minor Arterials serve as important connectors within the roadway network of Alvarado by linking community destinations to the larger Principle Arterial and Highway system. They provide a hyperlocal level of mobility and access, allowing traffic to move efficiently while still offering regular access to nearby properties and businesses. These corridors support travel at moderate speeds and include carefully designed intersections that maintain safety and smooth traffic flow.

Cummings Drive emerged as a frequently discussed corridor throughout the planning process, appearing consistently in community survey responses, Community Forum discussions, TAC/PAC meetings, and staff coordination conversations. Community input emphasized concerns related to traffic congestion, safety, limited alternate routes, street conditions, and neighborhood impacts, particularly along the northern segment of the corridor. Feedback reflected a strong desire for safer operations and improved reliability, while also expressing sensitivity to how future changes could affect adjacent neighborhoods.

In parallel with this community input, the City has identified planned and funded capital improvements along North Cummings Drive, primarily focused on reconstruction, capacity, and utility upgrades. Documented projects include a three-lane reconstruction of North Cummings Drive between US 67 and CR 604, supported by impact fee funding, along with coordinated water infrastructure improvements, including a 12-inch water main replacement and oversizing. Additional segments north of CR 604 are identified for longer-term reconstruction. Together, these efforts reflect an incremental, phased approach that addresses infrastructure needs while allowing future mobility decisions to remain responsive to community input and changing conditions.

COLLECTORS (70' ROW, UNDIVIDED, 2 LANES)

Collectors serve an important role in connecting local neighborhoods and destinations to the larger roadway system in Alvarado. They provide direct access to community spaces while maintaining an environment that feels safe and welcoming. These streets help organize the flow of traffic by guiding local trips onto major corridors in an orderly and predictable way. Collectors are also an important part of the city's visual and cultural identity, especially within rural areas where natural features and scenic views shape the character of the landscape. By maintaining and respecting the natural surroundings, collector streets allow Alvarado to manage mobility while celebrating its sense of place.

VISION: MOBILITY FRAMEWORK

MINOR ARTERIALS AND COLLECTORS PLAY VERY SPECIAL ROLES IN THE TRAIL AND SIDEPATH NETWORK, AS WELL AS STORMWATER CAPTURE AND DRAINAGE-RELATED FUNCTIONS. WITH THE RIGHT ENGINEERING DESIGN STANDARDS, THE MOBILITY FRAMEWORK CAN BE TRULY MULTI-PURPOSE AND MULTI-FUNCTIONAL.

IMPLEMENTATION: DESIGN SYSTEM

Goal: Implement the Design System by embedding character, placemaking, and mobility expectations into City, codes, standards, and evaluation processes so development and infrastructure decisions reinforce community identity, safety, connectivity, and quality of place over time.

Strategy (Character Framework): Use the Character Framework as the City's primary land use and form-based policy tool to guide development intensity, building form, transitions, and placemaking outcomes across Alvarado.

POLICIES + ONGOING PRACTICES

- The Character Framework is applied consistently during rezoning, planned developments, and development review/negotiations.
- Preservation of Existing Neighborhood character and intentional design of growth areas are prioritized.
- Placemaking is treated as a functional requirement that supports resilience, walkability, comfort, and community identity.
- The entirety of the Comprehensive Plan is utilized in evaluating development proposals, not just the Character Framework. Each development is evaluated based on all of the Comprehensive Plan, not just a couple of its pieces. To further clarify, just because a proposed development form and use is specified in the applicable Character Area, does not mean it is compatible on every parcel in the Character Area.

IMPLEMENTATION: DESIGN SYSTEM

ACTIONS

- Amend the Code of Ordinances to formally reference the Character Framework as an adopted land use policy for rezonings, developments, capital improvements, and other major installations.
- Upon refined study of each Character Area/Future Land Use District, create and adopt additional refinements for each zoning district to align/refine permitted uses, maximum heights, building placement, and basic form expectations with adopted Future Land Use Designations.
- Establish clear transition standards between Character Areas, including height step-downs, buffering, orientation, and access, as applicable.
- Create and adopt a Downtown Code with development standards that reinforce main street character, active ground-floor uses, and integrated public spaces.
- Create and adopt Master Planned Community design standards addressing neighborhood structure, distribution of parks and open space, trail connectivity, and small commercial nodes.
- Create and adopt Corridor Character Standards for higher-intensity areas addressing screening and buffering, service areas, and public realm treatment.
- Incorporate placemaking elements, such as shade, seating, pedestrian lighting, landscaping, and wayfinding, into applicable development standards unique to each Character Area as applicable.
- Update subdivision regulations to reinforce block structure (i.e. maximum block length), connectivity, and open space integration consistent with character intent.
- Adopt conservation-based subdivision/cluster home-based standards that incorporate shared natural open spaces and native vegetation utilizing maximum density instead of minimum lot size.

IMPLEMENTATION: DESIGN SYSTEM

Strategy (Mobility Framework): Apply the Mobility Framework as the City's primary mobility tool to guide street design, access, and connectivity to reinforce intended land use patterns, placemaking goals, and safety outcomes.

POLICIES + ONGOING PRACTICES

- Mobility decisions are evaluated in context, not solely by functional classification.
- The Master Thoroughfare Plan establishes baseline right-of-way, lane configuration, divided or undivided cross sections, and Special Consideration Intersections to be utilized in development/redevelopment and capital improvements.
- Rights-of-way are designed to function as both transportation facilities and public spaces.
- Modern Context-Sensitive Solutions (CSS) and Complete Streets approaches are utilized for all new and reconstructed rights-of-way.
- Crash data is evaluated each CIP cycle to ensure conditions are informing intersection studies and improvements.
- Roadway reconstruction is coordinated with utility, drainage, and landscaping/branding projects to ensure streets are rebuilt to adopted standards.

IMPLEMENTATION: DESIGN SYSTEM

ACTIONS

- Adopt Context-Sensitive Solutions (CSS) standards that tailor cross sections and streetscape elements by Character Area, neighborhood, and block (as applicable) while remaining consistent with MTP classifications.
- Curate a palette of appropriate placemaking elements (ex. gateways, crossings, trailheads, landscaping, lighting, sidewalks/trails, etc.) to require in mobility capital projects and development-led street design, in coordination with an Alvarado Branding Strategy.
- Integrate trail and sidepath standards into roadway design, consistent with the Mobility Framework or Parks + Recreation Master Plan.
- Update access management standards for MTP roadways to balance safety, corridor function, and placemaking.
- Evaluate street design standards for safety, modernization, Complete Streets, and green infrastructure features, and adopt associated Code amendments.
- Create a list of crash-prone intersections (with overall and night data) to evaluate for design (i.e. engineering, landscape architecture, etc.) and lighting improvements. Prioritize the list based on crash frequency and severity.
- Apply for a grant to complete a Comprehensive Safety Action Plan under the Safe Streets and Roads for All (SS4A) grant program.
- Should the City receive funding for a Comprehensive Safety Action Plan and complete one, incorporate recommended capital improvements, programming, and other actions into the City's CIP and other appropriate implementation tools.
- Develop cross sections specific to Downtown Alvarado for each roadway. Each roadway must be treated with a custom approach since Downtown streets are unique.

IMPLEMENTATION: DESIGN SYSTEM

Strategy (Development Proposals): Evaluate development proposals using a consistent Design System–based process that integrates the Character Framework, Mobility Framework, and placemaking principles to support predictable and defensible decision-making.

POLICIES + ONGOING PRACTICES

- Development proposals are evaluated holistically rather than through isolated Code provisions or utilization of the Future Land Use Plan only.
- Design System expectations are communicated early to reduce uncertainty and late-stage changes.
- Development agreements and other economic development tools are negotiated with the Design System and other components of the Comprehensive Plan in mind.
- Staff recommendations clearly distinguish long-range guidance from funded or scheduled improvements.
- The Design System is used to inform conditions of approval, agreements, and/or ordinances so outcomes align with adopted intent.
- Periodically review approved projects to assess whether outcomes align with Design System goals, and initiate targeted Code or standards updates as needed.
- Incentivize development projects that support community objectives, such as preservation of scenic or natural areas, incorporation/furthering of the Character Area intent through physical improvements, land use, and programming, etc.
- In general, higher-intensity land uses are directed to areas with greater roadway access and infrastructure capacity, while lower-intensity uses are prioritized near established neighborhoods with compatibility measures. Walkability, connectivity, and ground-floor activity expectations increase as development intensity increases.
- For multi-family development and multi-story mixed-use development, the Design System prioritizes appropriate form and location over unit count, emphasizing compatibility with surrounding uses, access to infrastructure, contribution to walkability, character infusion, and incorporation of green infrastructure.

IMPLEMENTATION: DESIGN SYSTEM

REVIEW › **DECISION**

ACTIONS

- Revise the staff report template to include a Comprehensive Plan Evaluation Summary identifying applicable Character Area(s), Mobility Framework conformance, placemaking considerations, conceptual fiscal impact, and nature/open space preservation/enhancement.
- Update development application requirements to include a Design System consistency narrative and supporting exhibits prepared by the applicant.
- Document Design System expectations during pre-application meetings and carry them forward through review and consideration.
- Create a standardized internal Design System review tool to ensure consistent evaluation across departments.
- Provide training every other year for Staff, boards, and commissions on applying the Design System during deliberations, including real case studies that have been considered in the prior cycle.

4. STRATEGIC GROWTH

INTRODUCTION

Alvarado is experiencing growth pressures that will shape the city's future for decades. Population change, regional development activity, and evolving community needs are increasing demand on utility systems, public facilities, and City services. At the same time, much of the Planning Area is served by multiple utility providers, includes floodplain and environmental constraints, and relies on infrastructure that was not designed for rapid change. These conditions require the City to approach growth deliberately to avoid long-term operational, fiscal, and safety challenges.

The Strategic Growth chapter focuses on how Alvarado can plan for population growth by aligning essential service systems with community priorities. Grounded in technical analysis, best practices, and community input, this chapter addresses water and wastewater, drainage and stormwater, energy and franchise utilities, community facilities and services, and resilience and hazard mitigation. Together, these strategies provide a framework for anticipating demand, sequencing investment, managing risk, and ensuring that growth can be supported without compromising public safety, service quality, or long-term fiscal health.

THIS CHAPTER SETS THE FRAMEWORK FOR PLANNING GROWTH WHILE PROTECTING SERVICE RELIABILITY, PUBLIC SAFETY, AND FISCAL HEALTH.

COMMUNITY FEEDBACK

Key Themes from Community Feedback

WATER + WASTEWATER

Community feedback referenced water and wastewater primarily as future growth considerations, rather than as existing service problems. Participants acknowledged the importance of planning ahead to ensure these systems can support long-term development, but did not raise concerns related to water quality, pressure, sewer reliability, overflows, or cost. Overall, utilities were viewed as systems requiring proactive, long-range planning, not immediate correction.

DRAINAGE + STORMWATER

Drainage and stormwater were discussed mainly through planning and resilience context, including floodplain awareness and long-term risk management. Community members did not identify significant, recurring flooding locations, drainage failures, or stormwater complaints during engagement. This absence suggests these systems are not perceived as daily challenges, but rather as part of responsible growth management.

ENERGY + FRANCHISE UTILITIES (INCLUDING GAS WELLS)

Electricity, broadband, natural gas, and other franchise utilities were largely absent from public feedback, with no concerns raised about service availability or reliability. Gas wells and pipelines were acknowledged primarily in technical and advisory committee discussions as infrastructure and development constraints that must be planned around. Their limited presence in community feedback indicates they are understood as existing conditions or largely unrecognized by the community and not seen as community-facing issues.

COMMUNITY FACILITIES + CITY SERVICES

Community facilities and City services were discussed in terms of capacity, readiness, and visibility, rather than specific deficiencies (generally speaking). Residents and stakeholders expressed interest in ensuring that facilities, staffing, and service delivery can keep pace with growth and do not fall behind development. There was also an underlying desire to see tangible investment and follow-through, as facilities and services have historically been viewed by community members as indicators of City leadership effectiveness.

RESILIENCE + EMERGENCY READINESS

Resilience and emergency readiness emerged indirectly through conversations about infrastructure planning, floodplain management, and long-term preparedness. Community members did not raise concerns about emergency response capability, public safety infrastructure, or disaster management systems. This suggests that emergency readiness is perceived as stable, while still recognized as an important consideration as Alvarado plans for growth.

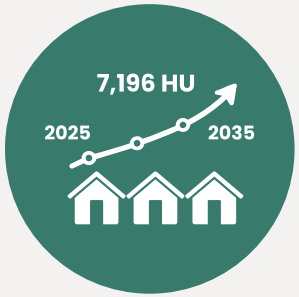
POPULATION GROWTH

EXISTING POPULATION

As of January 1, 2025, the City of Alvarado's estimated population was 6,614 (NCTCOG population estimates). The broader Planning Area, which includes the City's extraterritorial jurisdiction (ETJ) contains approximately 3,952 households, with an average household size of 2.93, and had an estimated population of 12,087 in 2025 (ESRI).

GROWTH TRENDS

The City projects the addition of 7,196 housing units between 2025 and 2035, supported by annexations, planned developments, and a major wastewater expansion expected to be completed in 2026 (City of Alvarado Housing Data, 2025). See Chapter 2, Economic + Fiscal Vitality for more information on the City's housing projections. Given the ongoing expansion of public services, active developer interest, and largely unregulated growth in Texas, sustained or increasing development is anticipated through 2045.

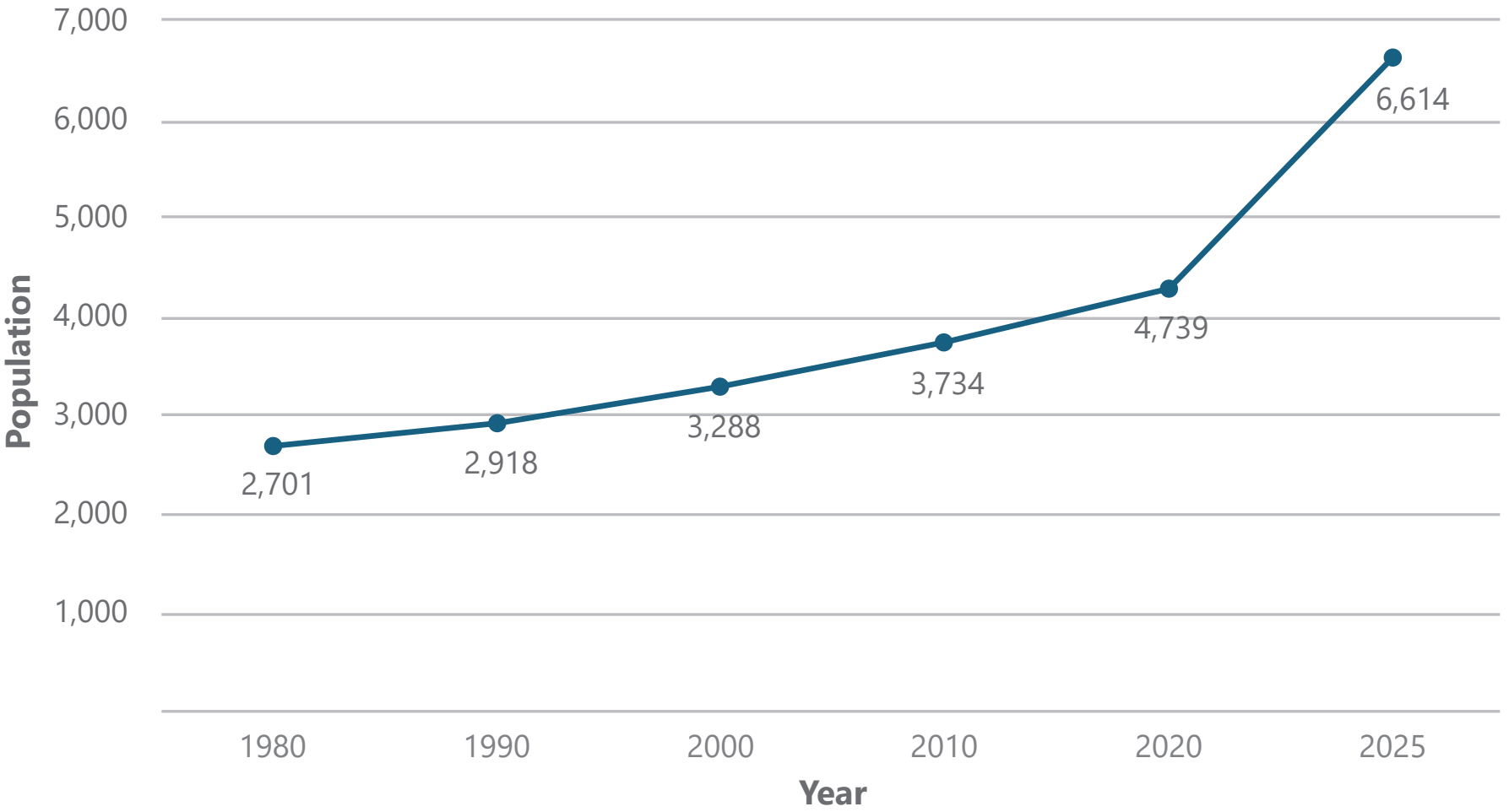


REGULATORY CONTEXT

The land use environment in Texas enables growth at a pace uncommon in many other states. Outside the city limits, cities and county governments have minimal authority over subdivision standards and zoning. This regulatory landscape allows for the rapid proliferation of detached single-family homes, townhomes, and multifamily developments. Tools like Municipal Utility Districts (MUD's) further enable development in outer lying areas. In Alvarado's Planning Area, developers are capitalizing on this opportunity. However, the two primary constraints, water availability and the presence of gas wells (and associated gas well infrastructure in the area), may limit buildout in certain areas, though likely not enough to prevent significant overall growth. It is also important to note that significant legislative changes enacted in 2025 will further loosen development regulations in Texas. These changes are expected to accelerate growth in cities and unincorporated areas across the state, which could have an impact that is not accounted for in the estimates presented herein.

POPULATION GROWTH

ALVARADO HISTORIC POPULATION GROWTH (WITHIN CITY LIMITS)



Source: Texas Almanac, 2010 ACS 5-Year Estimates, 2025 NCTCOG Population Estimate

POPULATION GROWTH

Calculating Population Growth

ALVARADO COMPOUND ANNUAL GROWTH RATE (CAGR)

Compound Annual Growth Rate (CAGR) describes population change as an average annual percentage over time. Rather than adding the same number of people each year, CAGR assumes the population increases by a fixed percentage of the previous year's population, meaning the amount of growth grows over time. As a result, even though the annual rate stays the same, the number of people added each year increases because it is based on a larger population base.

The City of Alvarado is strategically located at the intersection of US 67 and IH 35, providing regional accessibility and positioning the city to accommodate growth over time. The Planning Area includes a substantial amount of undeveloped land, allowing development to occur in response to market conditions rather than on a fixed timeline. Population change is expected to vary from year to year based on development activity, infrastructure availability, and broader economic conditions. To evaluate long-term population trends despite this variability, the Compound Annual Growth Rate (CAGR) method is used to express population change as an average annual rate over a defined period. This approach does not assume steady growth each year; instead, it provides a consistent way to understand overall change when growth occurs unevenly, which can be difficult to represent using traditional straight-line projections.

METHODOLOGY FOR ALVARADO'S PROJECTIONS

Three separate population estimates were created using the CAGR method to show how Alvarado could change over time. The first estimate reflects a slower rate of increase at about 1.9 percent per year, based on the projected 2025-2030 population growth rate from ESRI. The second estimate assumes a stronger pace of growth at about 5.6 percent per year, consistent with the recent population growth rate provided for Alvarado by NCTCOG for 2024-2025. The final estimate projects a higher rate of 7.5 percent, representing the influence of rapid regional development and fewer restrictions on new construction across Texas. By considering more than one scenario, the City can better understand how population levels might shift under different conditions. Relying on a single estimate would not show the full range of possibilities for future population in Alvarado.

The 5.6 percent CAGR was selected to represent Alvarado's moderate rate of growth, coupled with recent regulatory changes in Texas. The 7.5 percent CAGR can still happen, but it was not chosen as the estimate due to the limitations on water supply and the proliferation of gas well infrastructure (existing and potential).

POPULATION GROWTH

CAGR-BASED PLANNING AREA POPULATION PROJECTION

- 1.9% CAGR: 12,087 current Planning Area population × (1.019)^20* ≈ 17,612 residents
- **5.6% CAGR: 12,087 current Planning Area population × (1.056)^20* ≈ 35,942 residents**
- 7.5% CAGR: 12,087 current Planning Area population × (1.075)^20* ≈ 51,344 residents

TO PROVIDE A MORE CONSERVATIVE PROJECTION, THE EXPONENT USED IN THE FORMULA IS 20. TWENTY-ONE COULD ALSO BE USED AS THE EXPONENT TO INCLUDE THE BASE YEAR AS THE FIRST FULL GROWTH CYCLE.

2045 PLANNING AREA POPULATION ESTIMATE: 35,942 RESIDENTS

Population growth brings a mix of benefits and pressures. The City must be prepared to address all the effects that come with an increasing number of residents and businesses. The following points cover some of the positive impacts that growth can bring to the community, as well as potential challenges that will need to be managed carefully.

CHALLENGES

- More usage of aging infrastructure
- Increased need for City services and public amenities
- Increased need for local businesses within the city
- Additional enrollment (and needed capacity/staffing) at local schools

OPPORTUNITIES

- Increased local tax revenue
- Additional workforce
- Increased recognition regionally as a growing city
- More amenities

CONTEXT

Projected growth in the City of Alvarado will place increasing demand on essential infrastructure systems that support daily life, public safety, and long-term community stability. Key focus areas include:

- Water + Wastewater
- Drainage + Stormwater
- Energy + Franchise Utilities
- Community Facilities + Services
- Resilience + Hazard Mitigation

Regional growth patterns, new development activity, and evolving state and regulatory requirements will all influence how these systems perform and how future needs are addressed.

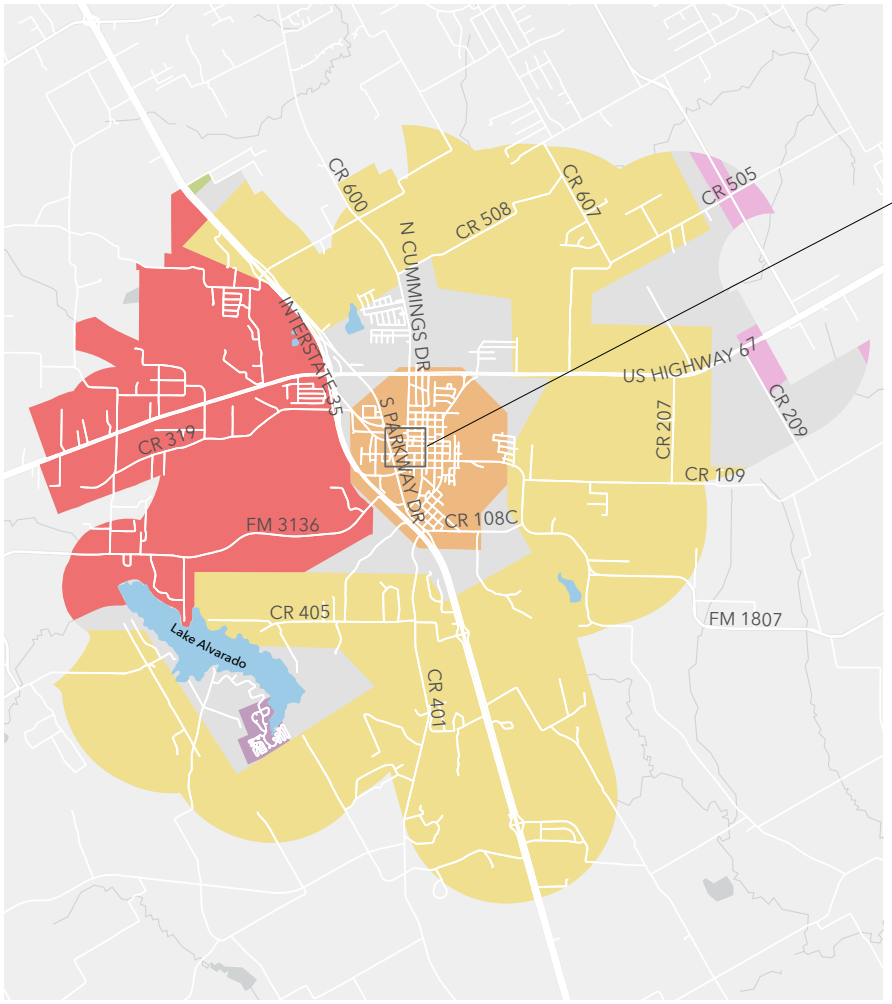
This section provides an overview of existing infrastructure conditions within the City's Planning Area and examines how future demand is expected to change as Alvarado grows. The information presented here is intended to support future land use planning, development review, and coordinated investment decisions by identifying system constraints, operational considerations, and areas where proactive planning will be increasingly important. High-level descriptions of existing systems are provided based on available data, reports, and information supplied by the City and its institutional partners, recognizing that system conditions and documentation will continue to evolve over time.

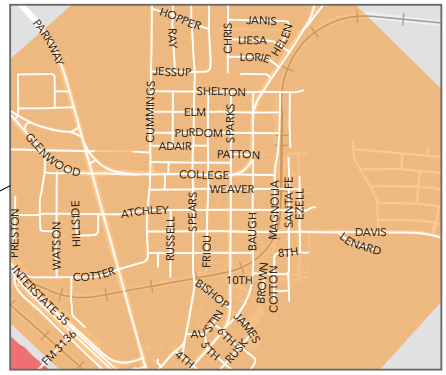
The City of Alvarado's Public Works Department plays a central role in maintaining reliable core services, including drinking water supply, stormwater management, wastewater collection, and the operation of City streets, parks, and public facilities. With the City population projected to more than double in size by 2045, planning for infrastructure expansion and reinvestment will be essential to maintaining service reliability, safety, and quality of life. While future development will contribute resources through mechanisms such as impact fees, long-term success will depend on aligning growth with infrastructure capacity and making strategic, coordinated investments that support both existing residents and new growth.

WATER

Communities receive water service based on Certificates of Convenience and Necessity (CCN's). A CCN is a legal authorization granted by the Public Utility Commission of Texas (PUCT) that allows a utility or a service provider to operate within a specific geographic area and to serve customers there. Within the City's planning area, three primary entities hold water CCNs: City of Alvarado, Johnson County Special Utility District (JCSUD), and Bethany Special Utility District (BSUD). Understanding which provider holds jurisdiction is important for knowing who is responsible for water service in specific areas. Most of the CCN territory within the City's Extraterritorial Jurisdiction (ETJ) is controlled by JCSUD and BSUD, meaning the City's ability to expand water service in the future will be limited to the areas where it still holds CCN coverage and areas where no jurisdiction holds CCN coverage. This also means that other jurisdictions share in the responsibility of serving the Planning Area's water needs.

The City of Alvarado purchases all of its treated water from JCSUD, which sources surface water from Cedar Creek Reservoir and Richland Chambers Reservoir. After the water is purchased, the City stores it in three storage tanks located throughout the city and distributes it to customers through one active pump station. According to the Texas Commission on Environmental Quality Texas Drinking Water Watch website, all of the City's groundwater wells are currently inactive. The City's public water system meets applicable state and federal drinking water standards, as documented in the City's annual Consumer Confidence Report.





- Bodies of Water
- No CCN
- Bethany SUD
- Bethesda WSC
- Blue Water Oaks WSSS
- City of Alvarado
- Johnson County SUD
- Mountain Peak SUD

WATER

Existing Water CCN's Map

0 1.5 3 Miles

Source: Public Utility Commission of Texas, City of Alvarado, August 2025

What are Special Utility Districts (SUDs) and Why Do They Matter?

Special Utility Districts (SUDs) are independent entities authorized under Texas law to provide water, wastewater, and related services, typically in areas outside or at the edges of city limits. They are often created to serve developing or rural areas where cities are not positioned to extend utilities, ensuring access to basic infrastructure.

While SUDs can fill important service gaps, their independence can also create challenges. Multiple service providers lead to fragmented infrastructure systems, limited coordination with city land use and transportation planning, and reduced alignment with long-term fiscal and growth strategies. Because SUDs are governed by district boards rather than elected city officials, issues of accountability and transparency can also arise.

In Alvarado, SUDs play a significant role within the ETJ and broader Planning Area. Their presence makes coordinated planning especially challenging in terms of efficient infrastructure investment, future annexation considerations, and long-term resilience.

WATER

Alvarado (City Limits) Water Infrastructure Components

- 1 pressure planes (PP)
- 1,828 connections
- 1 active and 4 inactive pump stations
- 1 active, 4 inactive, and 1 proposed ground storage tanks (GST)
- 2 elevated storage tanks (EST)
- 9 groundwater wells with all being inactive or abandoned
- 40 miles of pipeline
- 1 interconnect with JCSUD with a supply capacity of 2 million gallons per day (MGD)

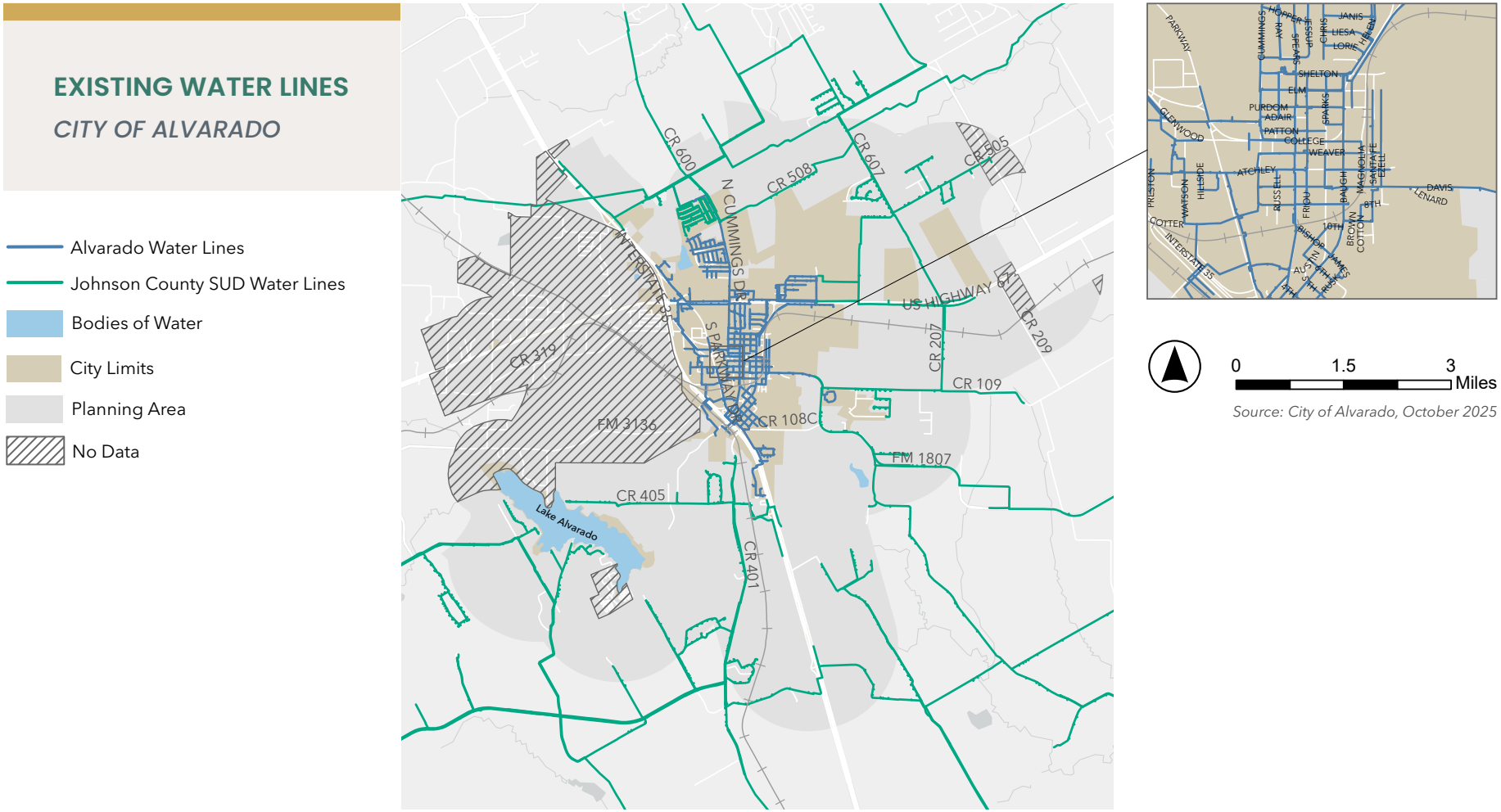
Groundwater Regulation + Coordination

Groundwater resources within the Planning Area fall under the jurisdiction of the Prairielands Groundwater Conservation District, which overlays the Trinity Aquifer and covers Johnson County, as well as Ellis, Hill and Somervell counties. While groundwater regulation plays an important role in rural and agricultural areas of Johnson County, municipal water supply for the City of Alvarado is primarily surface-water based. According to Texas Commission on Environmental Quality records, the City's groundwater wells are currently inactive. As a result, groundwater availability is not a limiting factor for municipal growth at this time; however, continued coordination with regional groundwater authorities remains important for long-term resource awareness and regional water planning.

WATER

EXISTING WATER LINES

CITY OF ALVARADO



Source: City of Alvarado, October 2025

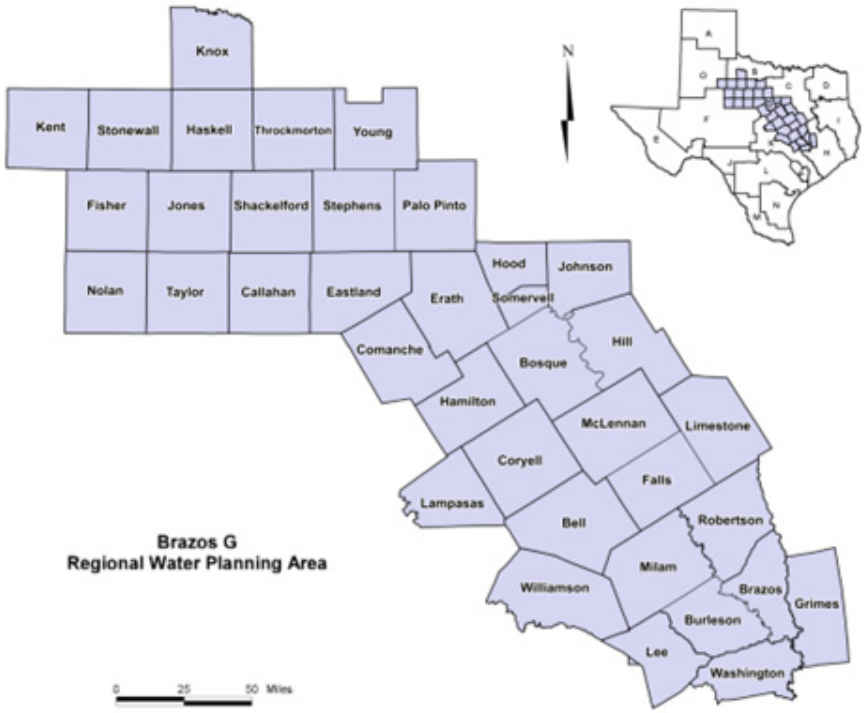
WATER

Water future demand

With thousands of new housing units projected in the next 10 years, the City's water demand will increase exponentially. As stated previously, the City is currently relying solely on Johnson County Special Utility District (JCSUD) to provide potable water to Alvarado residents within the city limits. This situation highlights the need for the City to diversify water sources to ensure resilient service for its customers as it grows and since water is a limited resource.

Another challenge that is present due to rising population growth is high content of chloride in surface-water runoff from the upper Brazos River Basin, which makes water more expensive to treat. The Texas Water Development Board (TWDB) is the state agency designated to coordinate overall statewide planning for the development, conservation, and management of the state's water resources. Alvarado is in Johnson County within the Brazos G Area, which is shown in the adjacent graphic, and is one of the State's 16 regional water planning areas established by the TWDB. According to the 2021 Brazos G Regional Water Plan, three key factors affecting water quality in the Brazos G Area are (1) wastewater disposal, (2) high density agricultural activities, and (3) natural saline contamination. The first two factors are associated with the growth of the economy and the population, which are expected to continue to rise.

WATER DEMAND IS PROJECTED TO RISE SIGNIFICANTLY AS ALVARADO GROWS, HIGHLIGHTING THE NEED TO DIVERSIFY WATER SOURCES AND PLAN FOR LONG-TERM RESILIENCE WITHIN THE BRAZOS G REGIONAL WATER PLANNING AREA.



WATER

Water Future Demand (continued)

In Texas, cities often have limited authority to prevent development outright, and property owners generally retain broad rights to pursue development under existing law. Historically, this has reinforced an expectation that single-family detached housing can occur widely wherever land is available. However, water availability and infrastructure capacity are emerging as non-negotiable constraints that operate independently of entitlement expectations or municipal preferences. While cities may not be able to halt development, the physical realities of water supply, system cost, and long-term resilience increasingly shape what types of development can be supported and where. As these constraints become more pronounced, the development community is recalibrating long-standing assumptions about growth patterns to align with finite water resources and responsible infrastructure planning. In this environment, the feasibility of development is increasingly determined not by land availability alone, but by the availability of water in the short and long term.

The City is also in the process of updating the Water Master Plan with completion expected in 2026. The findings from that analysis will be highly relevant to the topics discussed in this section and should be factored into future planning efforts. Because the final reports were not available before this Plan was adopted, their research and recommendations were not incorporated.

WASTEWATER

The City of Alvarado's wastewater service area includes the entire city limits covering approximately five square miles. Within the Planning Area, there are two other Sewer CCN's held by City of Burleson and Blue Water Oaks WSSS. The City has approximately 35 miles of sanitary sewer lines within its CCN, ranging from four inches to 36 inches in diameter, across three sewer basins. There are seven lift stations on the City's sanitary sewer system with one soon going offline and two under construction soon to be online. The City owns and operates a wastewater treatment plant facility (WWTP) in the southwest corner of the city, with an existing discharge capacity of 600,000 gallons per day. This WWTP was put into service in 2009, and the City is currently expanding the discharge capacity to 1.4 million gallons per day (MGD). Expansion construction began in December 2023 and is scheduled to be substantially completed in February 2026

CITY-OWNED WASTEWATER INFRASTRUCTURE SUPPORTS CURRENT NEEDS WHILE PLANNING FOR FUTURE GROWTH.

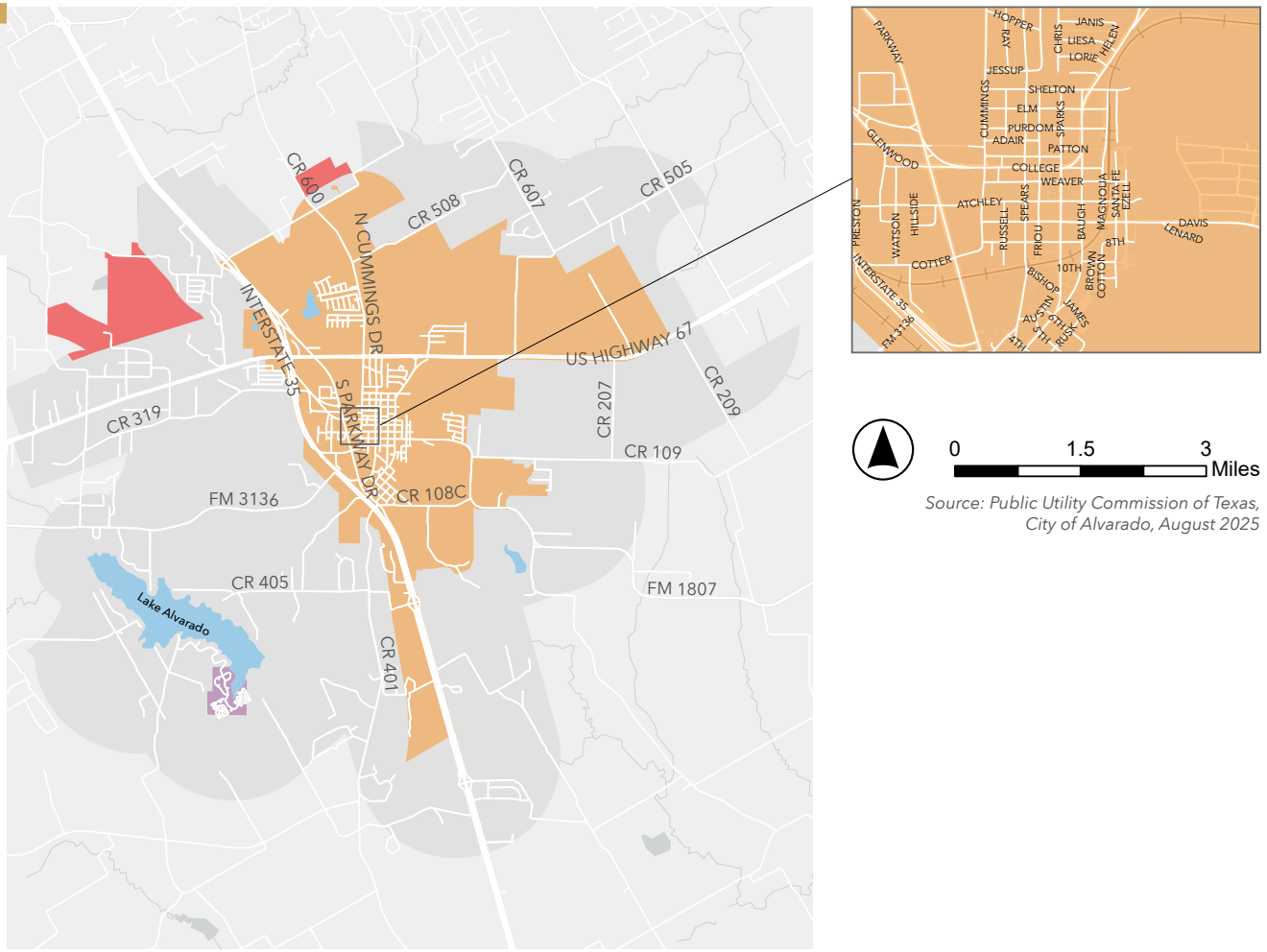
WASTEWATER

EXISTING SANITARY SEWER CCN'S

CITY OF ALVARADO

- Bodies of Water
- No CCN
- City of Burleson
- Blue Water Oaks WSSS
- City of Alvarado*

*The City of Alvarado Sanitary Sewer CCN is pending approval through the Texas Public Utilities Commission.



Source: Public Utility Commission of Texas, City of Alvarado, August 2025

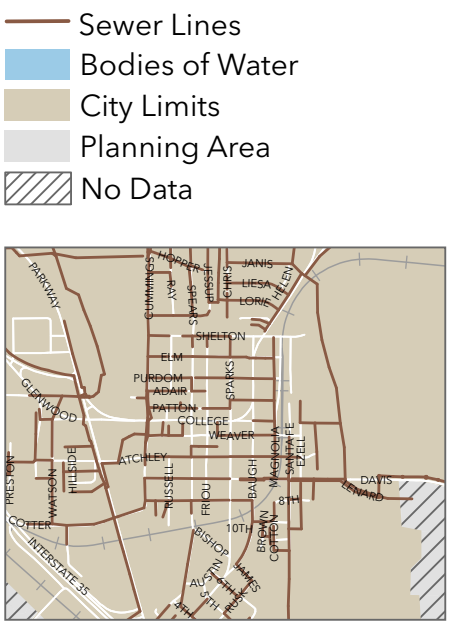
WASTEWATER

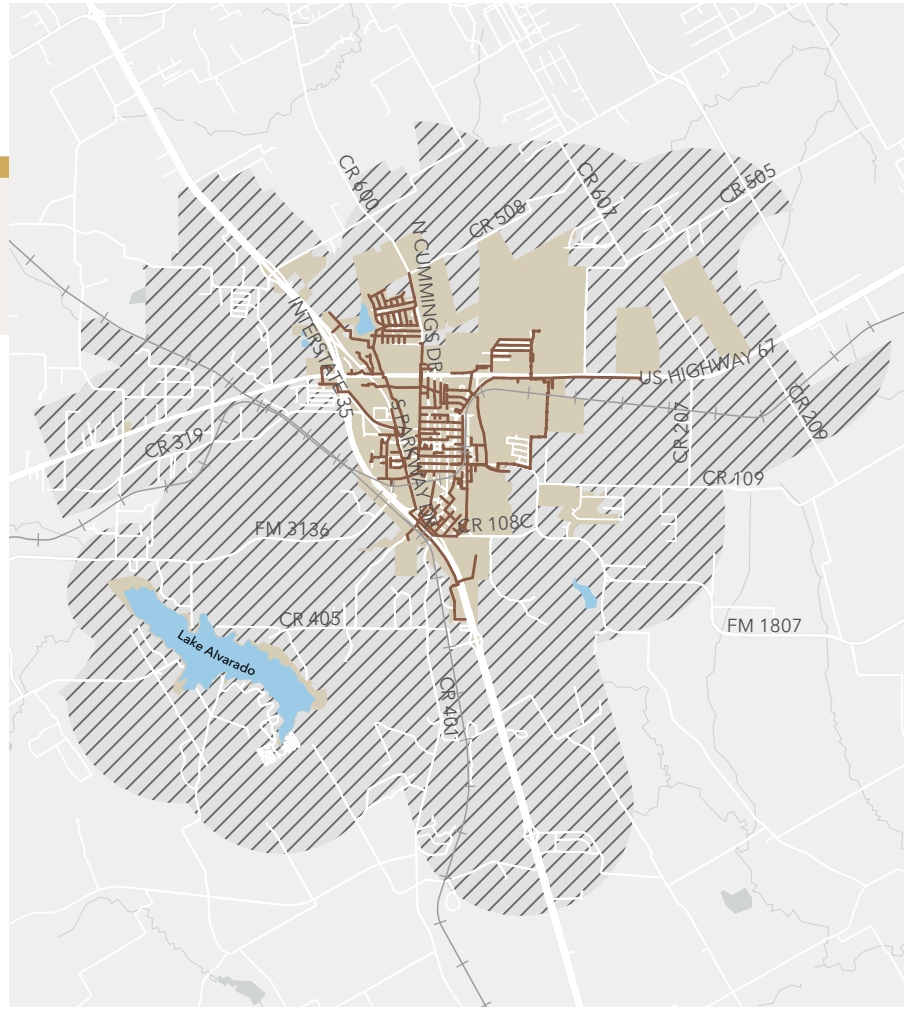
Wastewater Infrastructure Components

- 7 lift stations
- 1 wastewater treatment plant facility
- 35 miles of sanitary sewer lines

EXISTING SEWER LINES

CITY OF ALVARADO





Source: City of Alvarado, October 2025

WASTEWATER

Wastewater Future Demand

The existing wastewater collection and treatment system is approaching capacity, meaning it is operating close to the maximum amount of flow it was originally designed to handle. Future growth will require expanded sewer lines, lift stations, and treatment plants. As new homes, businesses, and industries connect to the system, the strain on existing infrastructure will continue to increase. When plants approach capacity, it not only limits the City's ability to serve new development but can also create operational risks during peak flows or heavy rain events. Over time, these pressures highlight how future growth will directly affect the wastewater system, with increasing demands for added capacity in existing collection lines, expanded collection lines, additional lift stations, and treatment facilities capable of supporting a larger population and a more developed community.

The City is currently in the process of updating the Wastewater Collection System Master Plan, with completion expected in 2026. The findings from this study will be highly relevant to the topics discussed in this section and should be factored into future planning efforts. Because the final report was not available before this Plan was adopted, its research and recommendations were not incorporated.

DRAINAGE + STORMWATER

Rain from storms becomes "stormwater runoff" when it flows over streets, rooftops, yards, and other hard surfaces. In modern cities, this runoff is managed through engineered systems designed to safely move water away from people and property and into creeks, streams, ponds, and lakes. Stormwater runoff within the City of Alvarado is conveyed through a variety of infrastructure, typically consisting of curbs, gutters, inlets, pipes, ditches, culverts, and detention ponds. The City's current stormwater infrastructure is not well documented, but in general, runoff flows through these systems into natural drainageways and areas mapped as Federal Emergency Management Agency (FEMA) Floodplain—approximately two square miles within the city limits, with an additional three square miles in the extraterritorial jurisdiction (ETJ).

Drainage + Stormwater Infrastructure Components

The Johnson County FEMA Flood Insurance Rate Maps (FIRM), indicate that the floodplains are Special Flood Hazard Zones A, AE, and AH. These floodplains are located along approximately 82 miles of FEMA streamlines within the city that are part of the Boggy Creek, Boss Branch, Cottonwood Creek, Fish Spring Creek, Mountain Creek, North Fork Chambers Creek, and Turkey Creek watersheds. As part of these watersheds, there are six Natural Resources Conservation Service (NRCS) lakes within the planning area, two within Lake Alvarado. These lakes provide regional sediment and floodwater storage, with Lake Alvarado providing recreation and fishing opportunities as well.

DRAINAGE + STORMWATER

EXISTING FLOODPLAIN
CITY OF ALVARADO

- Bodies of Water
- City Limits
- Floodplain
- Planning Area

Source: City of Alvarado and LJA, August 2025

DRAINAGE + STORMWATER

Drainage + Stormwater Future Demand

As the City of Alvarado grows, stormwater management will remain an important consideration to ensure that existing infrastructure and natural drainage areas continue to function safely and effectively. New development will need to comply with the City's Design Standards Manual and Flood Hazard Reduction Ordinance to reduce the potential for increased runoff, localized flooding, and adverse impacts to surrounding properties.

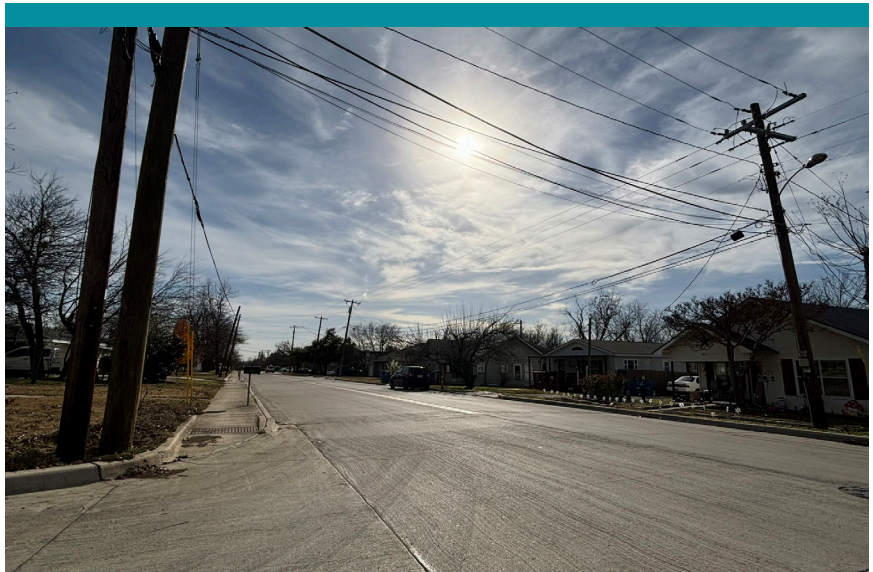
Much of the City's existing stormwater infrastructure is aging, and without targeted maintenance or upgrades, there is an increased risk of property damage, roadway impacts, and public safety concerns during heavy rainfall events. As additional land is annexed into the City, the extent of FEMA-mapped floodplain and the number of drainage areas under City responsibility will increase, further reinforcing the need for consistent standards and coordinated planning.

The City is currently preparing a Master Drainage Plan, with completion anticipated in 2026. The findings and recommendations from that effort will provide more detailed guidance on system capacity, deficiencies, and improvement priorities. Because the final drainage study was not available prior to adoption of this Plan, its recommendations were not incorporated but should be used to inform future capital planning, project coordination, and regulatory updates.

ENERGY + FRANCHISE UTILITIES

Reliable access to franchise utilities and communication services provides a basic foundation for growth and day-to-day quality of life in Alvarado. Internet service supports households, schools, and local businesses by enabling access to information, services, and economic opportunity. Electric power supplies energy for homes, public facilities, and industry, while natural gas supports heating and certain manufacturing and commercial uses. Cable and phone services help residents stay informed and connected, and reliable communication networks are especially important for emergency response and coordination.

Energy production activities, including gas wells located within the Planning Area, highlight the need to carefully manage utility infrastructure alongside development to avoid conflicts and safety concerns. Together, these energy and franchise utilities support the City's ability to function, grow, and serve its residents. Maintaining reliable access to these services helps attract and retain residents and businesses while supporting a stable and functional community.



Internet

2025 data from the Texas Broadband Development Office, indicates that nearly all Broadband Serviceable Locations in Johnson County have access to reliable broadband service meeting or exceeding 100 Mbps download and 20 Mbps upload speeds. While broadband availability is high at the Johnson County level, service quality, provider options, and reliability may still vary by location.

Internet Future Demand

Future demand for internet service in Alvarado is expected to be driven less by basic availability and more by reliability, capacity, and consistency of service as growth occurs. While county-level data indicates that most locations have access to broadband service meeting current speed thresholds, increased residential development, business activity, and reliance on digital services will place greater expectations on existing networks. As the City grows, internet infrastructure will need to continue supporting everyday needs such as remote work, education, healthcare access, public safety communications, and business operations. Managing future demand will largely involve coordination with service providers, ensuring that infrastructure keeps pace with development patterns, and minimizing service disruptions during roadway or utility projects, rather than pursuing large-scale municipal broadband investments.

ENERGY + FRANCHISE UTILITIES

Power

Electric service in Alvarado is provided through a structure that separates delivery from supply. Oncor manages the physical infrastructure that brings power into homes and businesses, including the poles, wires, and substations that make reliable service possible. Their role is to ensure that electricity is consistently delivered across the city, maintaining the backbone of the local energy system. This delivery framework is critical because it guarantees that residents and businesses receive service regardless of which company they select as their provider.

Because Texas operates under a deregulated electricity market, customers in Alvarado do not buy their electricity directly from Oncor. Instead, they can choose from a number of retail electric providers that handle the supply and billing of electricity. Different companies give households and businesses the ability to select the plan that best matches their needs and priorities. This arrangement not only provides flexibility and choice for customers but also ensures that energy access supports the community.

POWER FUTURE DEMAND

Reliable electricity will remain essential to supporting Alvarado's growth and daily operations. Energy access is necessary for homes, businesses, schools, public facilities, and emergency services to function safely and effectively. As development continues, demand for electricity will increase incrementally, reinforcing the importance of maintaining dependable service and coordinating infrastructure needs alongside new growth. Continued reliability of the electric system will support public safety, business activity, and overall quality of life in the community.

Natural Gas

Natural gas in Alvarado is supplied by Atmos Energy. Atmos is the largest natural gas distributor in the State of Texas and was first founded in the state. The company ensures that households, schools, and local businesses have a steady and reliable source of natural for daily needs like indoor heat and cooking. While the City itself does not manage natural gas directly, service through the regional provider allows for continuity and stability even as demand changes over time. The availability of natural gas plays an important role in everyday life and supports the reliable operation of essential community services.

NATURAL GAS FUTURE DEMAND

Future demand for natural gas in Alvarado is expected to increase gradually as new homes, businesses, and community facilities are developed. While the City does not manage distribution systems, growth patterns and development activity can influence demand on existing infrastructure. Ensuring that service extensions and upgrades occur in step with development will be important to maintaining reliability and avoiding service disruptions. Natural gas will continue to serve as a foundational energy source supporting daily life and essential services as the community evolves.

ENERGY + FRANCHISE UTILITIES

Phone

Phone and voice communication services in Alvarado operate within a largely deregulated framework in Texas, allowing residents and businesses to choose from a variety of service providers. This includes both traditional telephone services and wireless providers. The availability of multiple options gives users flexibility to select plans that meet their individual communication needs, rather than being limited to a single provider. This choice helps support reliable access to everyday communication services across the community.

PHONE FUTURE DEMAND

Access to reliable phone and voice communication services will remain important as Alvarado continues to grow. Phone service supports personal and professional communication, allowing residents to stay connected with family, employers, and service providers while enabling businesses to communicate with customers and partners. Reliable phone service is also essential for public safety, as emergency calls and coordination depend on uninterrupted access. As development and activity increase, dependable phone service will remain a foundational component of daily life and community function in Alvarado.

Cable

Television and video services in Alvarado are available through a combination of cable and satellite providers, including Spectrum, AT&T, DIRECTV, and DISH. These options allow households and businesses to select services that meet their preferences for news, sports, and entertainment. The availability of both wired and satellite-based services provides flexibility across different areas of the city, including locations where infrastructure options may vary. Access to television services helps residents stay informed and connected to local, regional, and national programming.

CABLE FUTURE DEMAND

Access to television and video services is expected to remain a consistent, though evolving, part of daily life in Alvarado. While viewing habits continue to change with the growth of streaming platforms, traditional cable and satellite services still play a role in delivering news, emergency information, and entertainment to residents and businesses. Maintaining access to multiple service options will help ensure that households across the city can choose the communication and entertainment services that best fit their needs as the community grows.

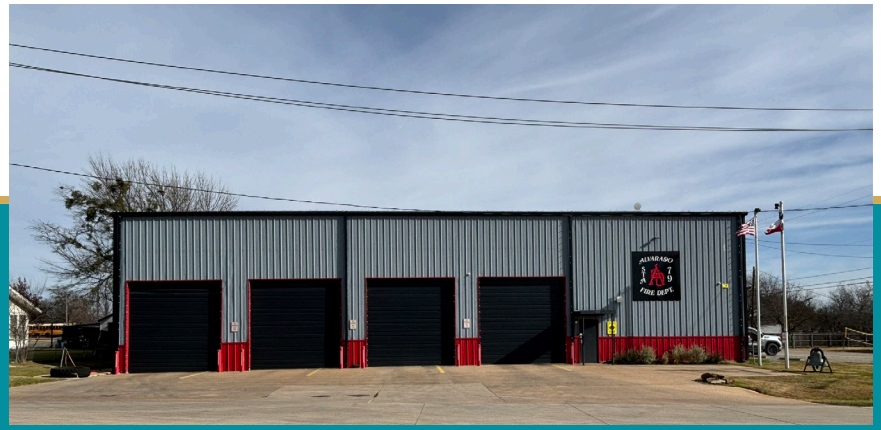
COMMUNITY FACILITIES + SERVICES

The City of Alvarado manages several public facilities for the benefit of the community. A list of all existing facilities can be found below:

- City Administration Building
- Animal Control Center
- Fire Station
- Public Library
- City Annex Building officing Police Department and Public Works
- Public Parks
- City Hall and Municipal Court

In addition to the facilities managed by the City, the Alvarado Independent School District (AISD) provides public amenities for education. There are four public schools, one administration building, and one technical education building managed by AISD in the Alvarado planning area. The following list includes all facilities currently managed by the school district in the Alvarado planning area:

- Alvarado High School
- Alvarado High School AG Science and Technology Center
- Alvarado Junior High
- Alvarado Elementary South
- Alvarado Elementary North
- Alvarado ISD Central Administration Building



COMMUNITY FACILITIES + SERVICES

The following sections provide more detail on the departments related to each of the City and Alvarado ISD public facilities.

City Administration

The administrative departments of the City of Alvarado provide the foundation for effective local government and community services. The City Manager's Office coordinates daily operations and implements policy direction from elected officials. The Economic Development Department works to attract and retain businesses and expand the City's tax base. The Community Development Department with the Building Safety Division and the Neighborhood Services Division oversees planning, zoning, code enforcement, inspections, and permitting to guide orderly and sustainable growth. The Finance Department manages all financial reporting and fiscal accountability to ensure resources are used responsibly. Together, these departments create an organized structure to deliver reliable services and advance community goals. Their work connects directly to the quality of life for residents and the overall stability of the city, making them an essential part of Alvarado's continued success.

City Hall & Municipal Court

The City Marshal, Court Administration, Utility Billings, and the Finance Department office in City Hall. The Council Chambers doubles as the City's Municipal Court and has limited occupancy for the growing City. In-person services are also constrained by limited space. Therefore, the City emphasizes online business and transactions as much as possible.

Animal Control

Animal Services in the City of Alvarado operates as a division of the Alvarado Police Department and is responsible for addressing all animal-related issues within the city limits. The division ensures compliance with municipal codes, responds to animal complaints, and oversees animal control efforts to maintain public safety and welfare. In addition, Animal Services provides adoption services that help connect pets with new homes, supporting both the community and animal well-being. Through these responsibilities, Animal Services plays an important role in maintaining harmony between people and animals in the community.

COMMUNITY FACILITIES + SERVICES

Fire & Rescue

The Alvarado Fire Department has grown into a combination professional emergency services agency that serves the City of Alvarado and nearly 48 square miles of Johnson County. The department responds to an average of 125 emergencies each month, providing fire suppression, emergency medical response, rescue services, and fire prevention education. Its mission is centered on protecting life and property with professionalism carried out daily by the men and women who make up its team. Through their expertise the department ensures that residents and businesses can rely on high-quality emergency response and proactive fire safety measures that contribute to the overall well-being of the community.

Library

The Alvarado Public Library is an important place for learning and community life. It offers a large selection of books and digital resources that invite visitors to explore new ideas and interests. The library provides comfortable areas for reading and studying, along with programs that bring people of all ages together. Friendly and knowledgeable staff members help guide visitors and support their curiosity. Some community feedback has referenced limited hours of the library and wishing it could be open more. With activity at the library fairly low, it can be challenging to establish if additional hours of operation would contribute to more activity/community visits. The Library has become the Senior Center & Community Center following the 2025 demolition of the City's previous center in a dilapidated building.

Police

The Alvarado Police Department provides law enforcement services within the city limits, with responsibilities that include patrol, emergency response, traffic enforcement, and investigation of reported offenses. The department plays a key role in maintaining public safety and supporting daily community activity through visible presence and coordinated response to calls for service.

As Alvarado grows, changes in population, development patterns, and traffic volumes may influence demand for police services. New residential neighborhoods, commercial activity, and increased roadway use can affect call volumes and response needs, particularly during peak periods. Planning for future growth should consider how land use decisions, roadway design, and development intensity impact public safety operations and access for emergency responders.

Public Works

The Alvarado Public Works Department manages the City's water distribution system, wastewater collection system, Wastewater Treatment Plant, street maintenance, stormwater maintenance, and more. Public Works includes facility maintenance, equipment maintenance, and the maintenance of streetlights, street markers, and street signs. The Public Works Department also plays a critical supporting role in special events, inclement weather events, and essential emergency services."

COMMUNITY FACILITIES + SERVICES

Parks

Alvarado Parks and Recreation works to enrich community life by offering opportunities for both active recreation and leisurely enjoyment of outdoor spaces. Local parks provide settings for play and relaxation, with features such as playgrounds, pavilions, all-inclusive facilities, and landscaped areas filled with native trees and plantings. These spaces serve residents of all ages and support a wide range of recreational uses throughout the year.

The Parks and Recreation Division operates within the Public Works Department and is responsible for developing and maintaining public open spaces, community facilities, and City-owned properties. This role ensures that Alvarado's outdoor areas remain accessible as important parts of daily life in the community. A list of all current parks in the City is provided below:

1. Lake Park
2. Stonegate Park
3. Moore Park
4. Parkway Park
5. Pecan Orchard Park
6. Heritage Park
7. Downtown Square Park
8. George Washington Carver Park

For more information on parks in Alvarado, refer to the Additional Study: Parks + Recreation.

Planning for the long-term needs of Alvarado's parks, schools, and community services.

Alvarado ISD

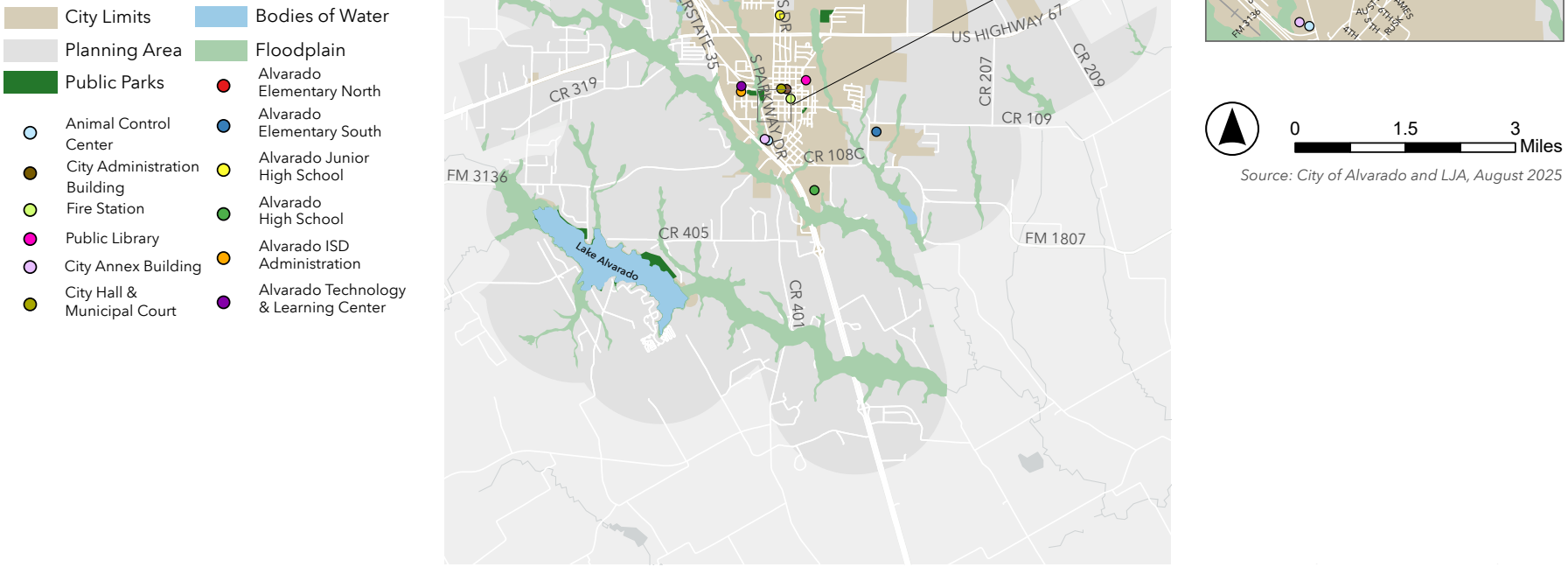
Alvarado ISD serves as the public education provider for students from kindergarten through twelfth grade in the greater Alvarado area. Within its 92-square-mile boundary, the District operates six campuses that educate more than 3,700 students under the guidance of about 500 teachers and staff. The District is recognized as a place where families find strong academic standards, successful extracurricular programs, and a safe environment that supports both personal and educational development.

Community Facilities + Services Future Demand

As Alvarado grows, demand on existing community facilities and services will increase, particularly those that support daily activity and public access, such as the Public Library, recreation facilities, and city buildings. Population growth, expanded development areas, and changing service expectations can place added pressure on facilities that were designed for a smaller community. Prioritizing the maintenance, accessibility, and functional capacity of existing facilities will be critical to ensuring they continue to meet community needs without requiring premature expansion. Protecting and extending the useful life of current facilities also helps the City manage costs and make more deliberate decisions about when and where future investments may be needed.

COMMUNITY FACILITIES + SERVICES

COMMUNITY FACILITIES
CITY OF ALVARADO



Source: City of Alvarado and LJA, August 2025

RESILIENCE + HAZARD MITIGATION

Resilience planning focuses on reducing risk, protecting public safety, and maintaining essential services during disruptive events. While hazards cannot be fully prevented, their impacts can be reduced through informed planning, coordinated infrastructure investment, and alignment with regional mitigation strategies. For the City of Alvarado, resilience is shaped by environmental conditions, development patterns, infrastructure systems, institutional operations, and the City's capacity to respond to and recover from unexpected events. As Alvarado continues to grow, exposure to natural, human-related, and technological risks will evolve. This section documents existing conditions and anticipated future demand associated with these risk categories, providing context for the Vision and Implementation strategies presented later in this chapter.

The Alvarado Comprehensive Plan was supported through funding from the Resilient Communities Program (RCP), administered by the Texas General Land Office. The program is intended to help communities plan proactively for hazards, infrastructure stress, and long-term risk by integrating resilience into everyday planning and decision-making. While resilience considerations are embedded throughout the entire Comprehensive Plan, they are addressed most directly here within the Strategic Growth chapter, where population change, utilities, facilities, and service systems intersect with hazard exposure and emergency response. This approach ensures that resilience is treated as a core planning function to shape how Alvarado grows, invests, and prepares.

THERE ARE THREE MAIN GROUPS OF RISK FACTORS THAT ARE EXPLORED IN THIS SECTION:

NATURAL

HUMAN

TECHNOLOGICAL

RESILIENCE + HAZARD MITIGATION

Natural Risk Factors

Natural hazards represent the most frequent and visible source of risk for the City of Alvarado. Weather-related events such as severe thunderstorms, tornadoes, flooding, drought, extreme heat, wildfires, and winter storms can occur with limited warning and may result in property damage, infrastructure disruption, and threats to public safety.

The Johnson County Hazard Mitigation Plan (JCHMP), updated and adopted in 2024, provides the primary regional framework for identifying natural hazards and mitigation strategies applicable to Alvarado. Participation in the JCHMP ensures the City remains eligible for state and federal hazard mitigation funding while aligning local planning with regional emergency management priorities.

RESILIENCE + HAZARD MITIGATION

NATURAL HAZARD RISK PROFILE

The table below summarizes the relative risk associated with natural hazards identified in the 2024 JCHMP for the City of Alvarado.

Mitigation efforts generally prioritize hazards that are both highly likely to occur and capable of causing significant impacts, while lower-probability hazards are monitored and addressed as resources allow.

Natural Hazard	Location	Probability of Future Events	Level of Possible Damage	Maximum Probable Extent / Strength
Tornadoes	Extensive	Highly Likely	Catastrophic	Medium
Drought	Extensive	Highly Likely	Critical	Major
Thunderstorms	Extensive	Highly Likely	Critical	Major
Wildfires	Significant	Highly Likely	Critical	Major
Expansive Soils	Extensive	Highly Likely	Minor	Medium
Extreme Heat	Extensive	Highly Likely	Minor	Major
Flooding	Limited	Likely	Critical	Major
Winter Storms	Extensive	Likely	Critical	Medium
Earthquakes	Extensive	Possible	Minor	Minor

RESILIENCE + HAZARD MITIGATION

Natural Risk Factors

FLOODING AND DAM FAILURE RISK

Flooding represents a particularly important natural hazard for Alvarado due to the presence of FEMA-mapped floodplains and regional watersheds. In addition to rainfall-driven flooding, the JCHMP identifies dam failure flooding as a specific risk. Dam failure flooding is defined as the accidental or unintentional collapse, breach, or malfunction of an impoundment structure that results in downstream flooding. Of the high-hazard potential dams identified in Johnson County, four are located within the City of Alvarado, all associated with the Chambers Creek watershed and the Lake Alvarado system.

Understanding the location and potential downstream impacts of these dams is important for emergency planning, evacuation coordination, and downstream land use considerations.

NATURAL RISK FACTORS: FUTURE DEMAND

Future development, increased impervious cover, and changing weather patterns are expected to intensify natural hazard impacts over time. Heavier rainfall events may strain drainage systems, while prolonged heat and drought place additional pressure on water supplies, infrastructure, and public health. From a resilience perspective, natural systems and built infrastructure increasingly intersect. Roadways, parks, drainage corridors, and open spaces already play a role in managing stormwater, reducing flood risk, moderating heat, and supporting environmental function. As growth occurs, demand will increase for infrastructure that can manage these risks while continuing to serve everyday community needs.

Dam Name	Owner	Location	Drainage Area
Chambers Creek WS SCS Site 42	City of Alvarado; Johnson County; Johnson County SWCD	Lake Alvarado	15.3 sq. mi.
Chambers Creek WS SCS Site 31	Johnson County; Johnson County SWCD	Alvarado	2.0 sq. mi.
Chambers Creek WS SCS Site 30	Johnson County; Johnson County SWCD	Alvarado	1.1 sq. mi.
Chambers Creek WS SCS Site 32	City of Alvarado; Johnson County; Johnson County SWCD No. 541	Alvarado	1.0 sq. mi.

RESILIENCE + HAZARD MITIGATION

Human Risk Factors

Human-related hazards arise from population growth, daily activity, institutional operations, and social conditions. These risks include public health emergencies, structural fires, transportation incidents, hazardous material spills, and security-related events that affect public safety and continuity of operations. Facilities that serve large populations, specialized institutional uses, industrial activities, and major transportation corridors can introduce additional complexity for emergency response and coordination. Even infrequent events involving violence or security concerns can place strain on emergency services, require rapid interagency coordination, and disrupt normal operations. Public health emergencies also remain a critical human-related risk factor. Events such as widespread illness or workforce disruption can affect service delivery, emergency response capacity, and access to essential facilities. These experiences reinforce the importance of preparedness, communication, and adaptability across City operations.

HUMAN RISK FACTORS: FUTURE DEMAND

As Alvarado grows, increased population and activity levels are expected to place greater demands on law enforcement, fire protection, emergency medical services, and regional partners. Growth around institutional, employment, and transportation areas may increase the complexity of response needs even if the overall frequency of major incidents remains low. From a resilience standpoint, future demand is closely tied to access, response time, and coordination. Streets, facilities, and public spaces that function well during everyday conditions—and remain accessible during emergencies—support both public safety and long-term resilience. Designing and maintaining infrastructure that supports emergency access, clear communication, and controlled movement will remain increasingly important. Human-related risks also intersect with economic stability. Disruptive events can affect workforce availability, institutional operations, and public confidence if response and recovery are delayed. Maintaining readiness through planning and infrastructure design helps reduce long-term impacts while supporting a safe and functional community.

RESILIENCE + HAZARD MITIGATION

Technological Risk Factors

Technological risk factors relate to the City's reliance on interconnected systems that support utilities, communications, emergency response, financial transactions, and public records. These systems increasingly depend on digital platforms, remote access, and third-party vendors. Across Texas, municipalities of all sizes have experienced cyber incidents affecting utility billing systems, police records, emergency communications, and water operations. These events demonstrate that technological risks are not limited by city size or level of technological sophistication. Power outages, system failures, vendor disruptions, or cyber incidents can interrupt essential services and compound the impacts of natural or human-related hazards. In response to escalating threats, the State of Texas launched the Texas Cyber Command in 2025 to improve statewide coordination, preparedness, and response. This evolving risk environment highlights the importance of recognizing technological resilience as a component of overall community resilience.

TECHNOLOGICAL RISK FACTORS: FUTURE DEMAND

As Alvarado continues to grow, reliance on digital systems is expected to increase. Expanded development, higher service demand, and public expectations for online access will require more robust technology platforms and coordination across departments and service providers. From a resilience perspective, future demand is less about adopting new technology and more about ensuring continuity of operations. Service disruptions related to power loss, system failure, or cyber incidents can affect billing, permitting, emergency response, and communication. Economic resilience is closely tied to technological resilience, as prolonged disruptions can delay business activity and undermine public trust.

RESILIENCE + HAZARD MITIGATION

Mitigation Actions and Regional Context

The 2024 JCHMP identifies mitigation actions applicable to the City of Alvarado through a combination of carried-forward actions from the 2015 plan and new or refined actions introduced in the 2024 update. The Plan references 19 mitigation actions from the 2015 Johnson County Hazard Mitigation Plan that were deferred and formally carried forward; however, these actions are not individually restated in the 2024 Plan, and the 2015 Plan is no longer readily available through public online sources.

Collectively, the carried-forward actions address flood risk reduction, emergency preparedness, public education, protection of critical facilities, and coordination with regional partners. The 2024 update supplements these legacy actions with mitigation priorities related to emergency power, utility winterization, localized flood protection, protection of park users during severe weather, cooling and warming centers, facility resilience studies, and hazard-resistant landscaping.

These actions provide important context for future planning but are not prescriptive within this section. Specific priorities, sequencing, and implementation strategies are addressed in the Vision and Implementation portions of the Strategic Growth chapter.

Relationship to Capital Planning and Economic Resilience

Across all risk categories, resilience is closely tied to infrastructure investment decisions. Drainage systems, streets, utilities, facilities, and parks all influence the City's ability to maintain access, protect public safety, and recover following disruptions. While long-term economic development strategies are addressed elsewhere in the Plan, resilience planning considers how infrastructure reliability, service continuity, and access affect the City's ability to function during and after disruptive events. Infrastructure that supports continuity—such as passable roadways, reliable utilities, and functional public spaces—helps limit economic disruption and supports faster recovery.

Alignment with the Resilient Communities Program (RCP)

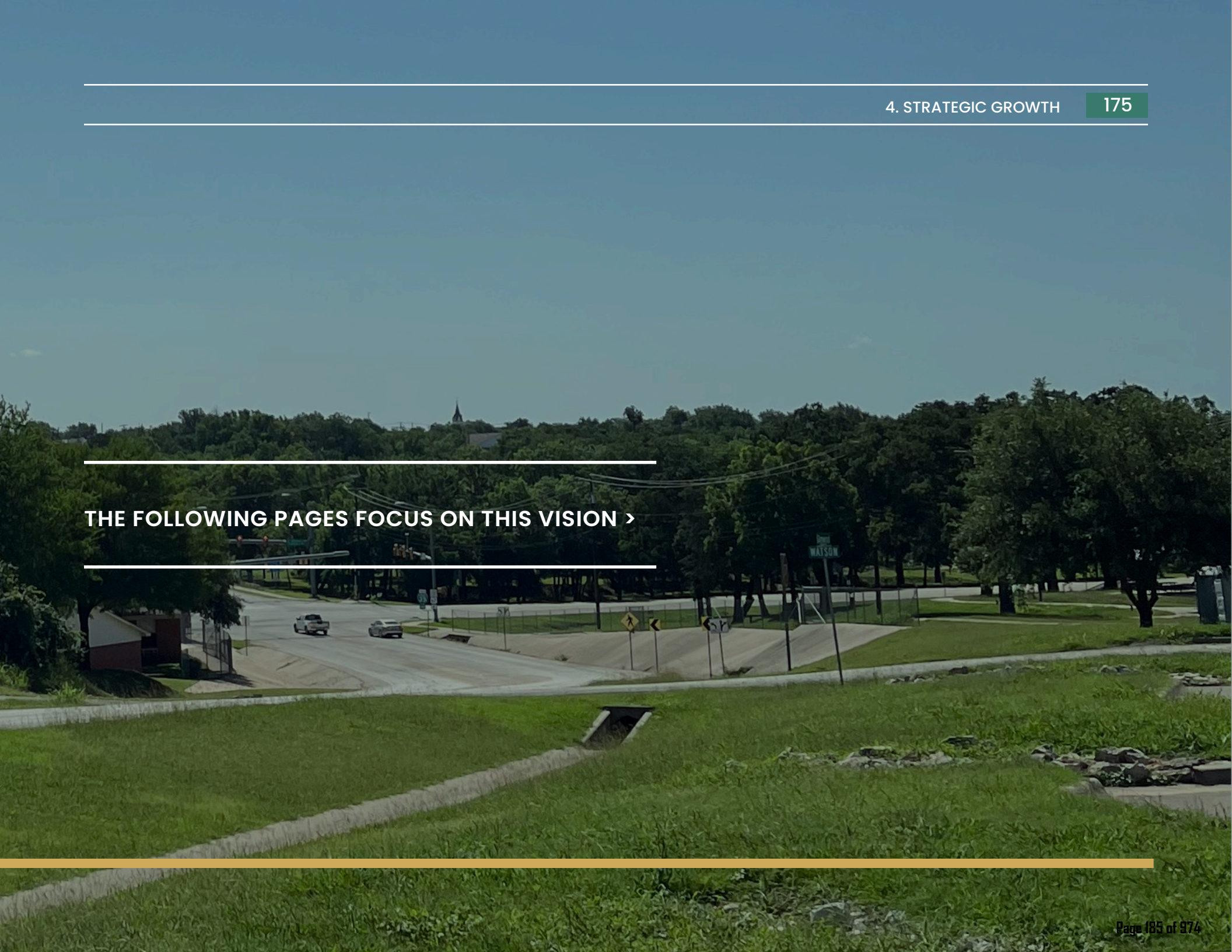
This Resilience + Hazard Mitigation context section aligns with the Texas General Land Office Resilient Communities Program by documenting natural, human, and technological hazards; referencing an adopted and current Hazard Mitigation Plan; and identifying how risk considerations intersect with infrastructure systems and future demand. Together, these elements establish a clear foundation for future resilience strategies, capital investments, and implementation actions explored later in this chapter.

VISION: STRATEGIC GROWTH

Strategic Growth in Alvarado focuses on aligning population growth, development activity, and infrastructure investment so that essential systems remain reliable, safe, and financially sustainable over time. As the City grows, decisions related to water, wastewater, drainage, transportation, energy, resilience, and community facilities must be coordinated to ensure that infrastructure capacity keeps pace with demand and does not create long-term operational or fiscal risk.

This vision emphasizes planned expansion, system reinvestment, and risk-aware decision-making rather than reactive infrastructure delivery. Strategic Growth establishes a framework for how infrastructure investments are evaluated, prioritized, and sequenced—using available data, adopted plans, and regulatory requirements to guide growth in a predictable and defensible manner.

By coordinating land use decisions with infrastructure capacity and capital planning, Alvarado can protect existing neighborhoods, maintain service reliability, and accommodate future development while preserving flexibility to respond to changing conditions. Strategic Growth is intended to support practical implementation, interdepartmental coordination, and long-term community stability rather than one-time solutions or short-term fixes.



THE FOLLOWING PAGES FOCUS ON THIS VISION >

THE PARKS
OF
ALVARADO

VISION: STRATEGIC GROWTH

Triple Bottom Line

Using the Triple Bottom Line framework, Strategic Growth in Alvarado focuses on coordinating infrastructure planning with growth in a way that supports long-term stability, public safety, and quality of life. Infrastructure decisions related to water, drainage, transportation, utilities, resilience, and community facilities influence not only how the City grows, but how well it functions over time. By balancing the needs of people, financial capacity, and natural systems, Strategic Growth helps ensure that growth is supported by infrastructure that is reliable, adaptable, and fiscally responsible.

PEOPLE OF ALVARADO

Infrastructure directly affects the daily lives of residents, workers, and visitors. Reliable water service, effective drainage, safe streets, dependable utilities, and accessible community facilities support health, safety, and overall quality of life. Strategic Growth prioritizes infrastructure that keeps neighborhoods functioning, supports emergency response, and maintains access to essential services as the City grows. When infrastructure is planned and maintained thoughtfully, residents are better able to live, work, and invest in their community with confidence.

NATURE

Natural systems play a critical role in supporting Strategic Growth in Alvarado. Floodplains, drainage corridors, Lake Alvarado, and open spaces help manage stormwater, reduce flood risk, and protect downstream water quality. Treating these areas as functional infrastructure—rather than constraints—reduces long-term maintenance costs and supports resilience during severe weather events. Integrating natural systems into infrastructure planning helps the City manage growth while preserving environmental assets that are essential to public safety and long-term system performance.

ECONOMIC + FISCAL VITALITY

Strategic Growth supports economic and fiscal vitality by aligning infrastructure investment with growth patterns and long-term financial capacity. Coordinated planning helps ensure that new development contributes to system improvements and does not create unfunded maintenance or operational liabilities. By prioritizing reinvestment in existing infrastructure and sequencing expansion carefully, the City can reduce reactive spending, manage risk, and protect public investment. Sound infrastructure planning strengthens Alvarado's ability to support economic activity while maintaining financial flexibility over time.

VISION: STRATEGIC GROWTH

Alignment with Vision Guiding Principles

Continuously Improving

Alvarado is committed to advancement, ensuring that infrastructure, services, and community resources evolve alongside changing needs.

Fun + Inviting

Creating welcoming spaces and experiences will help attract visitors and foster pride among Alvarado residents.

Efficient + Connected

Alvarado's role in the region will be strengthened by smart transportation networks and reliable utilities.

Intentional + Distinct

Development that reflects careful consideration of place allows Alvarado to preserve its character while building an identity that stands out within the region.

Engaged + Collaborative

Connection will be encouraged by ensuring that all members of the community play a role in shaping the future direction of the City.

Landscaped + Charming

The city's appeal is enhanced by inviting spaces making Alvarado a desirable place to live and invest.

VISION: STRATEGIC GROWTH

Neighborly + Family-Friendly

A welcoming environment supports strong community ties and ensures that Alvarado remains a place for people of all ages.

Safe

A protected community is essential to sustain growth by protecting residents, businesses, and investments.

Trusted Action

Consistent follow-through by city leadership on major infrastructure improvements reinforces confidence among residents and partners.

VISION: STRATEGIC GROWTH

Alignment with Other Plans + Best Practices

The following section highlights recognized best practices for infrastructure planning, growth management, and resilience at the local, regional, and national levels. These frameworks emphasize coordinated systems, risk-aware decision-making, and long-term infrastructure performance. Together, they provide a practical foundation for how Alvarado can manage growth while maintaining reliable services, protecting public investment, and reducing long-term risk.

1. CAPITAL IMPROVEMENT PLANNING (CIP) BEST PRACTICES
(GOVERNMENT FINANCE OFFICERS ASSOCIATION + APA)

Best practices for capital improvement planning emphasize multi-year planning, alignment with adopted plans, and coordination across departments. While the City's full CIP is addressed in the Implementation section, Strategic Growth aligns with CIP best practices by establishing a clear framework for how infrastructure investments should be evaluated and prioritized. For Alvarado, this includes:

- Coordinating capital investments across water, wastewater, drainage, transportation, facilities, and parks
- Prioritizing reinvestment in existing infrastructure before system expansion
- Sequencing infrastructure extensions with development timing
- Using planning-level cost information to support informed decision-making
- Aligning capital planning with fiscal capacity and grant eligibility

This approach supports predictable growth and reduces reactive infrastructure spending.

2. HAZARD MITIGATION PLANNING + RESILIENCE INTEGRATION
(FEMA + STATE HAZARD MITIGATION PLANNING GUIDANCE)

Hazard mitigation best practices emphasize integrating risk reduction into everyday planning and investment decisions rather than treating mitigation as a standalone effort. Alvarado's Strategic Growth vision aligns directly with the Johnson County Hazard Mitigation Plan (2024), which identifies natural, human, and technological hazards affecting the City. Strategic Growth reinforces these principles by:

- Recognizing floodplains, drainage systems, and dams as key risk factors
- Supporting infrastructure designs that maintain access during emergencies
- Accounting for institutional and technological risks that affect continuity of operations
- Avoiding growth patterns that increase exposure to known hazards

This alignment supports ongoing eligibility for hazard mitigation and resilience funding.

VISION: STRATEGIC GROWTH

6 | **SIX PROVEN STRATEGIES ALIGN INFRASTRUCTURE INVESTMENT WITH LONG-TERM GROWTH, RESILIENCE, AND FISCAL STABILITY.**

3. ONE WATER–INFORMED INFRASTRUCTURE PLANNING
(TEXAS WATER DEVELOPMENT BOARD + EPA)

The One Water approach promotes coordination among water supply, wastewater, stormwater, and groundwater systems to improve long-term performance and resilience. While Alvarado does not operate a formal One Water program, Strategic Growth reflects One Water–informed decision-making by acknowledging the interdependence of these systems. For Alvarado, this includes:

- Coordinating water, wastewater, and drainage planning efforts
- Recognizing floodplains and detention areas as part of the stormwater system
- Considering downstream impacts of development and infrastructure decisions
- Supporting phased planning rather than isolated system expansions

This approach strengthens system reliability while remaining appropriate to the City's operational capacity.

VISION: STRATEGIC GROWTH

Alignment with Other Plans + Best Practices

4. TRANSPORTATION + LAND USE COORDINATION

(FEDERAL HIGHWAY ADMINISTRATION + APA GROWTH MANAGEMENT PRACTICES)

Best practices in growth management emphasize aligning transportation investments with land use decisions to improve safety, access, and long-term efficiency. Strategic Growth recognizes that roadway capacity, access management, and connectivity directly influence development patterns and emergency response. For Alvarado, this includes:

- Coordinating roadway improvements with drainage and utility infrastructure
- Supporting safe access to industrial, institutional, and employment areas
- Maintaining emergency access along major corridors and through neighborhoods
- Aligning future land use decisions with transportation capacity

This coordination helps reduce congestion, improve safety, and support predictable development outcomes.

5. INFRASTRUCTURE PLANNING IN ENERGY + INDUSTRIAL CONTEXTS

(TEXAS MUNICIPAL LEAGUE + STATE INFRASTRUCTURE GUIDANCE)

Communities with industrial activity and energy-related land uses face unique infrastructure considerations related to traffic, drainage, utilities, and land use compatibility. Strategic Growth reflects best practices by acknowledging gas wells and associated infrastructure as factors that influence stormwater runoff, roadway wear, and long-term land use decisions. For Alvarado, this includes:

- Accounting for gas well sites and access roads in drainage and stormwater planning
- Coordinating infrastructure decisions near industrial uses to manage cumulative impacts
- Recognizing long-term maintenance and compatibility considerations associated with energy infrastructure

This approach reflects emerging best practices in Texas communities managing similar conditions.

VISION: STRATEGIC GROWTH

Alignment with Other Plans + Best Practices

6. ASSET MANAGEMENT–INFORMED INFRASTRUCTURE PLANNING
(ISO 55000 + MUNICIPAL ASSET MANAGEMENT PRACTICES)

Asset management best practices emphasize understanding infrastructure condition, lifecycle costs, and risk to support informed investment decisions. While Alvarado does not currently operate a comprehensive asset management program across all systems, Strategic Growth supports asset management principles by emphasizing reinvestment, documentation, and prioritization. For Alvarado, this includes:

- Recognizing aging infrastructure as a long-term risk
- Prioritizing maintenance and reinvestment to extend asset life
- Using available data to inform capital planning and future studies
- Supporting incremental improvements in system documentation over time

This approach supports infrastructure reliability and reduces unexpected failures.

BRINGING BEST PRACTICES TOGETHER

Rather than applying these frameworks in isolation, Strategic Growth integrates them into a coordinated approach to infrastructure planning and growth management. For Alvarado, alignment focuses on applying proven best practices in a way that reflects local conditions, supports near-term implementation, and allows for refinement over time as additional plans and investments are completed. Together, these best practices strengthen the Strategic Growth chapter's role as a bridge between existing conditions, long-term vision, and the Implementation Program that follows.

CAPITAL IMPROVEMENT PLAN (CIP)

The Capital Improvements Program (CIP) included in this Plan provides a planning-level framework to document priority infrastructure investments, coordinate capital planning, and support eligibility for funding through state and federal programs, including the Texas General Land Office (GLO) Resilient Communities Program (RCP). The CIP consolidates information from the City's adopted budget, the FY25 Capital Improvement Program Schedule, adopted impact fee studies, the Updated Infrastructure Study with CIP (October 2024), and City-provided capital project listings.

Because the City of Alvarado is concurrently advancing detailed engineering studies for select infrastructure systems through other consultants, this CIP does not present construction-ready designs or final cost opinions. Instead, it establishes a coordinated, grant-ready roadmap that links documented capital needs to funding strategy, project sequencing, and long-term system performance. This approach aligns with RCP guidance emphasizing readiness, coordination, and resilience, even where final engineering is still underway.

CAPITAL IMPROVEMENT PLAN (CIP)

CIP Strategy and Alignment

THE CITY'S CIP STRATEGY IS GUIDED BY THREE CORE PRINCIPLES:

1. *Protect Existing Infrastructure First,* prioritizing reinvestment in aging systems to reduce emergency repairs, service disruptions, and long-term operating costs.

2. *Align Expansion with Documented Growth,* coordinating capacity improvements with adopted land use assumptions, impact fee service areas, annexation activity, and development patterns.

3. *Maximize the Value of Public Investment,* prioritizing projects that address multiple needs at once—such as safety, drainage, access, and community use—so that a single investment delivers broader and longer-lasting benefits.

IN ADDITION TO IDENTIFYING CAPITAL PROJECTS:

The CIP benefits from a basic understanding of existing infrastructure assets, including their location, function, and general condition. Even incremental asset documentation can improve coordination between departments, support capital prioritization, and reduce reactive maintenance over time. As projects advance, gradual improvements to asset tracking can support lifecycle planning without requiring a full standalone asset management program.

A COORDINATED CAPITAL IMPROVEMENT PLAN PRIORITIZES INFRASTRUCTURE INVESTMENT, ALIGNS FUNDING, AND SUPPORTS LONG-TERM SYSTEM PERFORMANCE.

CAPITAL IMPROVEMENT PLAN (CIP)

Water Supply and Distribution Improvements

Water infrastructure needs in Alvarado primarily relate to distribution capacity, storage, and redundancy, rather than raw water sourcing. The City purchases treated water from Johnson County Special Utility District and is responsible for storage and distribution infrastructure.

IDENTIFIED WATER IMPROVEMENTS

Based on the Updated Infrastructure Study with CIP and impact fee documentation, identified water projects include:

- N. Cummings Drive 12-inch Water Main (US 67 to CR 508), total project cost $2,408,164, funded through water impact fees and through 2024 Series Bonds
- Oversizing N. Parkway Drive 12-inch Water Main (Parkview at Alvarado Apartments), funding to be determined
- Oversizing Whisper Park Water Mains, funding to be determined
- Elevated Water Storage Tank near Highway 67 and Sunflower Lane, cost identified, funding to be determined
- 8-inch Water Line (E. Shelton Street to Rock Sparrow Lane), developer funded and to be determined
- 12-inch Water Line along Davis Avenue (Santa Fe Street to Rock Sparrow Lane), funding to be determined
- 8-inch Water Line (Whisper Park to CR 1807), funding to be determined
- 12-inch Water Line along Maple Avenue (Whisper Park to CR 1807), funding to be determined
- 12-inch Water Line along Maple Avenue (S. Parkway Drive to Whisper Park), developer funded and to be determined
- 12-inch Water Line behind the High School (Maple Avenue south), developer funded
- 12-inch Water Line south of the High School (S. Parkway Drive east), developer funded
- 12-inch Water Line to JCSUD southern point of connection, funding to be determined
- Pecan Orchard Water Main Extension for Loop, funding to be determined
- Rambler's Corner Water Extension for Loop , funding to be determined

Where water infrastructure is expanded or upgraded, surface restoration and site design can be coordinated to preserve natural drainage patterns, support long-term maintenance access, and reduce future disturbance to adjacent streets and open space. As water infrastructure is expanded, the City may also evaluate opportunities for non-potable water reuse, such as purple pipe systems, where treated effluent could be used for irrigation or other appropriate non-drinking purposes to reduce demand on potable supplies over time.

CAPITAL IMPROVEMENT PLAN (CIP)

Wastewater Collection and Treatment Improvements

Wastewater infrastructure planning focuses on treatment capacity expansion, collection system integrity, and lift station improvements needed to maintain regulatory compliance and support growth.

IDENTIFIED WASTEWATER IMPROVEMENTS

Documented wastewater projects include:

- Wastewater Treatment Plant Expansion Phase 1 (to 1.4 MGD), total project cost $36,914,749, funded through 2023 Series Bonds and developer participation
- Wastewater Treatment Plant Expansion Phase 2 (to 2.2 MGD), future bond-funded
- 18-inch Parkway Drive Sanitary Sewer Line, total project cost $2,600,000, funded through 2024 Series Bonds or U.S. Economic Development Administration (EDA) grant
- 36-inch Davis Avenue Gravity Sanitary Sewer Line, total project cost $3,600,000, developer funded
- Valor Lift Station, developer funded
- Valor Force Main, developer funded
- Chambers Creek Lift Station, funding to be determined
- CR 1807 12-inch Sanitary Sewer Gravity Line (Whisper Park to Chambers Creek Lift Station), funding to be determined
- 8-inch Sanitary Sewer Gravity Line south of the High School (IH-35W east), developer funded
- Green 21-inch Sanitary Sewer Line, developer funded except for $801,000 in City reserves paid back by wastewater impact fees
- M&A 12-inch Sanitary Sewer Line, developer funded
- 8-inch Sanitary Sewer Gravity Line (CR 109 to FM 1807), funding to be determined
- Burger King Lift Station Upgrades, developer funded
- Quail Haven Lift Station Upgrades, developer funded
- Valor Lift Station, developer funded

Wastewater projects also present opportunities to coordinate grading, surface restoration, and adjacent land uses to reduce long-term maintenance conflicts and protect surrounding natural features.

COORDINATING WASTEWATER IMPROVEMENTS WITH SURROUNDING LAND USES HELPS REDUCE LONG-TERM MAINTENANCE AND PROTECT NATURAL SYSTEMS

CAPITAL IMPROVEMENT PLAN (CIP)

Drainage, Stormwater, and Flood Mitigation Improvements

Drainage and stormwater infrastructure is a key resilience priority due to aging systems, expanding service areas, and floodplain exposure. While a comprehensive Master Drainage Plan is underway, existing documentation identifies several planning-level needs.

IDENTIFIED DRAINAGE AND STORMWATER IMPROVEMENTS

- Completion and implementation of a Master Drainage Plan, cost to be determined
- Rehabilitation and replacement of aging storm drainage infrastructure
- Evaluation of legacy detention and drainage features
- Drainage improvements tied to roadway reconstruction projects to reduce flooding and protect emergency access routes

Where feasible, stormwater management can be integrated into surface-level infrastructure rather than relying solely on underground systems. This may include shallow conveyance features, landscaped drainage areas, and distributed stormwater controls that reduce peak runoff, improve water quality, and lower long-term maintenance demands.

WHY DRAINAGE PLANNING MATTERS IN ALVARADO

Stormwater and drainage infrastructure plays a critical role in protecting public safety, property, and access throughout Alvarado. Unlike utilities that serve individual customers, drainage systems function at a watershed scale, meaning that changes in one area can affect flooding and runoff conditions elsewhere in the city. As development occurs and impervious surfaces increase, unmanaged runoff can place additional strain on aging drainage systems, roadways, and low-lying areas.

In Alvarado, drainage planning is particularly important due to the presence of FEMA-mapped floodplains, older infrastructure, and the need to maintain reliable access for emergency services during heavy rainfall events. Proactive drainage investments help reduce roadway flooding, protect homes and businesses, and limit long-term repair costs by addressing issues before they become emergencies. Integrating drainage considerations into roadway, park, and facility projects allows the City to manage stormwater more efficiently while supporting everyday community use and long-term resilience.

CAPITAL IMPROVEMENT PLAN (CIP)

Roadway and Transportation Improvements

Roadway improvements are essential to supporting growth, emergency response, and daily mobility. Roadway capital needs are documented through the Roadway Impact Fee Update, Street Improvement Prioritization List, and Infrastructure Study with CIP.

IDENTIFIED ROADWAY IMPROVEMENTS

Capacity and Reconstruction Projects

- N. Cummings Drive Reconstruction (US 67 to CR 604, three to five lanes), total project cost $30,316,976 including federal and local participation; funded through impact fees and Advanced Funding Agreement with TxDOT
-
- Two Northern Lanes of CR 508 along Agave
- E. Davis Avenue (FM 1807) Widening (FM 1706 to CR 108C)
- Davis Ave. (S. Cummings to S. Sparks)
- CR 604 Roadway Reconstruction (N. Cummings Drive to IH 35W)
- CR 607 Roadway Reconstruction (Lone Oak to Hwy 67)
- Burnett Blvd. Roadway Extension to Lone Oak Addition
- N. Baugh Street Roadway Extension (Hwy 67 to CR 508)
- Maple Ave. Roadway Reconstruction (IH 35W BR to Whisper Park) impact fees and potential Advanced Funding Agreement with TxDOT
- Maple Ave. Roadway Extension to FM 1807
- CR 604 Roadway Reconstruction (N. Cummings Drive to East)
- N. Cummings Drive Roadway Reconstruction (CR 604 to Asher Road)
- Glenwood Drive Roadway Reconstruction (Parkway to IH 35W)
- College Ave (Parkway to Baugh)
- W. Cotter Street (Parkway to S. Cummings Dr)
- S. Cummings Dr (W. Cotter St to W. College Ave)
- Baugh Street (Hwy 67 BR to FM 1706)
- CR 607 Roadway Extension (Hwy 67 to CR 109)
- Signalization at N. Baugh St. & Hwy 67
- Signalization at Sunflower Lane & Hwy 67
- Signalization at White Tail Lane & FM 1807 (E. Davis Dr.)
- Signalization at Whisper Park Southern Entrance
- Signalization at Whisper Park Northern Entrance
- Signalization at CR 607 & Hwy 67
- Lorie/Helen/Chris/Janis Roadway Reconstructions, total project cost $2,850,000, funded through 2024 Series Bonds
- O'Banion Way Roadway Extension to Boulder Creek Dr
- N. Cummings Dr Roundabout at CR 508
- N. Cummings Dr Roundabout at CR 604
- Santa Fe Street Reconstruction (North of E. Davis Ave)
- S. Sparks St. (FM 1706) & IH 35W BR Intersection Improvement
- Maple Ave. & IH 35W BR Intersection Improvement
- CR 108C & FM 1807 Intersection Improvement

OTHER IDENTIFIED IMPROVEMENTS

- Safe Routes to High School
- Safe Routes to Elementary South
- Indian Trails Streetlights
- College Avenue Pedestrian Improvements
- Soil Conservation Reservoir
- Alvarado Lake Dam
- Balch-Senterwood Cemetery

CAPITAL IMPROVEMENT PLAN (CIP)

Roadway and Transportation Improvements

STREET REHABILITATION PROJECTS

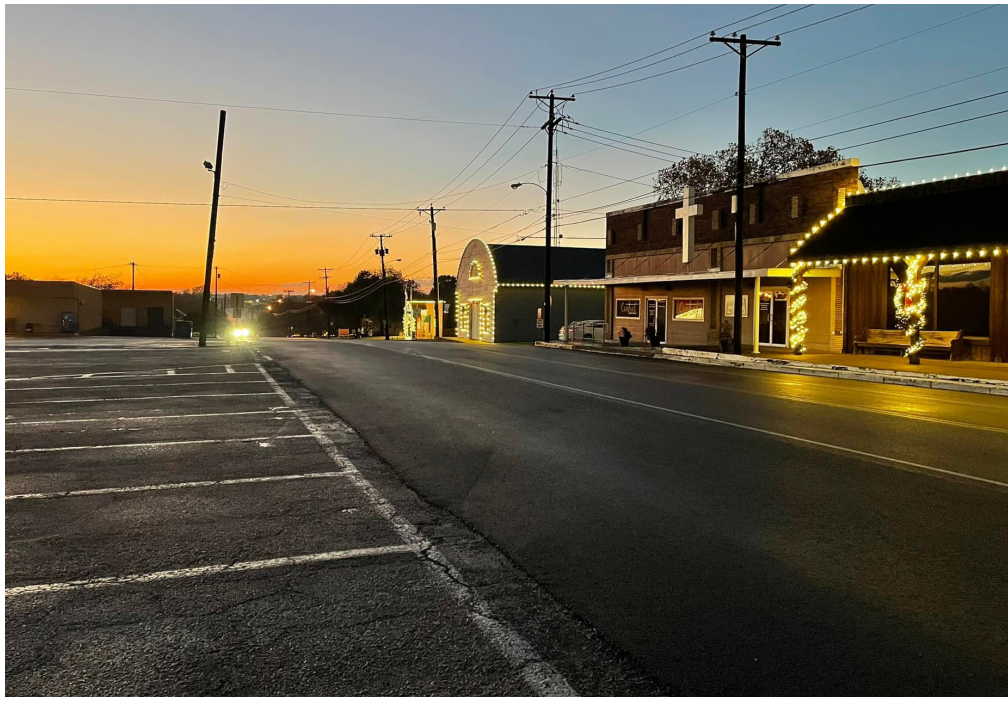
Roadway and Transportation Improvements

- Baugh St, S Spear Street, Wildwood Drive, Elwood Court, Edgar Court
- Burnett Boulevard, Bishop Street, Brown Street
- CR 404, Cotton Street, Purdom Avenue, E Shelton Street
- N Sparks Drive and N Ray Street

In addition to addressing mobility and safety, roadway projects provide opportunities to deliver additional community and environmental benefits through design. Where reconstruction or widening occurs, street cross sections can incorporate multi-purpose features such as:

- Landscaped medians or roadside planting areas that capture and slow stormwater runoff
- Curb designs with periodic openings (including sawtooth or notched curbs) that allow runoff to enter planted areas
- Native and adaptive vegetation within medians and parkways to improve stormwater filtration and reduce irrigation needs
- Street trees and shaded planting zones along sidewalks to reduce heat island effects and improve air quality
- Coordination of surface drainage with planting areas to support distributed stormwater treatment
- Alignment of sidewalks, trails, and planting zones to improve pedestrian comfort while protecting infrastructure

These strategies allow roadway investments to manage stormwater, improve safety and comfort, and reduce long-term maintenance costs, while still meeting transportation performance needs.



CAPITAL IMPROVEMENT PLAN (CIP)

Facilities, Parks, Open Space, and System Reinvestment

In addition to expansion projects, the City's adopted budget and CIP schedule identify capital investments focused on facility rehabilitation, equipment replacement, and system reinvestment.

IDENTIFIED FACILITY AND PUBLIC REALM IMPROVEMENTS

- Rehabilitation of existing City facilities
- Replacement of aging equipment and vehicles
- Utility relocations associated with roadway projects

Facility sites, parks, and public spaces also present opportunities to support infrastructure performance when designed intentionally. As facilities and park assets are upgraded or developed, site design can incorporate features that provide multiple benefits, including:

- On-site stormwater capture areas such as rain gardens or shallow landscaped basins
- Permeable or semi-permeable paving in low-traffic areas
- Native and pollinator-supportive landscaping to improve habitat and reduce maintenance
- Tree canopy expansion on City-owned properties to reduce heat and improve user comfort
- Preservation of natural drainage patterns to minimize underground piping
- Flexible open spaces that function for everyday recreation and temporary flood storage
- Potential use of non-potable (purple pipe) water systems for park irrigation or large landscaped areas where feasible, reducing potable water demand while supporting long-term operations

When coordinated with drainage and roadway projects, parks and open space investments can provide floodplain storage, improve water quality, support habitat connectivity, and enhance public health. This integrated approach is further detailed in the Parks and Recreation Master Plan through a Healthy Infrastructure framework that emphasizes access, resilience, and long-term system performance.

CAPITAL IMPROVEMENT PLAN (CIP)

CIP Implementation, Management, and Future Updates

This Capital Improvements Program (CIP) represents a planning-level CIP developed to support strategic coordination and grant eligibility. It is not a full operational CIP. A comprehensive, fully implemented CIP typically includes additional elements such as:

- Detailed cost estimates refined through engineering and design
- Confirmed funding sources and financing strategies
- Multi-year phasing tied to annual budgeting
- Defined project ownership and departmental responsibility
- Ongoing monitoring, updates, and formal adoption on a recurring cycle

As the City completes its Master Drainage Plan, Water Master Plan, and Wastewater Master Plan, the recommendations and cost information from those efforts should be incorporated into an updated Capital Improvements Program. Doing so will allow the City to refine project scopes, adjust sequencing, and better align infrastructure investments with funding opportunities, regulatory requirements, and operational capacity.

Regularly updating the CIP helps the City transition from planning to implementation by ensuring that capital investments remain current, coordinated, and responsive to changing conditions. Over time, this process supports better financial planning, improved infrastructure performance, and stronger positioning for competitive grant programs.

REGULAR CIP UPDATES ENSURE INFRASTRUCTURE INVESTMENTS REMAIN COORDINATED, CURRENT, AND ALIGNED WITH FUNDING OPPORTUNITIES.

IMPLEMENTATION: STRATEGIC GROWTH

GOAL: UPHOLD A STRONG FOUNDATION OF RELIABLE INFRASTRUCTURE AND COMMUNITY SERVICES THAT PREPARE THE CITY OF ALVARADO FOR A SECURE FUTURE.

Strategy (Water + Wastewater):
Plan, reinvest in, and expand water and wastewater systems to support growth while protecting public health, regulatory compliance, and long-term system reliability.

POLICIES + ONGOING PRACTICES

- Coordinate water and wastewater planning with annexation, zoning, and major development decisions.
- Prioritize reinvestment in existing systems before extending new infrastructure.
- Coordinate with wholesale providers and regulatory agencies on long-term capacity and compliance.

ACTIONS

- Update the planning-level Capital Improvement Program (CIP) to identify water and wastewater projects needed to support planned growth areas.
- Prepare a consolidated summary of known water and wastewater capacity constraints using available City and consultant data.
- Document long-term supply and service assumptions through coordination with wholesale providers.
- Incorporate recommendations from the Water Master Plan and Wastewater Master Plan into an updated CIP within 12 months of plan completion.
- Establish a standard internal review step requiring confirmation of water and wastewater capacity prior to approval of major development or annexation requests.
- Revise the Code of Ordinances to require all new commercial and residential developments to incorporate drought-resistant landscaping, drip irrigation systems, and rainwater harvesting features by adopting permanent water conservation ordinances.
- Implement a program of scheduled assessments of the water distribution system by launching a citywide leak detection and repair initiative, prioritizing aging infrastructure for replacement.
- Identify a City-owned facility, such as a park or municipal building, to use reclaimed water for irrigation and non-potable needs to develop a pilot program for wastewater reuse.

IMPLEMENTATION: STRATEGIC GROWTH

Strategy (Drainage + Stormwater):
Reduce flood risk and property damage by managing stormwater and drainage as core infrastructure systems integrated with land use and capital planning.

POLICIES + ONGOING PRACTICES

- Manage floodplains, drainage corridors, and detention facilities as core infrastructure assets.
- Address drainage considerations early in project planning and development review.
- Coordinate drainage planning with land use and capital investment decisions.

ACTIONS

- Prepare a citywide map identifying FEMA floodplains, major drainage corridors, detention facilities, and known drainage problem areas.
- Identify and prioritize drainage-related capital projects using the planning-level CIP.
- Incorporate findings from the Master Drainage Plan into an updated CIP within 12 months of plan completion.
- Select and advance at least one drainage improvement project for grant funding or capital programming during each CIP update cycle.
- Select a right-of-way or park site to develop a City-led rain garden pilot project and install it.
- Review and update on all drainage related manuals, standards, and construction specifications. Ensure required submission information is included in the review and update process for development submittals.
- Evaluate regional detention engineering and funding models to design regional facilities that could potentially be initially funded and installed by the City but reimbursed by fees or other methods by developers.

IMPLEMENTATION: STRATEGIC GROWTH

Strategy (Energy + Franchise Utilities):
Support reliable delivery of energy and communications services by coordinating infrastructure planning with utility providers and accounting for cumulative system impacts.

POLICIES + ONGOING PRACTICES

- Coordinate infrastructure planning with electric, gas, broadband, and telecommunications providers.
- Consider service reliability and redundancy in capital planning and facility design.
- Account for cumulative impacts associated with energy-related land uses, including gas wells.

ACTIONS

- Compile and maintain an inventory of electric, gas, broadband, and telecommunications providers serving the City and Planning Area.
- Document known utility service constraints and planned upgrades through coordination with providers.
- Incorporate utility coordination requirements into development review procedures for large-scale or infrastructure-intensive projects.
- Identify and map locations where gas wells or energy infrastructure create recurring traffic, drainage, or infrastructure impacts.
- Include utility coordination documentation in the scoping materials for City-led capital projects.
- Revise the Code of Ordinances to require all new developments to install underground utilities (instead of overhead) for franchise infrastructure where feasible.

IMPLEMENTATION: STRATEGIC GROWTH

Strategy (Community Facilities + Services):
Maintain and enhance public facilities to support service delivery, emergency response, and quality of life as the City grows.

POLICIES + ONGOING PRACTICES

- Maintain public facilities to support reliability and continuity of operations.
- Coordinate facility planning with utilities, drainage, transportation, and parks.
- Coordinate facility-related projects with roadway, drainage, and utility improvements to reduce construction conflicts.
- Incorporate facility needs into long-term capital planning.

ACTIONS

- Prepare a basic inventory of City-owned facilities, identifying location, function, and general condition, an Asset Management Program.
- Identify facilities and equipment that serve critical functions and require enhanced reliability, emergency access, or backup power.
- Implement a strategy to incorporate facility reinvestment and upgrade needs into the CIP.
- Evaluate the feasibility, programming, and cost of a potential community recreation center, possibly connected to a public library.
- Develop a Library Master Plan for a long-term strategy for Alvarado's library system and facility needs.

IMPLEMENTATION: STRATEGIC GROWTH

Strategy (Resilience + Hazard Mitigation):
Reduce risk to people, property, and City operations by embedding hazard mitigation, operational resilience, and technological preparedness into infrastructure planning and capital investment decisions.

POLICIES + ONGOING PRACTICES

- Align infrastructure planning and capital investments with adopted Johnson County hazard mitigation guidance.
- Integrate natural, human, and technological risk considerations into planning decisions.
- Prioritize protection of critical facilities, essential infrastructure systems, and vulnerable populations.
- Coordinate resilience planning across departments to support continuity of operations.

ACTIONS

- Compile and maintain a City-specific list of hazard mitigation actions applicable to Alvarado that were deferred, carried forward, or newly identified. (JCHMP)
- Formally acknowledge carried-forward mitigation actions from the 2015 plan within City planning and capital documents. (JCHMP)
- Identify City-owned & partner-operated critical facilities requiring emergency power or enhanced operational resilience. (JCHMP)
- Install emergency power infrastructure at priority critical facilities, including generators, quick-connect hookups, security measures, and on-site fuel storage where feasible. (JCHMP)
- Identify critical facilities and infrastructure located within or adjacent to FEMA floodplains or localized flooding areas. (JCHMP)
- Implement localized flood mitigation measures, such as berms or small floodwalls, protecting identified critical facilities. (JCHMP)
- Identify parks and open spaces vulnerable to severe weather and implement protective measures such as shade structures, stormwater-absorbing landscapes, and hazard-awareness signage. (JCHMP)
- Designate and equip specific City facilities to serve as cooling locations during extreme heat events and warming locations during winter storm events. (JCHMP)
- Conduct a facilities hazard assessment to prioritize City-owned buildings for resilience retrofits and upgrades. (JCHMP)
- Implement winterization measures for public utilities and infrastructure systems to reduce service disruptions during extreme cold events. (JCHMP)
- Develop and formally adopt a City-approved list of native and hazard-resistant plant materials for use in public projects. (JCHMP)
- Conduct a baseline cybersecurity assessment of City systems supporting utilities, public safety, finance, and records.
- Document existing data backup procedures and system redundancies and identify gaps requiring corrective action.
- Develop and adopt a basic incident response protocol outlining roles, communication steps, and recovery priorities for cyber-related disruptions.
- Identify and incorporate heat reduction, stormwater treatment, and shade features into the design scope of at least one street, park, or facility improvement project during each CIP cycle.
- Install at least two microgrids for emergency power at key municipal buildings and facilities through partnerships with private solar and battery storage providers.
- Prepare for potential drought conditions and infrastructure failures by developing a water supply contingency plan.
- Evaluate backup power sources for critical infrastructure to develop a power grid resilience strategy.

RELATIONSHIP TO THE CAPITAL IMPROVEMENT PROGRAM

The actions identified in this chapter are supported by the planning-level Capital Improvement Program included in this chapter. This CIP satisfies current planning and grant requirements but does not represent a full or final capital improvement program. As the City completes additional studies—including the Master Drainage Plan, Water Master Plan, and Wastewater Master Plan—the CIP should be updated to reflect refined priorities, cost estimates, and implementation schedules. Together, the Strategic Growth Vision, CIP, and Implementation framework establish a coordinated and trackable approach to managing growth, infrastructure investment, and resilience over time.

5. IMPLEMENTATION

INTRODUCTION

This chapter describes how the Comprehensive Plan is intended to be used, maintained, and implemented over the coming years. It outlines the roles, tools, and processes that help translate the Plan's vision and into coordinated decisions, investments, and actions. Rather than prescribing a rigid sequence of steps, this chapter establishes a practical framework for decision-making that can adapt to changing conditions while remaining grounded in adopted community priorities.

Implementation of the Comprehensive Plan is a shared responsibility. City leadership, Staff, advisory bodies, residents, property owners, businesses, and development partners all play a role in shaping outcomes through policy decisions, development proposals, capital investments, partnerships, and day-to-day actions. This chapter explains how the Plan should guide those efforts; how regulatory tools, capital planning, partnerships, and related studies support implementation; and how progress can be monitored, updated, and prioritized over time to ensure the Plan remains relevant, transparent, and actionable.

THIS CHAPTER OUTLINES HOW THE COMPREHENSIVE PLAN WILL BE IMPLEMENTED, MONITORED, AND ADAPTED OVER TIME THROUGH COORDINATED DECISIONS, PARTNERSHIPS, AND ONGOING COMMUNITY INVOLVEMENT.

PLAN USAGE + DECISION-MAKING

Role of the Comprehensive Plan

The Comprehensive Plan serves as the City's primary policy guide for growth, development, programming, and public investment. It establishes the framework through which land use, infrastructure, mobility, economic development, community facilities, and services are coordinated over time.

How the Plan is Used

The Comprehensive Plan is intended to be used as a shared reference by:

- City Council
- Planning and Zoning Commission
- City Staff and advisory bodies
- Residents and community stakeholders
- Businesses, property owners, and developers

The Comprehensive Plan should be used to inform and evaluate:

- Rezoning requests and land use decisions
- Development proposals and site plans
- Capital projects and infrastructure investments
- Policy changes, programs, and partnerships
- Related plans, studies, and appendices adopted by the City

Decisions should be evaluated in the context of the Plan as a whole, recognizing the interrelationships between chapters, including Economic + Fiscal Vitality, Strategic Growth, the Design System, and any adopted appendices or additional studies.

Decision-Making + Consistency

Consistent use of the Comprehensive Plan supports predictable and transparent decision-making, aligns short-term actions with long-term goals, and reduces reliance on ad hoc or reactive decisions. When proposals are inconsistent with adopted Plan direction, the City may:

- Request revisions to improve alignment
- Defer action pending further analysis
- Consider whether a Comprehensive Plan Amendment is warranted

This approach aligns with Texas planning best practices and state expectations that zoning and development decisions be guided by an adopted comprehensive plan. It is important for cities to follow their Comprehensive Plan for economic development purposes as well so that potential investors and developers can know what to expect.

Shared Responsibility for Implementation

The Comprehensive Plan guides both City-led initiatives and private or community-driven actions over time. Its vision and intent should inform future decisions, investments, partnerships, and projects, while acknowledging past conditions and outcomes. Through shared use of the Plan, the City and community can work toward a coordinated, intentional, and forward-looking future.

PLAN MAINTENANCE, MONITORING + UPDATES

The Comprehensive Plan is intended to function as a living document that evolves over time. Community needs, market conditions, infrastructure capacity, and regional influences will change, and the Plan should be used as a tool that adapts while maintaining consistent long-term direction. Timely monitoring and periodic updates help ensure the Plan remains relevant, accurate, and aligned with community priorities, adopted , and available resources.

Ongoing Monitoring

The City should monitor implementation of the Comprehensive Plan through routine activities, including development review, capital planning, and interdepartmental coordination. Monitoring efforts may include:

- Tracking development patterns and growth trends
- Reviewing infrastructure capacity and service needs
- Monitoring progress on implementation actions
- Identifying emerging issues or opportunities
- Evaluating consistency between adopted regulations and plan direction

These activities help inform day-to-day decisions and identify when adjustments may be needed.

ONGOING MONITORING AND PERIODIC REVIEW HELP ENSURE THE COMPREHENSIVE PLAN REMAINS RELEVANT, ALIGNED, AND RESPONSIVE TO CHANGING CONDITIONS.

Periodic Review

The City should conduct a formal review/assessment of the Comprehensive Plan approximately every two to three years. This review should focus on:

- Progress toward implementation
- Changes in local or regional conditions
- Alignment with adopted ordinances and
- Updates needed to implementation priorities or actions
- Updates needed to maps or data

PLAN MAINTENANCE, MONITORING + UPDATES

Comprehensive Plan Updates + Amendments

A thorough update should occur approximately every five years and include updated data, community engagement, and review of major accomplishments, changes, and policy directions. Non-substantive, minor administrative updates may be handled by Staff (ex. typos or formatting), while substantive amendments should follow a public review and adoption process involving community engagement beyond the required public hearing, the Planning and Zoning Commission, and City Council. Plan updates should include:

- Updated demographic, economic, and infrastructure data
- Community engagement and input
- Review of vision, goals, and Vision Guiding Principles
- Evaluation of major policy directions, maps, and frameworks

Comprehensive updates help ensure the Plan continues to reflect current conditions and community expectations.

When a Comprehensive Plan Amendment is considered in conjunction with a development proposal, the entire Comprehensive Plan is considered with it, and the following is evaluated at minimum:

- The Character Area and MTP network of the larger area/ vicinity of the subject property—not just the parcel(s) proposed for development;
    - Examples: Do adjustments need to be made to the FLUP or MTP? Do established in the Plan need to be adjusted?
- Proposed Amendment consistency with outlined approaches, best practices, and vision statements for each chapter and the Plan overall;
- Proposed Amendment consistency with the Plan's Vision Guiding Principles; and
- Community engagement feedback on the proposed Amendment.

Transparency + Accountability

Regular review and maintenance of the Comprehensive Plan promote transparency, accountability, and trust. By monitoring progress and updating the Plan as needed, the City can ensure that decisions remain aligned with relevant, adopted and that residents, stakeholders, and the development community understand long-term expectations.

REGULATORY + POLICY IMPLEMENTATION TOOLS

The Comprehensive Plan is implemented primarily through the City's adopted regulatory, policy, and operational tools. These tools translate long-range vision and policy direction into day-to-day decision-making and on-the-ground outcomes. As Alvarado evolves, these tools should be reviewed and updated to remain consistent with the Comprehensive Plan and responsive to changing conditions.

Zoning Ordinance

The Zoning Ordinance is one of the primary tools for implementing the Comprehensive Plan. Updates to the Zoning Ordinance should reflect the Future Land Use Plan, Character Areas, mobility considerations, and infrastructure capacity identified in this Plan. Amendments may include the creation of new districts, modification of development standards, or refinement of use permissions to better align with adopted policy direction.

Zoning updates are expected to occur incrementally over time rather than through a single comprehensive rewrite. This approach allows the City to respond to development pressures, policy priorities, and Staffing capacity while maintaining predictability and legal defensibility. Following adoption of this Comprehensive Plan, an initial set of Zoning Ordinance modifications required by the Resilient Communities Program grant will be completed to support implementation of the Plan.

Subdivision Regulations

The Subdivision Ordinance serves a key role in shaping development patterns, infrastructure layout, and connectivity. Updates to subdivision regulations should support the Comprehensive Plan's goals related to street connectivity, access management, infrastructure coordination, placemaking, neighborhood design, and resilience. The City does not need to implement all recommended changes at once. Instead, subdivision regulation updates should be phased and targeted to specific areas or issues as needed to support orderly growth and implementation of the Plan.

Zoning Map Amendments

Zoning map amendments are another important implementation tool and should be evaluated for consistency with the Comprehensive Plan as a whole. Amendments may be used to better align zoning with the Future Land Use Plan, improve transitions between land uses, or clarify development expectations in specific areas. When considering zoning map amendments, the City should evaluate the broader context of the surrounding area rather than focusing solely on the subject property in question.

REGULATORY + POLICY IMPLEMENTATION TOOLS

Development Standards + Procedures

Development standards, application requirements, and review procedures help ensure consistent implementation of the Comprehensive Plan. The City should periodically update standards and procedures to improve clarity, coordination, and alignment with adopted . These updates may include revisions to site plan requirements, development review processes, standards and specifications, and/or administrative procedures that support predictable outcomes while maintaining flexibility.

Capital Improvement Program (CIP)

The Capital Improvement Program is a primary tool for implementing the Comprehensive Plan and coordinating public investments. As the City continues to refine its capital planning practices, this Plan provides a framework for strengthening and formalizing how capital needs are identified, prioritized, and funded.

The Comprehensive Plan should be used as a foundational reference for advancing the City's capital planning process, alongside asset management efforts, infrastructure assessments, and related plans and studies. Together, these tools can help the City better understand existing conditions, forecast future needs, and align investments with adopted policy direction.

The City is actively working toward a more coordinated Capital Improvement Program that:

- Draws from asset inventories and condition assessments
- Incorporates recommendations from the Comprehensive Plan and companion studies
- Reflects infrastructure capacity, service needs, and growth patterns
- Supports transparent prioritization and phasing of projects

As capital planning practices mature, the Comprehensive Plan should guide project selection, sequencing, and phasing, particularly for water, wastewater, drainage, transportation, public safety, and park infrastructure. Capital investments should be evaluated based on consistency with the Comprehensive Plan, including adopted , the Design System, and the City's ability to fund, construct, operate, and maintain public facilities sustainably.

Funding for capital projects may come from a variety of sources, including City funds, bonds, grants, partnerships, and developer participation. The City should pursue state and federal funding opportunities that align with adopted plan priorities while maintaining flexibility to respond to changing conditions and opportunities.

Other Policy + Implementation Tools

Additional tools that may support implementation of the Comprehensive Plan include:

- Development agreements
- Conditions of approval
- Interlocal agreements and partnerships
- Adopted , manuals, or guidelines

These tools should be applied in a manner that supports the Comprehensive Plan's goals and reinforces consistency across City decisions.

PARTNERSHIPS + COORDINATION

Implementation of the Comprehensive Plan requires coordination across City departments and with external partners whose actions influence growth, infrastructure, service delivery, and investment decisions. While the Plan establishes City policy, many implementation actions rely on collaboration beyond a single department or entity.

Types of Partnerships

Partnerships that support implementation of the Comprehensive Plan may include:

- **Intergovernmental Partnerships**
  Coordination with county, regional, and state agencies related to transportation, utilities, drainage, housing, economic development, and public safety.
- **Utility + Service Providers**
  Coordination with water, wastewater, power, broadband, and other service providers to align infrastructure planning, capacity, and phasing with adopted land use and growth .
- **Public Institutions**
  Collaboration with school districts, colleges, libraries, and other public institutions to coordinate facilities, access, and long-term service needs.
- **Private Sector + Development Community**
  Engagement with property owners, businesses, and developers to encourage plan-aligned projects, early coordination, and predictable development outcomes.
- **Community + Nonprofit Organizations**
  Partnerships with nonprofit organizations, civic groups, and community-based entities that support implementation related to housing, recreation, economic vitality, and community services.

Identifying + Evaluating Partnerships

Potential partnerships should be identified and evaluated based on their ability to advance adopted Plan priorities. Considerations may include:

- Alignment with the Comprehensive Plan's vision, goals, and
- Relevance to identified infrastructure, service, or investment needs
- Ability to support implementation actions or related studies
- Capacity, roles, and responsibilities of each partner
- Timing, funding, and resource implications

Partnerships should be evaluated holistically, recognizing both near-term opportunities and long-term implementation benefits. When a partnership is secured, it can alter previously identified prioritization or timing identified due to a change in available resources.

Coordination in Practice

Coordination is most effective when it occurs early and is integrated into routine City processes. Tools for coordination may include:

- Pre-development meetings and Development Review Committee meetings
- Interdepartmental review and coordination
- Capital planning and infrastructure studies
- Interlocal agreements and memoranda of understanding ("MOU's")
- Development agreements and other incentive tools

Clear coordination helps reduce conflicts, align investments, and ensure that public and private actions reflect adopted Plan priorities and long-term community goals.

ADDITIONAL PLANS + STUDIES

Certain components of the Comprehensive Plan are implemented through additional plans and studies that provide more detailed analysis, technical guidance, or focused implementation strategies. These efforts support the Comprehensive Plan but are not required to be embedded within it and may be completed, updated, or adopted separately. The Comprehensive Plan serves as the policy foundation for these related efforts. Additional plans and studies should align with the vision, goals, , and frameworks established in the Comprehensive Plan and be used to advance its recommendations in a more detailed or targeted manner

Types of Plans + Studies

Additional plans and studies that support implementation of the Comprehensive Plan may include, but are not limited to:

- **Downtown Master Plan**
  A focused planning effort addressing Downtown land use, mobility, placemaking, economic development, and implementation strategies.
- **Parks + Recreation Master Plan**
  A systemwide plan addressing parks, trails, open space, programming, and long-term recreation needs.
- **Corridor + Subarea Studies**
  Targeted studies addressing land use, access, infrastructure, and placemaking along specific corridors or within defined areas.
- **Infrastructure + Utility Studies**
  Technical studies addressing water, wastewater, drainage, transportation, or public facilities to support growth and service delivery.
- **Safety, Mobility, + Access Studies**
  Studies focused on transportation safety, multimodal connectivity, access management, or emergency response.

Relationship to the Comprehensive Plan

Additional plans and studies are intended to refine, not replace, the Comprehensive Plan. When adopted, these documents should:

- Be consistent with the Comprehensive Plan's vision, goals, and
- Build upon the Design System
- Inform implementation actions, regulatory updates, and capital planning
- Be referenced as companion documents or appendices, as appropriate

Where recommendations from an additional plan or study differ from the Comprehensive Plan, the City should evaluate whether a Comprehensive Plan update is warranted to maintain alignment, transparency, and relevance.

Prioritization Matrix Adjustments

Additional plans and studies may be updated on different timelines based on need, funding, or changing conditions. Updates should be coordinated with Comprehensive Plan reviews to ensure continued alignment and avoid conflicting policy direction. By clearly identifying the role of additional plans and studies, the City can maintain a coordinated planning framework while allowing flexibility in scope, timing, and delivery.

PRIORITIZATION MATRIX

The Prioritization Matrix serves as the primary implementation tool for the Comprehensive Plan. It consolidates actions from across the Plan into a single, organized reference to support decision-making, coordination, and tracking over time. The Matrix is intended to help the City translate long-range policy direction into practical, phased implementation. It provides a high-level framework for sequencing actions based on relative urgency, feasibility, and capacity, rather than committing the City to fixed timelines or funding amounts.

How the Matrix Is Used

The Prioritization Matrix is intended to be used by City Council, Staff, boards and commissions, and partners to:

- Inform annual budgeting and Capital Improvement Program (CIP) development
- Coordinate implementation across departments and related plans
- Track progress toward Plan implementation
- Identify near-term actions that are achievable with existing resources
- Highlight longer-term actions that may require additional study, funding, or partnerships

The Matrix should be viewed as a working document that supports ongoing decision-making rather than a static checklist. Actions included in the Prioritization Matrix are evaluated using the following considerations:

- **Timeframe:** Short-, mid-, or long-term implementation based on urgency, sequencing, and the level of coordination or preparation required prior to advancement.
- **Conceptual Cost:** Relative scale of investment, considering anticipated funding sources, implementation complexity, and the potential need for phased or supplemental resources.

These criteria allow the City to prioritize actions realistically while remaining flexible and responsive to changing conditions. The Prioritization Matrix is intended to be reviewed and updated as actions are completed, conditions change, or new opportunities arise. Updates may occur as part of periodic Comprehensive Plan reviews, annual budgeting, or CIP updates. Using a flexible prioritization approach helps ensure that implementation remains aligned with adopted while allowing the City to respond to evolving needs and opportunities.

Relationship to the Comprehensive Plan

The Prioritization Matrix does not replace the or recommendations contained in the Comprehensive Plan. Instead, it serves as a practical tool for organizing and advancing those recommendations over the course of 20 years. Actions should continue to be evaluated for consistency with the Comprehensive Plan as a whole.

Chapter	Action Number	Action	Timeframe	Conceptual Cost
2: Economic + Fiscal Vitality	**Strategy: Support the growth of new and diverse businesses that meet local needs and strengthen Alvarado's overall economic base.**			
	2.01	Create and publish a "Regional Crossroads Industry Packet" marketing Alvarado's location, workforce, and available sites to logistics, manufacturing, and service employers.	1-Short-term (1-3 years)	1 - $
	2.02	Prepare annexation outreach packets for key commercial and industrial properties, showing utility/ service benefits and financial impacts to owners.	1-Short-term (1-3 years)	1 - $
	2.03	Develop a prioritized business recruitment list based on retail leakage data, daytime population, traffic counts, and local demand.	1-Short-term (1-3 years)	1 - $
	2.04	Complete a targeted marketing campaign along I-35W and US 67 promoting business-ready sites with a unified visual identity.	1-Short-term (1-3 years)	1 - $
	2.05	Create and launch a Hotel + Tourism Opportunity Brief that identifies viable lodging locations and expected Hotel Occupancy Tax (HOT) revenue impacts; proactively distribute to hospitality groups and developers.	1-Short-term (1-3 years)	1 - $
	2.06	Host one annual "Economic Development Roundtable" with regional partners (NCTCOG, Dallas Regional Chamber, TEDC) to pitch Alvarado projects and align on workforce + infrastructure needs.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
2: Economic + Fiscal Vitality	**Strategy: Invest in improvements and activities that enhance Downtown Alvarado's appeal as a vibrant center for community life.**			
	2.07	Form a Downtown Merchants Association and adopt bylaws establishing roles for promotion, design feedback, and collaborative events.	1-Short-term (1-3 years)	1 - $
	2.08	Prepare three Downtown Redevelopment Site Sheets identifying catalytic buildings or blocks and outlining incentives, market demand, and redevelopment feasibility.	1-Short-term (1-3 years)	1 - $
	2.09	Apply for at least two state or federal grants supporting Downtown improvements (e.g., TxCDBG, EDA Public Works, TCA arts grants).	2 - Mid-term (4-7 years)	1 - $
	2.10	Complete a Downtown Branding Strategy (logo, colors, tagline, storefront guidelines, furnishings, etc.) aligned with the Downtown Study.	1-Short-term (1-3 years)	2 - $$
	2.11	Install a pilot placemaking project (lighting, seating, crosswalk, shade, public art) on one Downtown block to test design concepts.	1-Short-term (1-3 years)	1 - $
	2.12	Host a "Downtown Investor Tour" for brokers, developers, and entrepreneurs showcasing available spaces and planned streetscape improvements.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
2: Economic + Fiscal Vitality	**Strategy: Build a skilled local workforce that supports key industries, while leveraging Alvarado's differentiators.**			
	2.13	Form a Workforce Advisory Group with employers, Alvarado ISD, and regional training partners to establish shared priorities across major sectors, such as logistics, manufacturing, construction trades, healthcare, and hospitality.	1-Short-term (1-3 years)	1 - $
	2.14	Work with the Workforce Advisory Group to identify three priority career pathways aligned with local and regional job demand (ex. logistics, manufacturing, emergency services, construction trades) and map the certifications, training partners, and general job progression for each.	1-Short-term (1-3 years)	1 - $
	2.15	Develop a High School + Employer Internship Pilot Program with at least two local employers in different sectors (ex., logistics and healthcare), with optional tracks for recreation or hospitality businesses.	2 - Mid-term (4-7 years)	1 - $
	2.16	Create a "Local Talent + Career Guide" that highlights available training programs, apprenticeships, and job pathways for residents, including internships and entry-level to advanced and leadership opportunities.	1-Short-term (1-3 years)	1 - $
	2.17	Complete a Workforce Barrier Assessment to identify local needs, such as transportation gaps, childcare constraints, digital access, and flexible scheduling, with a short list of actionable solutions for employers (potential and current).	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	2.18	Establish at least one partnership with a regional training provider (ex., Hill College in Hillsboro, other community colleges or trade schools) to offer credentialing or upskilling opportunities within 20 to 30 minutes of Alvarado.w	2 - Mid-term (4-7 years)	1 - $
	2.19	Develop a "Live, Work, Play, Learn in Alvarado" workforce attraction piece highlighting quality-of-life advantages, including recreation access and new destinations, as part of a broader strategy to attract and retain skilled workers.	1-Short-term (1-3 years)	1 - $
2: Economic + Fiscal Vitality	**Strategy: Strengthen Alvarado's fiscal foundation through smart growth, recreation investment, and corridor readiness.**			
	2.20	Adopt an updated impact fee schedule that reflects planned growth near Lake Alvarado, key corridors, and Downtown.	1-Short-term (1-3 years)	1 - $
	2.21	Develop a 5-year "Recreation-Driven Capital Strategy" to complement the City's Capital Improvements Program (CIP), which highlights and prioritizes Downtown recreation, Lake access, roadway and trail enhancements, and corridor beautification tied to recreation tourism.	1-Short-term (1-3 years)	1 - $
	2.22	Prepare TIRZ + PID briefing sheets specifically identifying how these tools can support lake-oriented commercial development, tourism nodes, and small-event infrastructure.	1-Short-term (1-3 years)	1 - $
	2.23	Create Infrastructure Readiness Maps for recreation-adjacent corridors (ex. Lake Alvarado access, Parkway Drive, etc.) showing utilities, constraints, and opportunity areas.	1-Short-term (1-3 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	2.24	Identify and secure control of a strategic lake-oriented property for future public use, events, or tourism-focused development.	2 - Mid-term (4-7 years)	3 - $$$
	2.25	Publish a "Recreation Opportunity + Development Guide" outlining preferred uses, design expectations, incentives, and branding for lake-adjacent and other recreation investments.	1-Short-term (1-3 years)	2 - $$
3: Design System	**Strategy (Character Framework): Use the Character Framework as the City's primary land use and form-based policy tool to guide development intensity, building form, transitions, and placemaking outcomes across Alvarado.**			
	3.01	Amend the Code of Ordinances to formally reference the Character Framework as an adopted land use policy for rezonings, developments, capital improvements, and other major installations.	1-Short-term (1-3 years)	1 - $
	3.02	Upon refined study of each Character Area/Future Land Use District, create and adopt additional refinements for each zoning district to align/ refine permitted uses, maximum heights, building placement, and basic form expectations with adopted Future Land Use Designations.	1-Short-term (1-3 years)	2 - $$
	3.03	Establish clear transition standards between Character Areas, including height step-downs, buffering, orientation, and access, as applicable.	1-Short-term (1-3 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	3.04	Create and adopt a Downtown Code with development standards that reinforce main street character, active ground-floor uses, and integrated public spaces.	1-Short-term (1-3 years)	2 - $$
	3.05	Create and adopt Master Planned Community design standards addressing neighborhood structure, distribution of parks and open space, trail connectivity, and small commercial nodes.	1-Short-term (1-3 years)	2 - $$
	3.06	Create and adopt Corridor Character Standards for higher-intensity areas addressing screening and buffering, service areas, and public realm treatment.	1-Short-term (1-3 years)	2 - $$
	3.07	Incorporate placemaking elements, such as shade, seating, pedestrian lighting, landscaping, and wayfinding, into applicable development standards unique to each Character Area as applicable.	1-Short-term (1-3 years)	2 - $$
	3.08	Update subdivision regulations to reinforce block structure (i.e. maximum block length), connectivity, and open space integration consistent with character intent.	1-Short-term (1-3 years)	2 - $$
	3.09	Adopt conservation-based subdivision/cluster home-based standards that incorporate shared natural open spaces and native vegetation utilizing maximum density instead of minimum lot size.	1-Short-term (1-3 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
3: Design System	**Strategy (Mobility Framework): Apply the Mobility Framework as the City's primary mobility tool to guide street design, access, and connectivity to reinforce intended land use patterns, placemaking goals, and safety outcomes.**			
	3.10	Adopt Context-Sensitive Solutions (CSS) standards that tailor cross sections and streetscape elements by Character Area, neighborhood, and block (as applicable) while remaining consistent with MTP classifications.	1-Short-term (1-3 years)	2 - $$
	3.11	Curate a palette of appropriate placemaking elements (ex. gateways, crossings, trailheads, landscaping, lighting, sidewalks/trails, etc.) to require in mobility capital projects and development-led street design, in coordination with an Alvarado Branding Strategy.	1-Short-term (1-3 years)	2 - $$
	3.12	Integrate trail and sidepath standards into roadway design, consistent with the Mobility Framework or Parks + Recreation Master Plan.	1-Short-term (1-3 years)	1 - $
	3.13	Update access management standards for MTP roadways to balance safety, corridor function, and placemaking.	2 - Mid-term (4-7 years)	2 - $$
	3.14	Evaluate street design standards for safety, modernization, Complete Streets, and green infrastructure features, and adopt associated Code amendments.	1-Short-term (1-3 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	3.15	Create a list of crash-prone intersections (with overall and night data) to evaluate for design (i.e. engineering, landscape architecture, etc.) and lighting improvements. Prioritize the list based on crash frequency and severity.	1-Short-term (1-3 years)	1 - $
	3.16	Apply for a grant to complete a Comprehensive Safety Action Plan under the Safe Streets and Roads for All (SS4A) grant program.	1-Short-term (1-3 years)	1 - $
	3.17	Should the City receive funding for a Comprehensive Safety Action Plan and complete one, incorporate recommended capital improvements, programming, and other actions into the City's CIP and other appropriate implementation tools.	2 - Mid-term (4-7 years)	2 - $$
	3.18	Develop cross sections specific to Downtown Alvarado for each roadway. Each roadway must be treated with a custom approach since Downtown streets are unique.	2 - Mid-term (4-7 years)	2 - $$
3: Design System	**Strategy (Development Proposals): Evaluate development proposals using a consistent Design System–based process that integrates the Character Framework, Mobility Framework, and placemaking principles to support predictable and defensible decision-making.**			
	3.19	Revise the staff report template to include a Comprehensive Plan Evaluation Summary identifying applicable Character Area(s), Mobility Framework conformance, placemaking considerations, conceptual fiscal impact, and nature/open space preservation/enhancement.	1-Short-term (1-3 years)	2 - $$
	3.20	Update development application requirements to include a Design System consistency narrative and supporting exhibits prepared by the applicant.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	3.21	Document Design System expectations during pre-application meetings and carry them forward through review and consideration.	1-Short-term (1-3 years)	1 - $
	3.22	Create a standardized internal Design System review tool to ensure consistent evaluation across departments.	1-Short-term (1-3 years)	1 - $
	3.23	Provide training every other year for Staff, boards, and commissions on applying the Design System during deliberations, including real case studies that have been considered in the prior cycle.	1-Short-term (1-3 years)	1 - $
4: Strategic Growth	**Strategy (Water + Wastewater): Plan, reinvest in, and expand water and wastewater systems to support growth while protecting public health, regulatory compliance, and long-term system reliability.**			
	4.01	Update the planning-level Capital Improvement Program (CIP) to identify water and wastewater projects needed to support planned growth areas.	1-Short-term (1-3 years)	1 - $
	4.02	Prepare a consolidated summary of known water and wastewater capacity constraints using available City and consultant data.	1-Short-term (1-3 years)	2 - $$
	4.03	Document long-term supply and service assumptions through coordination with wholesale providers.	1-Short-term (1-3 years)	1 - $
	4.04	Incorporate recommendations from the Water Master Plan and Wastewater Master Plan into an updated CIP within 12 months of plan completion.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.05	Establish a standard internal review step requiring confirmation of water and wastewater capacity prior to approval of major development or annexation requests.	1-Short-term (1-3 years)	1 - $
	4.06	Revise the Code of Ordinances to require all new commercial and residential developments to incorporate drought-resistant landscaping, drip irrigation systems, and rainwater harvesting features by adopting permanent water conservation ordinances.	1-Short-term (1-3 years)	2 - $$
	4.07	Implement a program of scheduled assessments of the water distribution system by launching a citywide leak detection and repair initiative, prioritizing aging infrastructure for replacement.	1-Short-term (1-3 years)	2 - $$
	4.08	Identify a City-owned facility, such as a park or municipal building, to use reclaimed water for irrigation and non-potable needs to develop a pilot program for wastewater reuse.	2 - Mid-term (4-7 years)	3 - $$$
4: Strategic Growth	**Strategy (Drainage + Stormwater): Reduce flood risk and property damage by managing stormwater and drainage as core infrastructure systems integrated with land use and capital planning.**			
	4.09	Prepare a citywide map identifying FEMA floodplains, major drainage corridors, detention facilities, and known drainage problem areas.	1-Short-term (1-3 years)	2 - $$
	4.10	Identify and prioritize drainage-related capital projects using the planning-level CIP.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.11	Incorporate findings from the Master Drainage Plan into an updated CIP within 12 months of plan completion.	1-Short-term (1-3 years)	1 - $
	4.12	Select and advance at least one drainage improvement project for grant funding or capital programming during each CIP update cycle.	3 – Long-Term (8+)	1 - $
	4.13	Select a right-of-way or park site to develop a City-led rain garden pilot project and install it.	1-Short-term (1-3 years)	2 - $$
	4.14	Review and update on all drainage related manuals, standards, and construction specifications. Ensure required submission information is included in the review and update process for development submittals.	1-Short-term (1-3 years)	2 - $$
	4.15	Evaluate regional detention engineering and funding models to design regional facilities that could potentially be initially funded and installed by the City but reimbursed by fees or other methods by developers.	2 - Mid-term (4-7 years)	2 - $$
4: Strategic Growth	**Strategy (Energy + Franchise Utilities): Support reliable delivery of energy and communications services by coordinating infrastructure planning with utility providers and accounting for cumulative system impacts.**			
	4.16	Compile and maintain an inventory of electric, gas, broadband, and telecommunications providers serving the City and Planning Area.	3 – Long-Term (8+)	1 - $
	4.17	Document known utility service constraints and planned upgrades through coordination with providers.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.18	Incorporate utility coordination requirements into development review procedures for large-scale or infrastructure-intensive projects.	1-Short-term (1-3 years)	2 - $$
	4.19	Identify and map locations where gas wells or energy infrastructure create recurring traffic, drainage, or infrastructure impacts.	1-Short-term (1-3 years)	2 - $$
	4.20	Include utility coordination documentation in the scoping materials for City-led capital projects.	1-Short-term (1-3 years)	1 - $
	4.21	Revise the Code of Ordinances to require all new developments to install underground utilities (instead of overhead) for franchise infrastructure where feasible.	1-Short-term (1-3 years)	2 - $$
4: Strategic Growth	**Strategy (Community Facilities + Services): Maintain and enhance public facilities to support service delivery, emergency response, and quality of life as the City grows.**			
	4.22	Prepare a basic inventory of City-owned facilities, identifying location, function, and general condition, an Asset Management Program.	1-Short-term (1-3 years)	1 - $
	4.23	Identify facilities and equipment that serve critical functions and require enhanced reliability, emergency access, or backup power.	1-Short-term (1-3 years)	1 - $
	4.24	Implement a strategy to incorporate facility reinvestment and upgrade needs into the CIP.	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.25	Evaluate the feasibility, programming, and cost of a potential community recreation center, possibly connected to a public library.	1-Short-term (1-3 years)	1 - $
	4.26	Develop a Library Master Plan for a long-term strategy for Alvarado's library system and facility needs.	1-Short-term (1-3 years)	2 - $$
4: Strategic Growth	**Strategy (Resilience + Hazard Mitigation): Reduce risk to people, property, and City operations by embedding hazard mitigation, operational resilience, and technological preparedness into infrastructure planning and capital investment decisions.**			
	4.27	Compile and maintain a City-specific list of hazard mitigation actions applicable to Alvarado that were deferred, carried forward, or newly identified. (JCHMP)	1-Short-term (1-3 years)	1 - $
	4.28	Formally acknowledge carried-forward mitigation actions from the 2015 plan within City planning and capital documents. (JCHMP)	1-Short-term (1-3 years)	1 - $
	4.29	Identify City-owned and partner-operated critical facilities requiring emergency power or enhanced operational resilience. (JCHMP)	1-Short-term (1-3 years)	1 - $
	4.30	Install emergency power infrastructure at priority critical facilities, including generators, quick-connect hookups, security measures, and on-site fuel storage where feasible. (JCHMP)	2 - Mid-term (4-7 years)	3 - $$$
	4.31	Identify critical facilities and infrastructure located within or adjacent to FEMA floodplains or localized flooding areas. (JCHMP)	1-Short-term (1-3 years)	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.32	Implement localized flood mitigation measures, such as berms or small floodwalls, to protect identified critical facilities. (JCHMP)	2 - Mid-term (4-7 years)	4 - $$$$
	4.33	Identify parks and open spaces vulnerable to severe weather and implement protective measures such as shade structures, stormwater-absorbing landscapes, and hazard-awareness signage. (JCHMP)	1-Short-term (1-3 years)	3 - $$$
	4.34	Designate and equip specific City facilities to serve as cooling locations during extreme heat events and warming locations during winter storm events. (JCHMP)	1-Short-term (1-3 years)	3 - $$$
	4.35	Conduct a facilities hazard assessment to prioritize City-owned buildings for resilience retrofits and upgrades. (JCHMP)	1-Short-term (1-3 years)	2 - $$
	4.36	Implement winterization measures for public utilities and infrastructure systems to reduce service disruptions during extreme cold events. (JCHMP)	1-Short-term (1-3 years)	3 - $$$
	4.37	Develop and formally adopt a City-approved list of native and hazard-resistant plant materials for use in public projects. (JCHMP)	1-Short-term (1-3 years)	1 - $
	4.38	Conduct a baseline cybersecurity assessment of City systems supporting utilities, public safety, finance, and records.	1-Short-term (1-3 years)	2 - $$
	4.39	Document existing data backup procedures and system redundancies and identify gaps requiring corrective action.	1-Short-term (1-3 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	4.40	Develop and adopt a basic incident response protocol outlining roles, communication steps, and recovery priorities for cyber-related disruptions.	1-Short-term (1-3 years)	1 - $
	4.41	Identify and incorporate heat reduction, stormwater treatment, and shade features into the design scope of at least one street, park, or facility improvement project during each CIP cycle.	1-Short-term (1-3 years)	1 - $
	4.42	Install at least two microgrids for emergency power at key municipal buildings and facilities through partnerships with private solar and battery storage providers.	2 - Mid-term (4-7 years)	3 - $$$
	4.43	Prepare for potential drought conditions and infrastructure failures by developing a water supply contingency plan.	1-Short-term (1-3 years)	1 - $
	4.44	Evaluate backup power sources for critical infrastructure to develop a power grid resilience strategy.	1-Short-term (1-3 years)	2 - $$
6: Downtown	**Strategy: Implement Downtown Revitalization Using the Main Street Four-Point Approach.**			
	6.01	Attend a Texas First Street Initiative (TMSP) virtual information session.	1-Short-term (1-3 years	1 - $
	6.02	Conduct a Texas First Street informational session with City leadership to confirm eligibility, expectations, and capacity requirements.	1-Short-term (1-3 years	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.03	Register for the Texas First Street Initiative with the required signature from the City Manager.	1-Short-term (1-3 years	1 - $
	6.04	Complete required Texas Main Street due-diligence materials, including: • Downtown boundary confirmation • Property and business inventory • Historic resource summary	1-Short-term (1-3 years	1 - $
	6.05	Establish a Downtown tracking system that is updated annually and includes: • Vacant and occupied storefronts • Public and private reinvestment activity • Downtown events and programming	1-Short-term (1-3 years	1 - $
	6.06	Prepare required annual reports if Main Street designation is achieved.	3 – Long-Term (8+)	1 - $
	6.07	Apply for and achieve designation as a certified Texas Main Street community.	2 - Mid-term (4-7 years)	1 - $
6: Downtown	**Strategy (Downtown Square Redesign): Transform the Downtown Square into a Flexible, Everyday Civic Space and Economic Anchor.**			
	6.08	Prepare a Downtown Square Park Master Plan that establishes: • Finalized layout and design direction • Daily-use amenities (shade, seating, circulation) • Event functionality requirements • Phasing strategy and cost estimates	1-Short-term (1-3 years	2 - $$
	6.09	Prepare 30%, 60%, and 90% schematic drawings for the Downtown Square Park Master Plan.	1-Short-term (1-3 years	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.10	Prepare Construction Drawings for the Downtown Square Park Master Plan.	2 - Mid-term (4-7 years)	2 - $$
	6.11	Develop a coordinated construction phasing plan to minimize disruption to Downtown businesses.	2 - Mid-term (4-7 years)	2 - $$
	6.12	Submit a grant to the Texas Parks and Wildlife Department (TPWD) for potential funding for the Downtown Square Park construction.	2 - Mid-term (4-7 years)	1 - $
	6.13	Complete construction of Downtown Square Park improvements as designed in the Downtown Square Park Master Plan.	3 – Long-Term (8+)	4 - $$$$
	6.14	Establish an ongoing programming strategy for the Downtown Square to support daily activity and economic vitality.	1-Short-term (1-3 years	1 - $
6: Downtown	**Strategy (Downtown Living): Expand Downtown Housing to Support a Resident-Serving, Walkable Downtown.**			
	6.15	Identify and map opportunity sites for residential infill, adaptive reuse, or redevelopment, including underutilized and vacant properties	1-Short-term (1-3 years	2 - $$
	6.16	In a new Downtown Code, allow Missing Middle housing and mixed-use buildings in appropriate locations.	1-Short-term (1-3 years	1 - $
	6.17	Improve neighborhood-serving amenities such as sidewalks, lighting, open space, and access to daily services.	2 - Mid-term (4-7 years)	3 - $$$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.18	Buy a property for development of multi-story mixed-use, townhomes, or multi-family Downtown.	2 - Mid-term (4-7 years)	3 - $$$
6: Downtown	**Strategy (Placemaking + Storytelling): Reinforce Downtown Identity Through Activation, Art, and Programming.**			

	6.19	Establish a Downtown Brand + Visual Identity, and ensure the Downtown brand is distinct but aligned with an updated City brand.
		• Develop and adopt an official Downtown Alvarado brand, including:
		  • Downtown-specific logo or wordmark
		  • Color palette and typography
		  • Graphic motifs inspired by Historic Texas character
		• Apply the Downtown brand consistently across:
		  • Signage
		  • Wayfinding
		  • Street furnishings
		  • Event materials
		  • Digital platforms
			2 - Mid-term (4-7 years)	3 - $$$

	6.20	Install Historic Downtown Sign Toppers + Gateways coordinated with the Downtown Character Guide to reinforce authenticity and provide a sense of place.
		• Design and fabricate historic Downtown sign toppers for key entry corridors and intersections.
		• Install gateway signage at primary Downtown entry points, such as:
		  • Parkway Drive
		  • College Street
		  • Key approaches to the Square
		• Use signage to clearly communicate:
		  • Arrival into Downtown
		  • Direction to the Square, Civic Trail, parks, and key destinations
			2 - Mid-term (4-7 years)	4- $$$$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.21	Create a Downtown wayfinding system that includes: • Pedestrian-scale directional signs • Map kiosks at key civic nodes • Interpretive signage highlighting Downtown history and landmarks • Storytelling elements such as historic photos, short narratives about Alvarado's past, and cultural and civic milestones	2 - Mid-term (4-7 years)	3 - $$$
	6.22	Align wayfinding with the Downtown Civic Trail + Node System to reinforce movement and discovery.	2 - Mid-term (4-7 years)	2 - $$
	6.23	Identify a short list of priority mural and public art locations within the Downtown Core and along key corridors.	1-Short-term (1-3 years	1 - $
	6.24	Establish a streamlined approval and funding process for murals and temporary installations. • Ensure public art reflects Alvarado's history, agricultural and civic heritage, or community stories and identity	1-Short-term (1-3 years	1 - $
	6.25	Identify underutilized Downtown spaces suitable for everyday activation, such as: • Sidewalk extensions • Pocket plazas • Vacant storefront windows	1-Short-term (1-3 years	1 - $
	6.26	Implement low-cost, high-impact activations, including: • Temporary seating and shade • String lighting and festoon lights • Seasonal décor tied to Downtown branding • Pilot small-scale programming (music, pop-ups, markets) on non-event weekends to build consistent activity.	1-Short-term (1-3 years	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.27	Launch Downtown Alvarado digital hubs on a standalone website and a Facebook page. • Include a business directory, events calendar, maps and parking information, and stories highlighting Downtown businesses and history.	1-Short-term (1-3 years	2 - $$
	6.28	Coordinate Downtown social media content across City, EDC, and Chamber channels.	1-Short-term (1-3 years	1 - $
	6.29	Track and reinforce placemaking outcomes by annually documenting: • New placemaking installations • Public art additions • Downtown branding deployments Use before-and-after imagery to communicate progress to residents and stakeholders.	1-Short-term (1-3 years	1 - $
6: Downtown	**Strategy (Downtown Civic Trail + Node System): Create a Connected, Non-Directional Civic Network Linking Downtown's Key Places.**			
	6.30	Map and formally adopt the Downtown Civic Trail + Node System, identifying: • Primary and secondary trail segments • Key civic nodes • Priority improvement areas	2 - Mid-term (4-7 years)	2 - $$
	6.31	Develop Downtown-specific trail design guidance addressing: • Sidewalk widths and materials • Pedestrian-scale lighting • Shade trees and seating • Wayfinding and interpretive signage	2 - Mid-term (4-7 years)	2 - $$

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.32	Prioritize near-term improvements that connect: • Neighborhoods to the Downtown Square • Parks and civic buildings to Downtown	1-Short-term (1-3 years	1 - $
	6.33	Integrate Civic Trail projects into the Capital Improvements Program (CIP).	1-Short-term (1-3 years	1 - $
	6.34	Incorporate interpretation and storytelling elements at key nodes and along routes.	1-Short-term (1-3 years	1 - $
6: Downtown	**Strategy (Downtown Character Guide + Downtown Mobility Guide): Implement Context-Sensitive Design and Mobility Improvements That Reinforce Downtown Character**			
	6.35	Survey all right-of-way within the Downtown Core, including the Downtown Square.	2 - Mid-term (4-7 years)	2 - $$
	6.36	Adopt Downtown Street Types A, B, and C into City design standards and guidelines.	1-Short-term (1-3 years	1 - $
	6.37	Create a Downtown-specific Capital Improvements Plan (CIP).	1-Short-term (1-3 years	1 - $
	6.38	Redesign and install all Type A Streets (including associated paths, lighting, and trees) near the Downtown Square.	3 – Long-Term (8+)	4 - $$$$

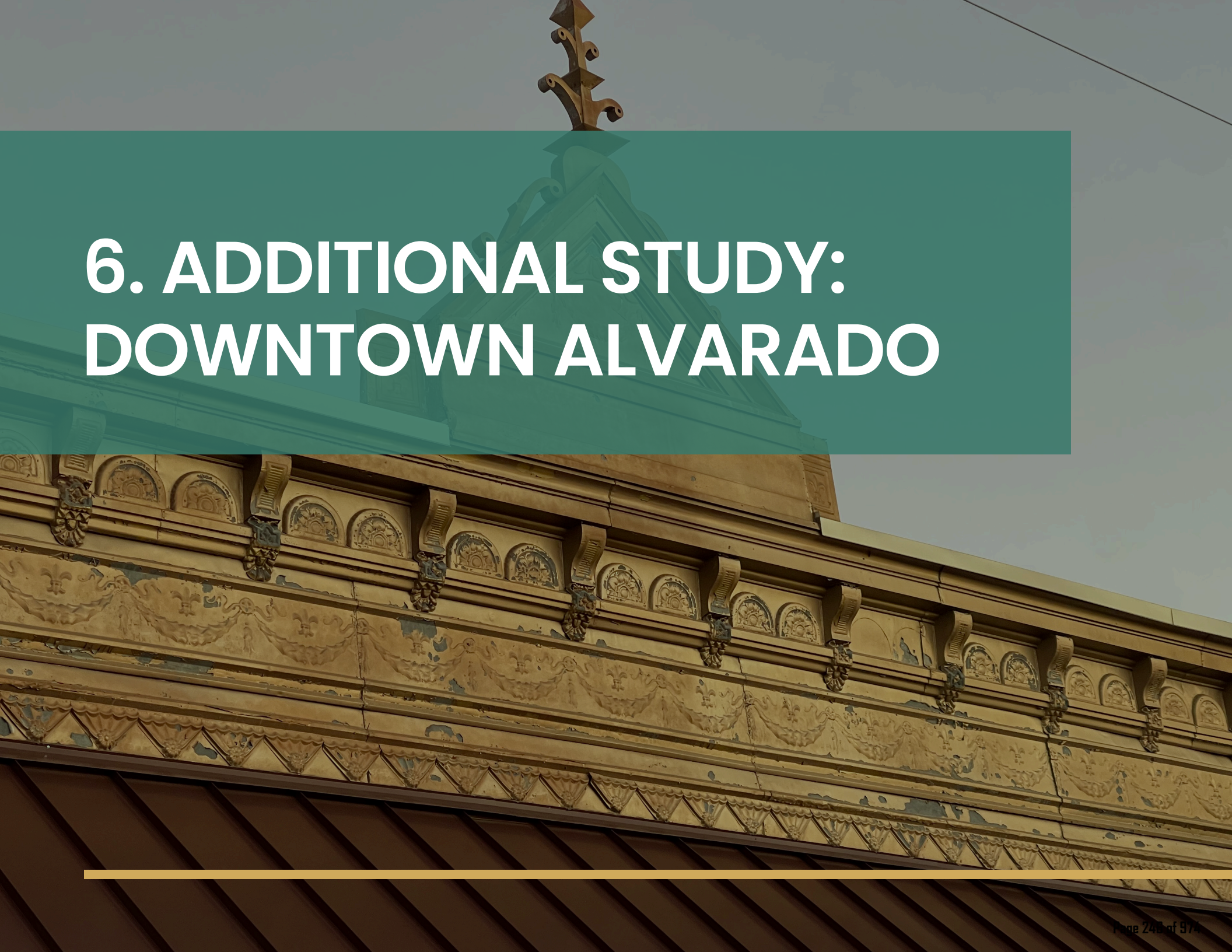
Chapter	Action Number	Action	Timeframe	Conceptual Cost
	6.39	Conduct an ADA Assessment for Downtown.	2 - Mid-term (4-7 years)	2 - $$
	6.40	Conduct engineering and design studies on all Special Consideration Intersections and at-grade railroad crossings with safety and placemaking features.	2 - Mid-term (4-7 years)	3- $$$
	6.41	Coordinate with TxDOT to evaluate modifications to the US 67 Business Route to reduce heavy truck traffic through Downtown.	2 - Mid-term (4-7 years)	1 - $
	6.42	Create and adopt a Downtown Code that deregulates desired development and modernizes design standards.	2 - Mid-term (4-7 years)	3- $$$
7: Parks + Recreation	**Strategy (Play + Reflect): Expand and improve parks and recreation spaces to support everyday play, reflection, and low-impact recreation for residents of all ages and abilities.**			
	7.01	Complete a feasibility and cost assessment for a potential community recreation center, including site options, program needs, operating models, and partnership opportunities.	1-Short-term (1-3 years	2 - $$
	7.02	Prepare a park-specific master plan for Pecan Orchard Park identifying phased improvements, amenities, circulation, lighting, and event-support infrastructure.	1-Short-term (1-3 years	2 - $$
	7.03	Conduct a citywide inventory of existing parks and unimproved open spaces to identify gaps in play and reflection amenities.	1-Short-term (1-3 years	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	7.04	Identify and prioritize at least five locations across existing parks for new reflective amenities such as benches, shade structures, walking loops, or seating nodes.	1-Short-term (1-3 years	1 - $
	7.05	Install a pilot set of low-cost reflective amenities in at least one park to evaluate use, maintenance needs, and community response.	2 - Mid-term (4-7 years)	2 - $$
	7.06	Execute a joint-use agreement with Alvarado ISD allowing shared community access to school playgrounds, fields, and recreational facilities during designated non-school hours.	1-Short-term (1-3 years	1 - $
	7.07	Develop a phased park improvement list tied to cost ranges to support future budgeting and grant applications.	1-Short-term (1-3 years	1 - $
7: Parks + Recreation	**Strategy (Trails + Connectivity): Build a connected, legible trail network that links neighborhoods, parks, Downtown, schools, and key destinations while improving safety, accessibility, and resilience.**			
	7.08	Amend the Code of Ordinances to require public access easements and trail construction as public improvements when plats or development align with planned trail corridors.	1-Short-term (1-3 years	2 - $$
	7.09	Update the Capital Improvements Program to include trail segments tied to roadway projects and identify funding assumptions and implementation triggers.	1-Short-term (1-3 years	1 - $
	7.10	Identify and prioritize three initial trail segments for near-term implementation based on connectivity, feasibility, and equity of access.	1-Short-term (1-3 years	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	7.11	Identify and conceptually design at least three trailhead locations, including access points, signage, parking, and basic amenities.	2 - Mid-term (4-7 years)	3 - $$$
	7.12	Install standardized wayfinding, distance markers, and trail identification signage along existing City-managed trails.	1-Short-term (1-3 years	3 - $$$
	7.13	Prepare a trail coordination checklist for working with Johnson County, TxDOT, and adjacent jurisdictions on roadway and side-path projects.	1-Short-term (1-3 years	1 - $
7: Parks + Recreation	**Strategy (Nature + Trees): Use trees, landscaping, and natural systems as foundational infrastructure that enhances comfort, environmental health, and long-term resilience.**			
	7.14	Identify and map priority properties for acquisition, conservation, or partnership to support parks, greenbelts, floodplain access, or trail corridors.	1-Short-term (1-3 years	2 - $$
	7.15	Develop a native planting and tree enhancement plan for parks, trails, floodplains, and priority streets.	2 - Mid-term (4-7 years)	2 - $$
	7.16	Complete an invasive species assessment for City-managed parks and initiate removal and restoration in at least one high-priority location.	2 - Mid-term (4-7 years)	3 - $$$
	7.17	Update the Code of Ordinances to adopt tree preservation, planting, and landscape standards for new development, roadway projects, parks, and trails.	1-Short-term (1-3 years	2 - $$
	7.18	Identify at least three priority corridors or parks for near-term tree planting based on shade gaps and heat exposure.	1-Short-term (1-3 years	1 - $

Chapter	Action Number	Action	Timeframe	Conceptual Cost
	7.19	Coordinate tree planting plans with drainage and stormwater projects to improve erosion control and runoff performance.	1-Short-term (1-3 years	1 - $
	7.20	Establish a basic tree inventory for City-managed parks to support long-term maintenance planning.	1-Short-term (1-3 years	2 - $$
7: Parks + Recreation	**Strategy (Gather + Celebrate): Support community identity and connection by ensuring parks and public spaces are designed and managed to host gatherings, events, and everyday social activity.**			
	7.21	Create and publish a consolidated annual events calendar through the City website, social media, and printed materials.	1-Short-term (1-3 years	1 - $
	7.22	Develop and formally adopt public gathering space standards addressing lighting, power access, signage, seating, ADA accessibility, and safety.	1-Short-term (1-3 years	1 - $
	7.23	Identify at least two parks or public spaces suitable for expanded event use and prepare site-specific improvement recommendations.	1-Short-term (1-3 years	1 - $
	7.24	Document infrastructure needs for City-hosted events, including power, staging areas, storage, and access requirements.	1-Short-term (1-3 years	1 - $
	7.25	Establish written vendor, sponsorship, and participation guidelines for City-hosted events and festivals.	1-Short-term (1-3 years	1 - $
	7.26	Pilot one new or expanded community event in a park or public space upgraded through this Study.	1-Short-term (1-3 years	2 - $$
	7.27	Evaluate event operations and site performance following the pilot and document recommended improvements.	1-Short-term (1-3 years	1 - $

6. ADDITIONAL STUDY: DOWNTOWN ALVARADO



INTRODUCTION

Purpose of the Downtown Study

Downtown Alvarado is the historic, civic, and cultural heart of the city. It is the setting for shared memories, community events, and daily civic life, and it plays a defining role in how residents and visitors experience Alvarado. While Downtown occupies a relatively small geographic area, its influence on community identity, economic vitality, and civic pride is significant.

Unlike highway corridors, residential neighborhoods, or greenfield growth areas, Downtown functions as a compact, walkable environment shaped by historic development patterns, long-standing institutions, and a concentration of civic and public spaces. These conditions create both opportunities and constraints that require a focused and intentional planning approach. Downtown success cannot be achieved through the same tools used elsewhere in the city; it depends on coordinated decisions related to public space, reinvestment, mobility, programming, and leadership.

The Downtown Study establishes a clear framework to guide these decisions. Rather than focusing on a single project or short-term improvement, this Study addresses how Downtown can evolve over time through deliberate, coordinated action. Its purpose is to strengthen Downtown's role as a gathering place, support local businesses, and reinforce Alvarado's identity while allowing for thoughtful and context-sensitive reinvestment.

Role Within the Comprehensive Plan

The Downtown Study is an essential component of the Comprehensive Plan and is intended to function as a supporting appendix that advances the Plan's goals in a focused, place-based manner. The Study is designed to work in concert with the other components of the Comprehensive Plan, not in isolation. This Study applies and operationalizes guidance from the Economic + Fiscal Vitality, Strategic Growth, and Design System chapters, as well as the Parks + Recreation Study, specifically within the Downtown context. Rather than repeating citywide policy or recommendations, it translates broader goals related to fiscal health, infrastructure readiness, character, and public space into Downtown-specific guidance that reflects the area's scale, historic fabric, and civic function.

What the Downtown Study contributes, beyond what exists elsewhere in the Comprehensive Plan, is an implementation-ready strategy for reinvestment and activation in the city's most visible and symbolically important area. It addresses Downtown as an interconnected system—where public spaces, private buildings, mobility, events, and investment decisions are interdependent and must move forward together to achieve lasting and meaningful change.

Why this Study Matters Now

Downtown Alvarado stands at a critical point between potential and performance. While it remains the city's historic and civic heart, vacant and underutilized buildings, limited everyday destinations, and event-focused public spaces have constrained Downtown's ability to function as a lively, walkable town center on a daily basis.

Without a clear and coordinated framework, Downtown efforts risk remaining incremental and fragmented, limiting the City's ability to leverage investment, attract reinvestment, and build long-term confidence. This Study matters now because it provides a unified vision and implementation-ready roadmap that aligns public investment, private reinvestment, and community activation ensuring near-term decisions reinforce a shared, long-term direction for Downtown's future.

INTRODUCTION

Downtown Study Area Boundary

The Downtown Study Area was developed through a collaborative process intended to reflect how Downtown functions today and how it can realistically evolve over time. An initial study boundary was drafted during the Downtown Stakeholders Workshop in 2025, where participants worked together to identify the areas they associate with Downtown activity, identity, and daily use. Shortly thereafter, the boundary was reviewed, refined, and finalized by the Planning Advisory Committee, ensuring consistency with broader planning considerations and community input.

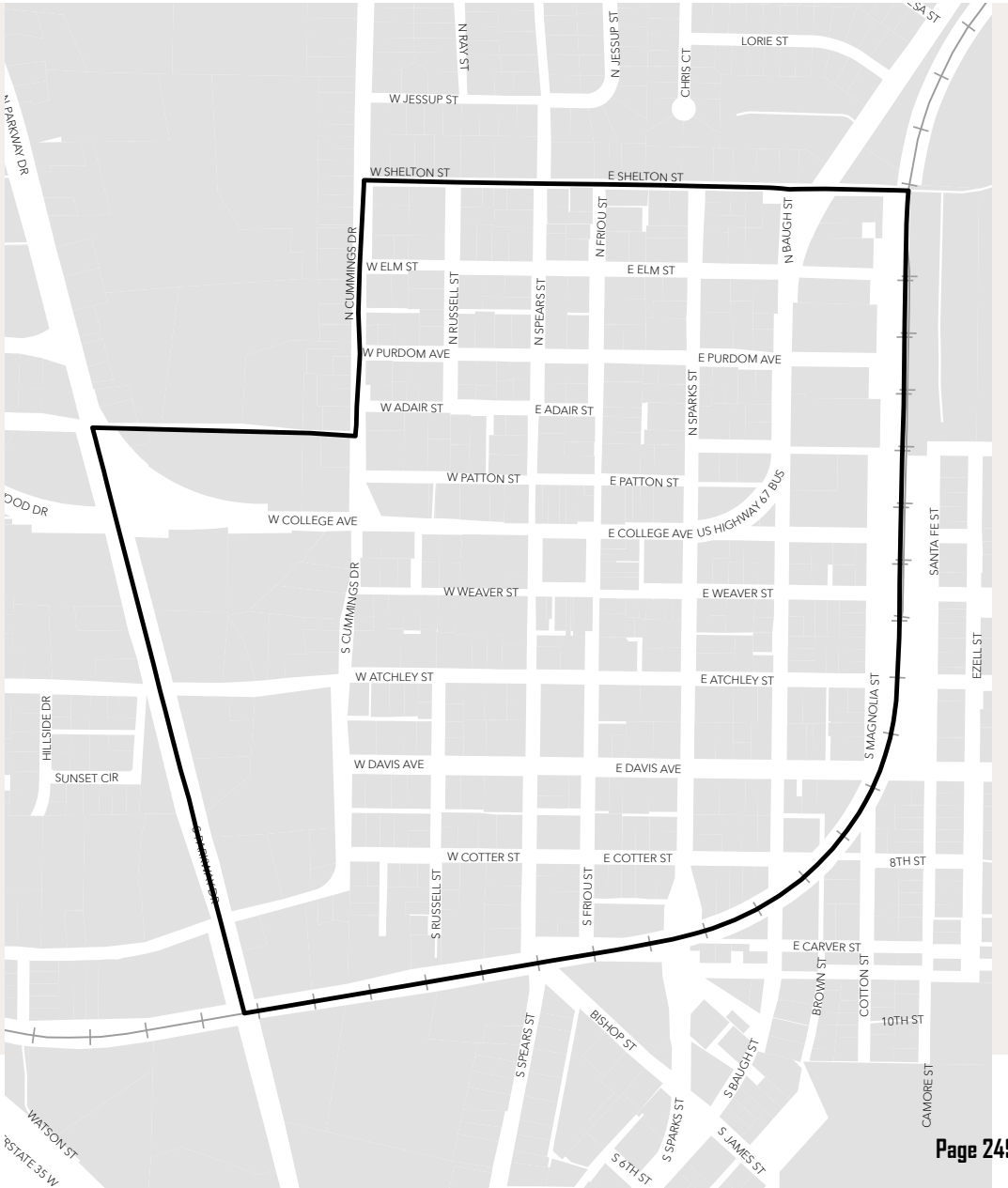
Historically, many community members have thought of Downtown as consisting solely of the Downtown Square. While the Square remains the symbolic and functional center of Downtown, engagement and analysis made clear that Downtown activity, access, and identity extend beyond this single space. Surrounding blocks, nearby civic uses, parks, and residential areas all play an important role in shaping how Downtown functions and how it is experienced.

Including a slightly larger study area allows Downtown to be evaluated as a connected system rather than an isolated node. Residential uses within and adjacent to Downtown are a critical part of this system, contributing to everyday activity, informal oversight, and long-term vitality. Downtowns are not limited to commercial uses alone; a mix of residential, civic, and small-scale commercial activity is common and often essential to creating a vibrant and resilient Downtown environment.

The Downtown Study boundaries are intended to function as planning tools, not zoning lines. They are used to organize analysis, focus discussion, and guide future decision-making related to Downtown investment and improvement. The boundaries do not imply changes to zoning or land use entitlements but provide a consistent geographic framework for understanding Downtown conditions, relationships, and opportunities.

INTRODUCTION

Downtown Study Area Map



INTRODUCTION

Planning + Implementation Philosophy

Meaningful change in Downtown requires a clear and shared vision, sustained focus over time, coordinated leadership across departments and partners, and visible, consistent City investment that signals commitment and builds confidence. Community feedback and prior efforts indicate that incremental, uncoordinated actions are unlikely to produce lasting results without this level of clarity and follow-through.

To support a disciplined and coordinated approach, implementation within the Downtown Study is organized using the Main Street America Four-Point Approach, a nationally recognized framework for downtown revitalization that integrates organization, promotion, design, and economic vitality. This approach ensures that physical improvements, business support, programming, and leadership capacity advance together rather than competing for attention or resources. Within this structure, the Downtown Study introduces Transformation Catalysts, which are bundled, place-based strategies that translate vision into action. Each Transformation Catalyst is designed to address multiple challenges simultaneously, leverage City investment to unlock private reinvestment, and create visible momentum. Together, these Transformation Catalysts provide a clear and actionable roadmap for moving Downtown Alvarado from aspiration to implementation in a deliberate, intentional, and coordinated manner.

ROOTED IN HISTORY AND SHAPED BY COMMUNITY PRIORITIES, DOWNTOWN ALVARADO IS POISED FOR FOCUSED, INTENTIONAL REINVESTMENT.

COMMUNITY FEEDBACK

Downtown-Focused Engagement Methods

Community input for the Downtown Study was gathered through multiple engagement methods designed to capture both broad community sentiment and Downtown-specific perspectives. Feedback was collected through the Community Survey, Community Forums, targeted Downtown stakeholder discussions, and input from the Technical Advisory Committee (TAC) and Planning Advisory Committee (PAC). Visual preference exercises were also used to better understand community expectations related to the boundary of Downtown, Downtown form, character, and public space quality. The history of Downtown Alvarado was also explored during the process.

Across all engagement formats, Downtown consistently emerges as a priority area for reinvestment, improvement, and focused attention. Participants recognized Downtown's importance to Alvarado's identity while expressing a desire for clearer direction, stronger leadership, and more visible progress. The feedback reflected both appreciation for what Downtown represents today and concern that its potential is not yet being fully realized.

What the Community Values About Downtown

Community members expressed strong attachment to Downtown's historic character and civic role. The Downtown Square and surrounding historic buildings were frequently cited as defining features of Alvarado and as important symbols of local identity. Residents value the authenticity of Downtown and its connection to the city's history, traditions, and long-standing institutions.

Local businesses and familiar gathering places were also highlighted as important assets, particularly those that have served the community over time. Community events held Downtown were consistently described as positive experiences that bring people together and reinforce Downtown's role as a shared civic space. The walkable scale of Downtown and its sense of familiarity contribute to its appeal. Residents appreciate that Downtown feels approachable and human-scaled, and many expressed a desire to see these qualities preserved while the area evolves. Overall, the community views Downtown as a civic and social gathering place with deep roots and strong potential to serve both everyday life and special occasions.

COMMUNITY FEEDBACK

Downtown Challenges as Opportunities

Community feedback also made clear that Downtown faces several challenges that limit its ability to function as a vibrant, everyday destination. Importantly, these challenges were not presented as reasons for inaction, but rather as opportunities for focused improvement and leadership.

PHYSICAL + FUNCTIONAL CHALLENGES

- Participants consistently noted the presence of vacant and underutilized buildings in and around Downtown, particularly in prominent locations. These conditions were viewed as missed opportunities for activity, business growth, and community life.
- There was strong feedback regarding the limited availability of food, coffee, and evening destinations Downtown. Residents expressed a desire for more reasons to spend time Downtown outside of major events or daytime hours.
- Streetscape conditions were another recurring concern. Issues related to lighting, shade, landscaping, seating, and overall comfort were frequently mentioned, with many participants noting that Downtown does not always feel inviting for everyday use. Parking confusion during events was also identified as a challenge, particularly when it affects access for businesses and visitors.
- Several public spaces were described as functioning well during large events but falling short as comfortable, usable places on a daily basis. This disconnect between event-focused design and everyday usability emerged as a consistent theme.

COMMUNITY FEEDBACK

Downtown Challenges as Opportunities

STRATEGIC + ORGANIZATIONAL CHALLENGES

- Beyond physical conditions, community feedback pointed to deeper strategic and organizational issues. Many participants expressed concern about the lack of a shared Downtown vision guiding decisions over time. Without clear direction, efforts were perceived as fragmented or reactive rather than intentional.

- There was also a sense that Downtown suffers from limited imagination in how spaces, buildings, and public areas could function differently or more effectively. Residents noted that Downtown's potential feels constrained not by its size, but by the absence of a clear, creative, and coordinated action.

- Fragmented focus and inconsistent follow-through were cited as barriers to progress, along with insufficient and inconsistent City investment to catalyze reinvestment. Property owners, businesses, and potential investors were described as receiving unclear signals about Downtown's future, making it difficult to build confidence or momentum.

Opportunity Framing

Taken together, these challenges highlight the need for clearer direction, professional coordination, leadership alignment, and sustained commitment. Community feedback indicates that incremental or uncoordinated actions are unlikely to produce meaningful change on their own. The Downtown Study is intentionally designed to address these gaps. By establishing a clear vision, aligning decision-making, and prioritizing visible, coordinated action, the Study seeks to replace uncertainty with clarity and create a foundation for long-term progress.

DOWNTOWN'S LIMITATIONS REFLECT GAPS IN COORDINATION, NOT A LACK OF OPPORTUNITY.

COMMUNITY FEEDBACK

How the Community Defines Downtown Success

When asked to describe what success looks like for Downtown, community members consistently pointed to outcomes that reflect everyday vitality rather than isolated improvements. Success is defined by occupied and reinvested buildings that contribute to activity and street life. Residents want Downtown to offer comfortable places to walk, sit, and linger, supported by shade, lighting, and amenities that encourage people to spend time there. There is a strong desire for activity beyond major events, with Downtown functioning as a destination throughout the week and across different times of day. Pride emerged as a key indicator of success. Community members want to feel confident bringing visitors Downtown and sharing it as a reflection of Alvarado. Ultimately, success is described as a Downtown that feels alive, welcoming, and intentional—one that reflects both the city's history and its aspirations for the future.

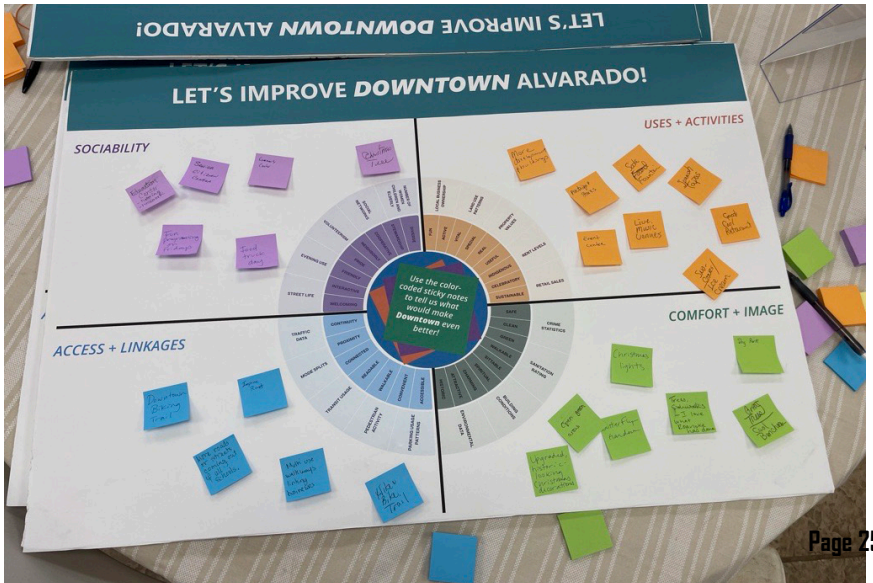
A SUCCESSFUL DOWNTOWN SUPPORTS DAILY LIFE BEYOND MAJOR EVENTS.

COMMUNITY FEEDBACK

Downtown-specific Activity: Let's Improve Downtown Alvarado

Community Forums provided opportunities for residents to provide feedback specific to the Downtown. The "Let's Improve Downtown Alvarado" station asked about missing or needed elements that could improve Downtown. It illustrated a Placemaking Wheel (inspired by Project for Public Spaces) divided into four categories as recommended by the Project for Public Spaces: Sociability, Uses + Activities, Access + Linkages, and Comfort + Image. These categories helped participants provide ideas to create and sustain a great Downtown. Improvement ideas were offered, including:

- Entertainment options
- More outdoor seating options
- More greenery and open space
- Building and facade enhancements
- Additional restaurants and eating options
- A community center with classes and activities
- A senior center with classes and activities

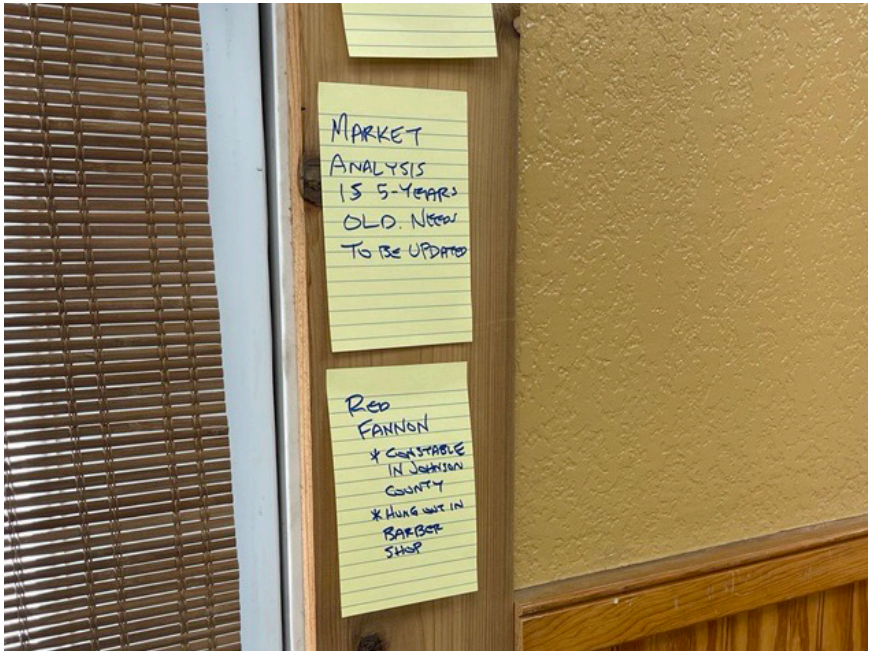


COMMUNITY FEEDBACK

Downtown-specific Activity: Downtown Visual Preference Survey

At the Downtown Visual Preference Survey station, participants were given the opportunity to provide feedback relating to potential design features in future Alvarado, such as streetscape, gathering areas, splashpads, and lighting concepts. Attendees were asked to place different colored dots on photos to indicate their preference for the Downtown style or elements in the photo.

- Positive feedback: buildings with historic architecture, decorative lighting, and enhanced streets and sidewalks, indicating that the community favored these elements in Downtown revitalization.
- Mixed feedback: biking, splash pads, large art features, and creative greenery.
- Negative feedback: modern elements and constrained spaces.



COMMUNITY FEEDBACK

Downtown-specific Activity: Downtown Architectural Style

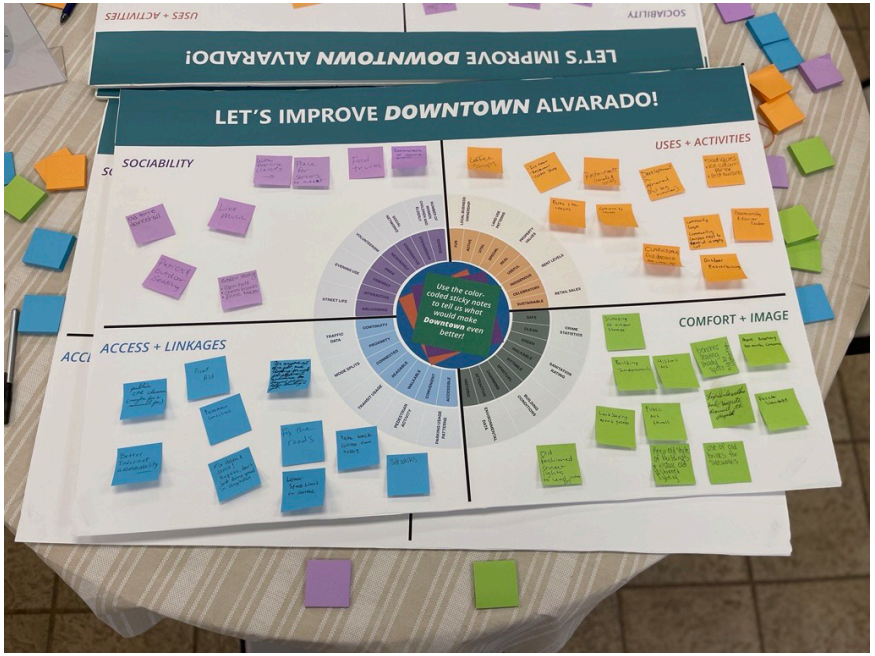
The community was able to participate in a Downtown Architectural Style activity that displayed characteristic descriptions and graphics for three different Architectural Styles for Downtown Alvarado: Historic Texas, Farmhouse Chic, and Modern. Participants were asked which style would be preferred in Downtown Alvarado. The Historic Texas Style was the standout and garnered the most "votes" from attendees. Farmhouse Chic also caught participants' attention with second-most votes. Though the Modern style received the least votes, some participants showed interest in a blend between Historic Texas and Modern. The Planning Advisory Committee (PAC) considered the feedback to determine that Historic Texas should be the predominant style on the Square, but a blend of Historic Texas and Farmhouse Chic in other portions of Downtown.

HISTORIC TEXAS ARCHITECTURAL STYLE

The Historic Texas Architectural Style makes use of materials and design elements that were common to construction in the early twentieth century. This includes the use of brick and stone in neutral, earth tone or muted colors. Buildings have authentic articulation, meaning there are changes in wall planes and details where there are changes in the building's structure or function, such as perceiving the separation of floors or framing details around a window. This Style may include visible cornerstones, accented doors, and multiple pane windows. Texas or western imagery and/or murals can add to the representation of the City's heritage.

FARMHOUSE CHIC ARCHITECTURAL STYLE

A Farmhouse Chic Architectural Style blends rustic simplicity with modern elements. Materials may be reminiscent of farmhouse or historic rural context such as using wood, stucco, cementitious fiberboard, stone, and shiplap. Architectural elements may include a flat or pitched roof but often include steep gable roofs. As there is an emphasis on using natural materials, the color palette is white or neutral and may include some accent colors (ex. teal), black metal-type accents, signage, and lighting fixtures. The use of stark white should be avoided.



COMMUNITY FEEDBACK

Downtown Housing

At the Downtown Housing station, participants were given the opportunity to collaborate on identifying suitable areas within Downtown Alvarado for various housing and residential style types. Participants were given different colored foam sticks which corresponded with three categories, with corresponding photos of each. Red represented standard single family detached housing, yellow represented "Missing Middle Housing," such as townhomes, and blue represented walkable multi-story residential, such as mixed-use buildings.

The responses varied but generally most participants preferred having a mix of housing types within Downtown. Attendees preferred having a concentration of mixed-use buildings along major downtown streets and downtown core while reducing density outward toward existing single-family housing.

- The majority of participants created a focus area of one to two blocks around the Square that would include mixed-use and multifamily structures (blue). As such, blue sticks were commonly placed along streets closest to the Square including Atchley Street and College Avenue.
- Many recognized the opportunity to use yellow sticks or "missing-middle" development to buffer the taller mixed-use development (blue) from existing and future detached, residential-looking structures (red) that is in, and adjacent to, Downtown Alvarado.
- Participants identified corridors including Parkway Drive, College Street, and Sparks Street as prime locations for "blue" and "yellow" housing.
- Areas on the north side, north of Purdom, and areas on the south side, south of Atchley were frequently designated as "red" and/or "yellow," with no "blue."

CONTEXT

People In and Near Downtown

Downtown serves a diverse mix of people whose presence and activity patterns vary by time of day and purpose. Downtown users include, but are not limited to:

- nearby residents,
- employees working in and around Downtown,
- business owners,
- people passing through to get to other areas of the city,
- visitors attending the parks, library, or other destinations,
- visitors attending events, and
- individuals accessing civic services.

While Downtown experiences high levels of activity during festivals, markets, and community gatherings, everyday foot traffic outside of these events is more limited.

Demographic and lifestyle data reviewed as part of this Study, including Esri-based market segmentation information used by the Project Team, indicate that residents living in and near Downtown generally value convenience, familiarity, and community-oriented places. These households tend to prioritize access to local destinations, civic services, and everyday amenities over large-format or destination-oriented retail. There is also a strong connection to local traditions and a preference for environments that feel authentic, comfortable, and easy to navigate.

The presence of nearby residential areas, including homes located within and adjacent to the Downtown Study Area, represents an important opportunity for Downtown to function as more than an event destination. Residents within walking distance provide the foundation for consistent, everyday use of Downtown spaces, particularly for casual dining, coffee, small errands, and informal gatherings. This local population supports the idea that Downtown can sustain activity at different times of day when it is designed and programmed to meet daily needs. Esri-informed lifestyle characteristics also suggest that Downtown users are responsive to environments that offer shade, walkability, and welcoming public spaces. Comfort, safety, and visual quality influence how often people choose to spend time Downtown and how long they stay. When Downtown spaces feel inviting and easy to use, they are more likely to become part of regular routines rather than occasional destinations.

Overall, existing conditions indicate that Downtown has access to a base of nearby residents and users who could support greater everyday activity. However, current patterns reflect a Downtown that is still primarily experienced through events and civic functions rather than daily life. This gap between potential and current use underscores the importance of addressing comfort, connectivity, and reinvestment as part of Downtown's evolution.

CONTEXT

Building Stock and Condition

Downtown's building stock reflects historic development patterns and incremental change over time. The area includes a mix of older commercial buildings, civic structures, residential properties, and smaller-scale infill. A handful of buildings contribute positively to Downtown's character and sense of place, while others exhibit signs of age, deferred maintenance, or functional limitations. Building conditions vary throughout Downtown. Some properties are actively occupied and well maintained, while others are vacant or underutilized, and still others are actively occupied but not consistent with the envisioned future for Downtown. Historic building configurations present opportunities for adaptive reuse but can also introduce challenges related to accessibility, modern building systems, and flexibility of use.

Vacancies and Underutilization

Vacant and underutilized buildings are present in visible and strategically important locations within Downtown, including on and near the Square. These properties represent missed opportunities for economic activity, housing, and street-level vitality. Underutilization includes not only fully vacant buildings, but also properties that are partially occupied, intermittently used, or limited to a narrow range of functions. These conditions contribute to gaps in activity and reinforce the perception that Downtown lacks consistent energy outside of major events.

Public Spaces and Civic Assets

Downtown contains a concentration of public spaces and civic assets that anchor community life. The Downtown Square functions as the primary gathering space and event venue, while nearby parks, civic buildings, and historic sites contribute to Downtown's identity and visibility. Although these spaces have hosted programmed events, their everyday functionality and appearance vary. Some areas lack shade, seating, or amenities that encourage lingering, while others are designed primarily to support large gatherings rather than daily use. The Downtown Square specifically is comprised of mostly pavement and a small gazebo, with little attention paid to walkability, maintenance, or aesthetics. Pecan Orchard Park has been recently maintained to a higher standard to allow for more programmed events, but the Park is still largely without designed features. The distribution and connectivity of public spaces influence how people move through Downtown and how long they choose to stay.

CONTEXT

Infrastructure Constraints Relevant to Downtown

Downtown's infrastructure reflects its age, incremental development, and lack of investment (both public and private). Sidewalk conditions, drainage, lighting, and utility capacity vary across Downtown and can influence the feasibility and timing of reinvestment. Street widths, curb configurations, and the location of underground utilities affect opportunities for streetscape improvements, enhanced pedestrian comfort, and circulation changes. These constraints do not prevent improvement but require careful coordination, realistic planning, and intentional design.

Event Operations as an Existing Condition

Events are a defining feature of Downtown and are treated as an existing condition rather than a future strategy. Downtown regularly hosts community festivals, markets, and civic gatherings that draw visitors from across the city and reinforce Downtown's role as a shared civic space. Event operations influence parking patterns, circulation, business access, and public space configuration. While events contribute positively to Downtown identity and visibility, they also highlight limitations related to wayfinding, infrastructure, and everyday usability. Understanding how Downtown functions during events is essential to evaluating current conditions and informing future decision-making.

DOWNTOWN CONTEXT SNAPSHOT

- Predominantly historic building stock with mixed conditions
- Concentration of civic and public spaces that anchor identity
- Visible vacancies and underutilized properties in key locations
- Infrastructure shaped by incremental, block-by-block growth
- Event-driven activity that defines use patterns and operations

Together, these conditions frame opportunities for focused reinvestment and coordination.

CONTEXT

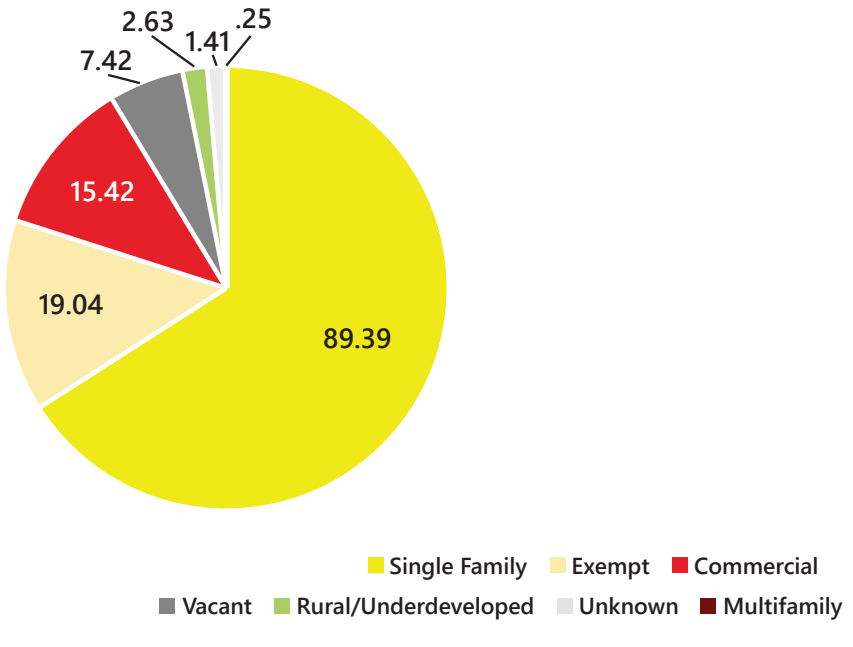
Downtown Existing Land Use

The existing land use of a property provides a snapshot of its current use. This use may vary from what it is zoned to be used for, as zoning regulations change over time. Looking at existing land use provides insight into an accurate representation of what is currently on the ground. In Downtown Alvarado, the dominant existing land use is single family residential, located in the North, South, and West subareas. Meanwhile, the Core, East, and Inner South subarea are more mixed in terms of land uses with commercial, multifamily, single family, and uses such as City facilities or churches. Downtown has several vacant properties, including a few concentrated in the Downtown Core. This vacancy provides ample opportunity to develop in accordance with the vision for Downtown Alvarado.

Downtown Existing Land Use Data per JCAD

Land use	Acres	Percent
Single Family	89.39	65.94%
Exempt	19.04	14.05%
Commercial	15.42	11.37%
Vacant	7.42	5.47%
Rural / Undeveloped	2.63	1.94%
Unknown	1.41	1.04%
Multi Family	0.25	0.18%
Total	**135.57**	**100%**

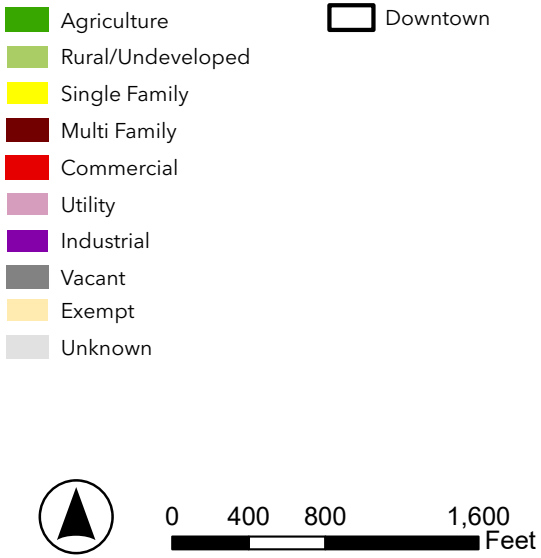
Note: Existing land data is based on the Johnson County Appraisal District and is for illustrative purposes only.



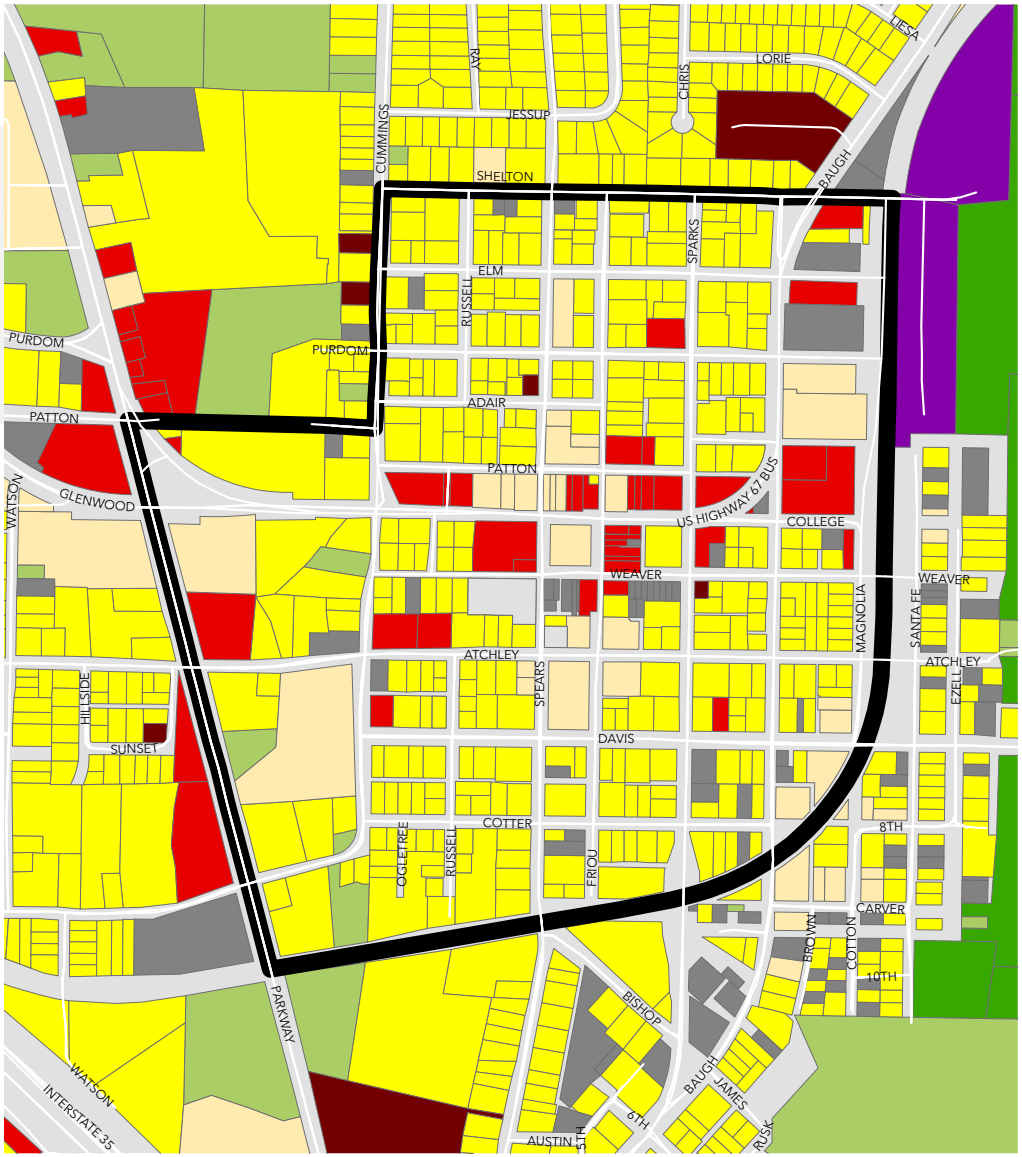
CONTEXT

Downtown Existing Land Use

Note: Existing land data is based on the Johnson County Appraisal District and is for illustrative purposes only.



Source: Johnson County Appraisal District, August 2025



CONTEXT

Downtown Existing Zoning

The existing zoning within the Downtown boundary is primarily Single Family District 2 with concentrations primarily in the Downtown North, Inner South, and South Subareas. The Downtown Core is primarily zoned Central Business District, though it does include some commercial zoning. The West subarea along Parkway Street is zoned Commercial zoning while the rest of the subarea contains single family zoning. The East subarea has a mix of commercial, industrial, and institutional zoning.

A temporary Downtown Zoning Overlay is currently in place that intended to be repealed upon City Council approval of a Downtown Code associated with this Downtown Study.

Zoning	District	Acres	Percent
SF-2	Single Family District 2	90.49	67.61%
C-2	Commercial District 2	16.39	12.25%
C-1	Commercial District 1	9.78	7.31%
CBD	Central Business District	7.28	5.44%
I	Institutional Overlay District	6.03	4.50%
PD	Planned Development District	1.01	0.75%
M-1	Manufacturing Industrial District - Light	0.32	0.24%
TF	Two Family Duplex District	0.78	0.58%
SFA	Single Family Apartments	0.77	0.57%
MF	Multi Family District	1.00	0.74%
Total		**133.85**	**100%**

CONTEXT

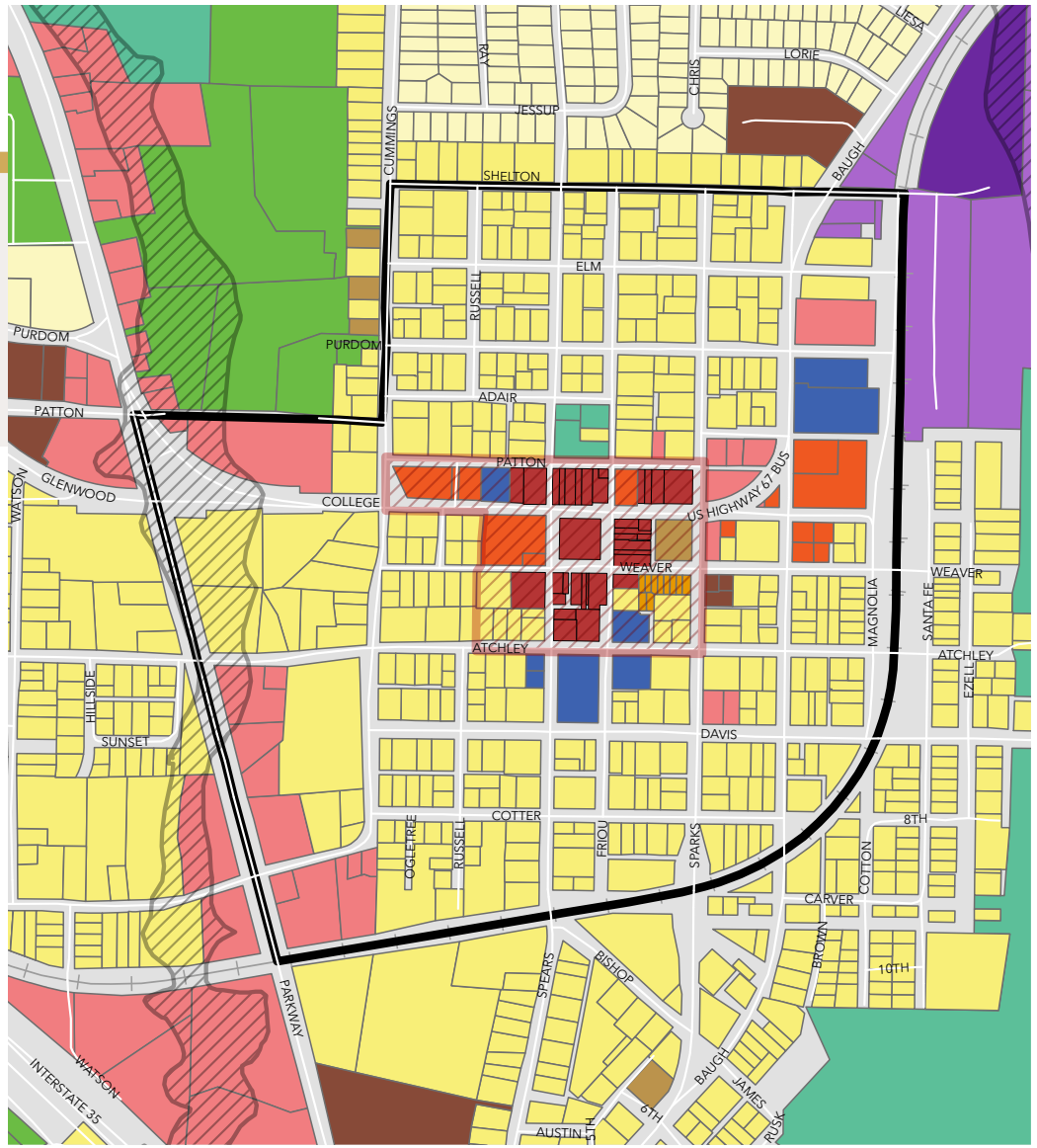
DOWNTOWN EXISTING ZONING

CITY OF ALVARADO
Existing Zoning Map

- Agriculture
- Single Family 1
- Single Family 2
- Single Family Apartments
- Garden Home
- Two Family Duplex
- Multi Family
- Manufactured Home Park 1
- Manufactured Home Park 2
- Manufactured Home Park 3
- Central Business
- Commercial 1
- Commercial 2
- Light Industrial
- Heavy Industrial
- Institutional Overlay
- Planned Development
- Floodplain Overlay
- Downtown Overlay
- Downtown

0 400 800 1,600 Feet

Source: City of Alvarado, October 2025



CONTEXT

Land Use + Zoning Observations and Analysis

THERE IS A SIGNIFICANT PRESENCE OF SINGLE-FAMILY HOUSING WITHIN DOWNTOWN.

- The Existing Land Use map shows a large portion of the northern and southern areas of the Downtown with existing single-family development.

HOUSING VARIETY IS LIMITED.

- Single-Family District 2 (SF-2) makes up a majority (67.6%) of the zoning for housing in Downtown Alvarado. Single-Family Apartment (SFA), Two Family Duplex (TF) and Multi-family (MF) districts, which allow for more housing choices, make up less than three acres in Downtown.
- Like zoning, existing land use shows little availability of multi-family development (0.18%) within Downtown.

DOWNTOWN HAS VACANT OR UNDEVELOPED LAND.

- Undeveloped land should be considered for Downtown-compatible development.
- Vacant land should be redeveloped, especially in the Downtown Core.

COMMERCIAL ZONING IS CONCENTRATED ALONG EXISTING PARKWAY DRIVE.

- Much of the land zoned Commercial District 2 (C-2) is concentrated along Parkway Drive, excluding a few parcels along College Street. Despite the commercial zoning designation, the majority of parcels along Parkway Drive currently contain single-family residential and rural uses, indicating a potential opportunity for future commercial redevelopment.

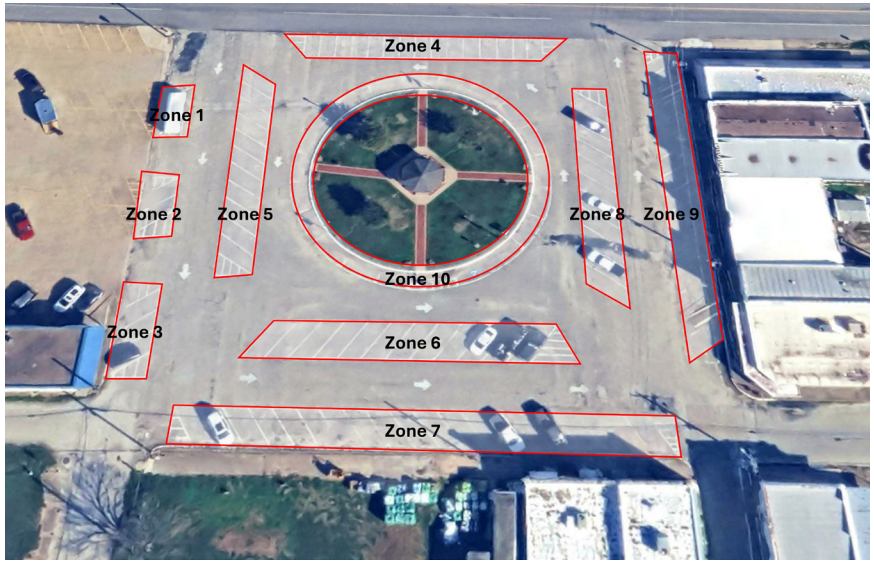
Downtown Alvarado is predominantly residential, with limited commercial, multi-family, or mixed-use buildings. These conditions suggest opportunities to strengthen Downtown through targeted infill, increased land use diversity, and strategic reuse of existing properties to better support economic activity and walkability while remaining sensitive to the surrounding single-family context.

LAND USE AND PARKING PATTERNS REFLECT DOWNTOWN'S RESIDENTIAL CHARACTER—BUT ALSO HIGHLIGHT OPPORTUNITIES TO BETTER SUPPORT COMMERCIAL ACTIVITY AND WALKABILITY.

CONTEXT

Downtown Existing Parking

Parking availability surrounding the Square can be an important factor when considering the success of Downtown Alvarado and accessibility to current and future business around the Square. Community feedback emphasized the importance of parking to the success of Downtown but also expressed discontent with the current design and safety.



Observations + Analysis

SIGNIFICANT PRESENCE OF PARKING SPOTS WITHIN THE DOWNTOWN SQUARE.

- The Square has 10 parking zones and a total of 107 parking spaces.
- Of the total number of parking spaces there are four handicapped spaces and one bus parking space. ADA accessibility within the Square's parking configuration is not modernized.
- There are 87 spaces arranged in a 60° single row parking layout while the remaining 20 are around the Square Park.

TRAFFIC PATTERNS

- Traffic patterns around the Square include an inner ring of one-way traffic around the Square Park and an outer ring of one-way traffic around the Downtown Square.
- These traffic patterns are marked with white arrows on the pavement, but there are no safety barriers, curbs, bollards, or landscaping to help define car movements or protect pedestrians or cyclists.

SIGNAGE

- Visible directional signage is lacking or fading.

CONTEXT

Downtown Key Groups

CITY OF ALVARADO ECONOMIC DEVELOPMENT CORPORATION

The Alvarado Type B Economic Development Corporation (EDC) is funded by a quarter-cent sales tax and guided by a seven-member board. The EDC is committed to improving quality of life by leveraging community strengths and fostering strategic partnerships. The EDC aims to enable businesses to flourish and individuals to thrive in order to shape the economic future of Alvarado.

ALVARADO CHAMBER OF COMMERCE.

The Alvarado Chamber of Commerce is composed of eight board members. The mission of the Alvarado Chamber of Commerce is "To improve Alvarado's overall business climate and quality of life through the sponsorship of programs that promote, facilitate & stimulate economic growth, civic participation, and business advocacy." The Chamber of Commerce represents the voice of the business community in Alvarado and can play a vital role in helping Downtown transition into a vibrant economic hub for the city.

CONTEXT

Downtown Financing Tools

TYPE B FUNDING: ELIGIBLE ITEMS AND IMPROVEMENTS

According to the Texas Comptroller of Public Accounts, Type A sales tax is used for manufacturing and industrial development while Type B sales tax may be used for projects eligible under type A, plus quality-of-life improvement projects. Type B corporations may pay for land, buildings, equipment, facilities, targeted infrastructure, and improvements for quality-of-life improvement projects, such as:

- Sports and athletic facilities, tourism and entertainment facilities, convention facilities, and public parks
- Relocated store, restaurant, concession, parking, and transportation facilities
- Relocated street, water, and sewer facilities
- Affordable housing
- Public safety facilities.
- Recycling facilities
- Streets, roads, drainage, and related improvements
- Demolition of existing structures
- General municipally owned improvements
- Maintenance and operating costs associated with projects

Storefront Improvement Grant

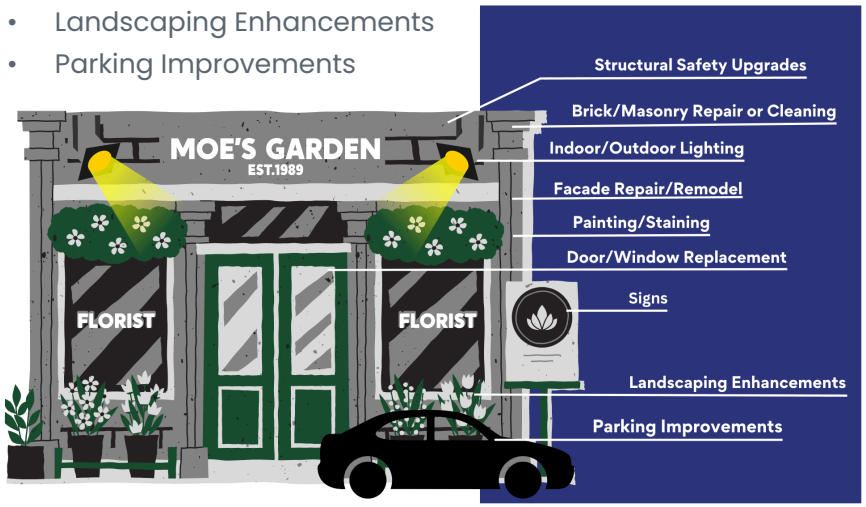
Active since 2024, this City-based reimbursement-based program is used to provide financial assistance to property owners and business tenants looking to renovate or restore their existing commercial businesses. The goal of this program is to enhance the appearance and appeal of local businesses, contributing to the overall revitalization of our Downtown Alvarado.

APPLICATION AND PROCESS

- Business owners or tenants can fill out the application outlining their desired storefront improvement efforts, and the City of Alvarado, along with the Alvarado Economic Development Corporation, will review their eligibility status before the release of funds
- City funds will match up to $25,000, through reimbursement, costs to renovate or restore storefronts by the business owner or tenant

ELIGIBLE IMPROVEMENTS AND ELIGIBILITY REQUIREMENTS:

- Structural Safety Upgrades
- Brick/Masonry Repair or Cleaning
- Indoor/Outdoor Lighting
- Facade Repair/Remodel
- Painting/Staining
- Door/Window Replacement
- Signage
- Landscaping Enhancements
- Parking Improvements



Source: City of Alvarado

CONTEXT

Tax Increment Reinvestment Zone #3

Tax Increment Financing is a tool that allows local governments to fund improvements that attract private investment within a designated Tax Increment Reinvestment Zone (TIRZ) by redirecting any subsequent increase in property tax revenue to pay for public improvements in the zone.

- Builds infrastructure that supports business growth.
- Spurs development, raising property values and future tax revenue.
- Reduces private development costs through reimbursements for eligible improvements.

The City has several TIRZs, and the third one covers Downtown. Downtown TIRZ #3 is located east of Parkway and west of Baugh Street, between Patton Street, College Street and Weaver Street. TIRZ #3 was created on January 22, 2025, specifically to support Downtown revitalization. The TIRZ encompasses approximately 257 acres, and its purpose is to finance public improvements, such as streets, lighting, utilities, parking, and economic development projects that will stimulate private investment, increase property values, and generate economic benefits for the city. The financing plan commits the City of Alvarado to deposit 75 percent of incremental property tax revenues into the TIRZ fund each year, based on 2025 assessed values. Since the boundary of Downtown was established during the planning process as a larger area than what the TIRZ currently covers, it could be expanded in the future.

VISION: DOWNTOWN

Downtown Alvarado will be a welcoming, walkable town center where history, local businesses, and community life can come together, anchored by a revitalized Square, connected neighborhoods, and active spaces that serve residents and visitors. The vision is crafted with the intention of setting the stage for redevelopment to capitalize on the potential of Downtown Alvarado. To inform the Downtown Vision, the Main Street Four Points Framework will be paired with Transformation Catalysts to pave the way for positive transformation. Alongside the Main Street Approach, the Downtown Character and Mobility Guides will further realize the vision for Downtown.

Downtown will be primarily influenced by the following Transformation Catalysts tailored for Alvarado:

- Downtown Square Redesign will transform and activate the Core by enhancing and improving Alvarado's central gathering space while allowing new opportunities for economic growth
- Downtown Living will diversify housing types and create the conditions for a walkable mixed-use environment and allow Downtown to evolve into a vibrant hub of activity and opportunity
- Placemaking + Storytelling will turn space into place by strengthening identity, activating spaces, and bringing the community together through intentional placemaking and storytelling
- Downtown Civic Trail + Node System will establish a non-directional, people-focused network that connects civic, cultural, residential, and park destinations, reinforcing Downtown as an everyday place to walk, gather, and discover

Combined, these Transformation Catalysts will set the stage for the future success and revitalization of Downtown Alvarado.
The Downtown Character Guide will create unique destinations within Downtown which will be distinct and lean into elements of branding and identity. The six Downtown Character Areas include:

- Downtown North
- Downtown East
- Downtown Core
- Downtown Inner South
- Downtown South
- Downtown West

The Downtown Mobility Guide is made up of three Street Types which will each serve in enhancing mobility and connectivity throughout Downtown. In addition, Special Consideration Intersections and At-Grade Railroad Crossings will be identified for context-sensitive solutions. By focusing on mobility, Downtown Alvarado will enable a transportation network that will prioritize safe, connected, and efficient movement.

VISION: DOWNTOWN

Triple Bottom Line

The Triple Bottom Line approach represents a targeted way to blend community, economy, and environment. This approach allows for implementation that accounts for multiple interests that together better inform Downtown best practice with respect to implementation.

NATURE

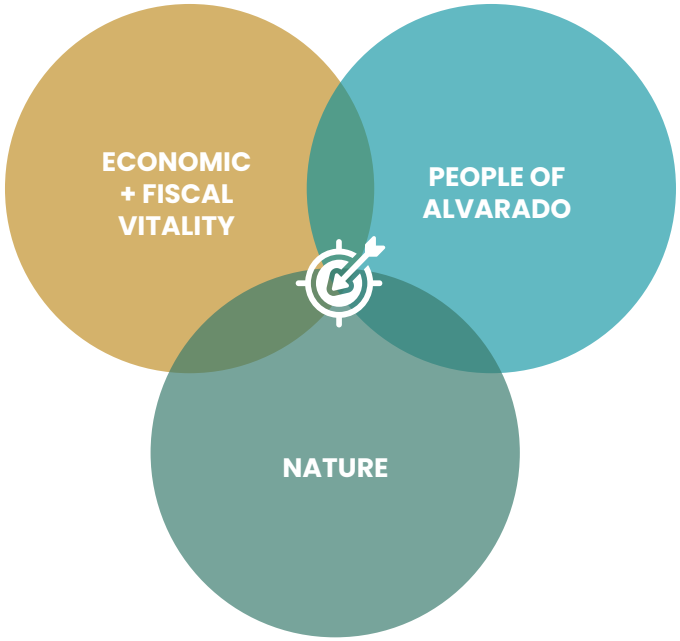
The Downtown Study supports environmental stewardship as it prioritizes reinvestment within the existing Downtown footprint, with benefits of efficient use of existing infrastructure and preserving and enhancing existing green spaces. By focusing on revitalization around the historic Square and surrounding neighborhoods, the Study encourages adaptive reuse of buildings and streetscapes. Parks and green spaces such as the Pecan Orchard and George Washington Carver Park are reinforced as integral components of Downtown's identity, ensuring that nature remains a visible and accessible part of daily life in Alvarado.

PEOPLE OF ALVARADO

The Downtown Study reflects the community values and desires expressed through extensive public engagement. There is an emphasis on preserving Alvarado's Historic Texas character while enhancing Downtown as a place to gather, socialize, and spend time. Improvements to sidewalks, lighting, crossings, and wayfinding enhance comfort, safety, and accessibility. By supporting an expanded mix of housing types near the Square, the Study will encourage more residents to live within walking distance of the stores, services, and gathering spaces in Downtown. Placemaking and storytelling further strengthen the culture, history, and identity of the community.

ECONOMIC + FISCAL VITALITY

Economic and fiscal vitality are supported by positioning Downtown as a competitive local destination for dining, retail, housing, and entertainment. A strong Downtown will help recapture market leakage by creating the conditions that businesses can thrive and meet resident demand. Strategic public investments, storefront improvement grants, and TIRZ #3 are targeted to leverage available public and private opportunities to support strong redevelopment, improve infrastructure, and increase property values.



VISION: DOWNTOWN

Alignment with Vision Guiding Principles

Continuously Improving

Downtown improvements, upgrades, and enhancements will be implemented in stages with defined phases to ensure progress. Implementation will be closely monitored and evaluated to measure success.

Efficient + Connected

Downtown streets will prioritize walkability, accessibility, and safety. Emphasis will be placed on improved sidewalks, lighting, crosswalks, and parking solutions that make it easier to move safely on foot, bike, or car.

Engaged + Collaborative

Downtown will be driven by groups, such as the EDC and Chamber of Commerce, which will foster support for Downtown initiatives.

Fun + Inviting

Downtown will be a destination for all ages with activities complete with live music, outdoor dining, public art, shaded gathering spots, and seasonal festivals. Regular activation will ensure Downtown remains a desirable and vibrant destination.

Intentional + Distinct

Future development will honor Downtown's Historic Texas architectural character while thoughtfully incorporating new styles and compatible new uses such as mixed-use housing and retail throughout Downtown.

Landscaped + Charming

Beautification efforts will elevate Downtown's appeal through landscaping, street trees, pocket parks, outdoor seating, and public art. Historic preservation paired with these design improvements will showcase the small-town charm that residents want to protect, making the Square a place people are proud to show off.

Neighborly + Family-Friendly

Downtown will foster a sense of community where the residents want to spend time, interact, and experience a vibrant Downtown. Amenities will cater to all ages ensuring Downtown acts as a welcoming destination for the whole family.

Safe

Improved lighting, crosswalks, and pedestrian-friendly streetscapes will ensure Downtown feels safe and welcoming both day and night. Regular programming and active storefronts will create a sense of safety encouraging residents and visitors to spend more time Downtown more frequently.

Trusted Action

Visible Downtown improvement showcases results and builds trust. Each phase of revitalization will be paired with clear communication to demonstrate that Downtown is a priority and that the community's voice is shaping tangible outcomes.

VISION: DOWNTOWN

Alignment With Main Street America

The Main Street America organization is a national non-profit group that supports strong downtowns through resources, training, and expertise in the revitalization of older downtowns. It is a clearinghouse of best practices for downtowns. Texas supplements Main Street America with the Texas Main Street Program (TMSP), which currently supports 81 communities across the state, all dedicated to implementing the Main Street America Four Point Approach. Through collaborative partnerships with TMSP, these communities are actively working toward achieving their unique downtown revitalization goals.

Although the City of Alvarado is not currently designated as a Texas Main Street City or a part of the Main Street America Program, the Downtown Study aligns with the core principles of the Main Street America Four Points Approach. By aligning the Study with proven best practices, it demonstrates a proactive and intentional commitment to transforming Downtown Alvarado with proven strategies based on the four points of economic vitality, design, promotion, and organization. The Downtown Study builds on the four points and establishes transformative strategies for a focused, deliberate path to revitalizing and strengthening Downtown.

ECONOMIC VITALITY

Economic Vitality focuses on capital, incentives, and other economic and financial tools to assist new and existing businesses, catalyze property development, and create a supportive environment for entrepreneurs and innovators that drive local economies. The Study focuses on creating the physical, regulatory, and programmatic conditions for successful reinvestment. Community feedback emphasized that there is market leakage to nearby cities and the Study seeks to position Downtown retail and dining as a competitive local option.

DESIGN

Design direction supports a community's transformation by enhancing the physical and visual assets that set the Downtown district apart. Design is a central pillar of the Study as community engagement, context, and best practices informed the creation of a Downtown Character Guide and Downtown Mobility Guide that will work together to guide development and public improvements that make Downtown more comfortable, attractive, and accessible.

PROMOTION

Promotion positions the Downtown as the center of the community and hub of economic activity, while creating a positive image that showcases the community's unique characteristics. The Study will introduce strategies to strengthen Downtown as the cultural heart of the community and a destination for events, public art, and activation that increase visibility and keep people coming back.

ORGANIZATION

Organizations are vital in creating a strong foundation for sustainable revitalization efforts, including cultivating partnerships, community involvement, and resources for the district. The Study emphasizes the collaboration of the City, the Alvarado Economic Development Corporation, the Chamber of Commerce, property owners, community partners, and residents to ensure that Downtown revitalization is an ongoing initiative.

VISION: DOWNTOWN

Alignment With Main Street America

Source: Main Street America

Transformation Catalysts

The Main Street Approach provides a wide range of potential strategies recognizing that each Downtown is unique and one-size-fits-all approaches do not always capture the nuanced visions of different downtowns. In Alvarado, the following three Transformation Catalysts were crafted to build on the Four Points and lead Downtown in the direction of progress.

- Downtown Square Redesign: Transform and activate the Core by enhancing and improving Alvarado's central gathering space while allowing new opportunities for economic growth
- Downtown Living: Diversify housing types and create the conditions for a walkable mixed-use environment and allow the Downtown to evolve into a vibrant hub of activity and opportunity
- Placemaking + Storytelling: Turn space into place by strengthening identity, activating spaces, and bringing the community together through intention and storytelling

Grant Eligibility

By aligning the Study with the Main Street America Four Points Approach, it allows for the easier implementation of Alvarado's Downtown projects and initiatives to be grant ready.

VISION: TRANSFORMATION CATALYSTS

Downtown Square Redesign

VISION

Redesigning the Downtown Square will transform and activate the Downtown Core by enhancing and improving Alvarado's central gathering space, while allowing new opportunities for economic growth. The Downtown Square Redesign will transform and activate the Downtown Core by enhancing Alvarado's central gathering space while creating new opportunities for reinvestment and economic activity. The concept illustrates how the Square could evolve over time through coordinated public improvements and complementary private reinvestment. The redesign is intended to guide decision-making related to form, function, character, and design as projects move forward. Implementation will occur in phases and may evolve in response to market conditions, funding availability, and community priorities.

COMMUNITY FEEDBACK RELATED TO THE DOWNTOWN SQUARE REDESIGN

Community feedback indicates support for increased mixed-use development, walkability, and Historic Texas architectural styles around the Downtown Square. Meanwhile, top concerns placed emphasis on maintaining adequate parking availability and reducing Downtown vacancy.

After collaborative input from the Plan Advisory Committee and Technical Advisory Committee, the Alvarado City Council selected Downtown Square Design Option 3 on July 21, 2025, which includes some redevelopment on the western edge of the Square with an improved Square.

- Option 1: As-is, with improved Square and existing west configuration
- Option 2: Redeveloped at large west building edge with expanded Square
- Option 3: Redeveloped at small west building edge with improved Square
- Option 4: Center building

OPTION 3 SELECTED:

VISION: TRANSFORMATION CATALYSTS

Downtown Square Redesign

DOWNTOWN SQUARE REDESIGN RENDERINGS

A NEW CIVIC HEART THAT BRINGS PEOPLE TOGETHER THROUGH WALKABLE STREETS, ACTIVATED PUBLIC SPACE, AND A REVITALIZED DOWNTOWN CORE.

VISION: TRANSFORMATION CATALYSTS

Downtown Square Redesign

ALIGNMENT WITH THE MAIN STREET APPROACH

- Economic Vitality: The redesign and redevelopment of the Downtown Square is an anchor for the success of Downtown. This visionary transformation will act as an economic catalyst for Downtown Alvarado.
- Design: The Downtown Square and surrounding Core will be aesthetically enhanced and functionally improved through pedestrian-centered design.
- Promotion: The redesign of the Downtown Square and redevelopment of the Core should be a focus of marketing and promotional materials.
- Organization: The Downtown Core will be grounded in organizational support through partnerships to ensure the success of Downtown

TRIPLE BOTTOM LINE BENEFITS

The Downtown Square Redesign initiative in Alvarado is set to deliver significant community, economic, and environmental benefits by transforming the central public space into a vibrant, multifunctional destination that appeals to residents, visitors, and businesses. Research demonstrates that investments in placemaking and pedestrian-oriented design enhance the attractiveness of downtown areas and help stimulate economic activity. Walkable neighborhoods with a concentration of amenities often generate higher economic returns per acre compared to areas primarily designed for automobile access.

By positioning the Square as a focal point for social and cultural activities, improving pedestrian connectivity, and providing flexible gathering spaces, the City can increase visitor engagement and support surrounding businesses. Elevated activity and visitation have the potential to strengthen local spending patterns, drive property value appreciation, and bolster overall community resilience. Additionally, placemaking efforts that thoughtfully reflect Alvarado's unique history and identity can foster community pride, distinguish Downtown as a regional destination, and encourage longer stays, repeat visits, and increased local spending. When paired with standards for green infrastructure and shade, this catalyst can also support comfort, stormwater function, and environmental performance.

VISION: TRANSFORMATION CATALYSTS

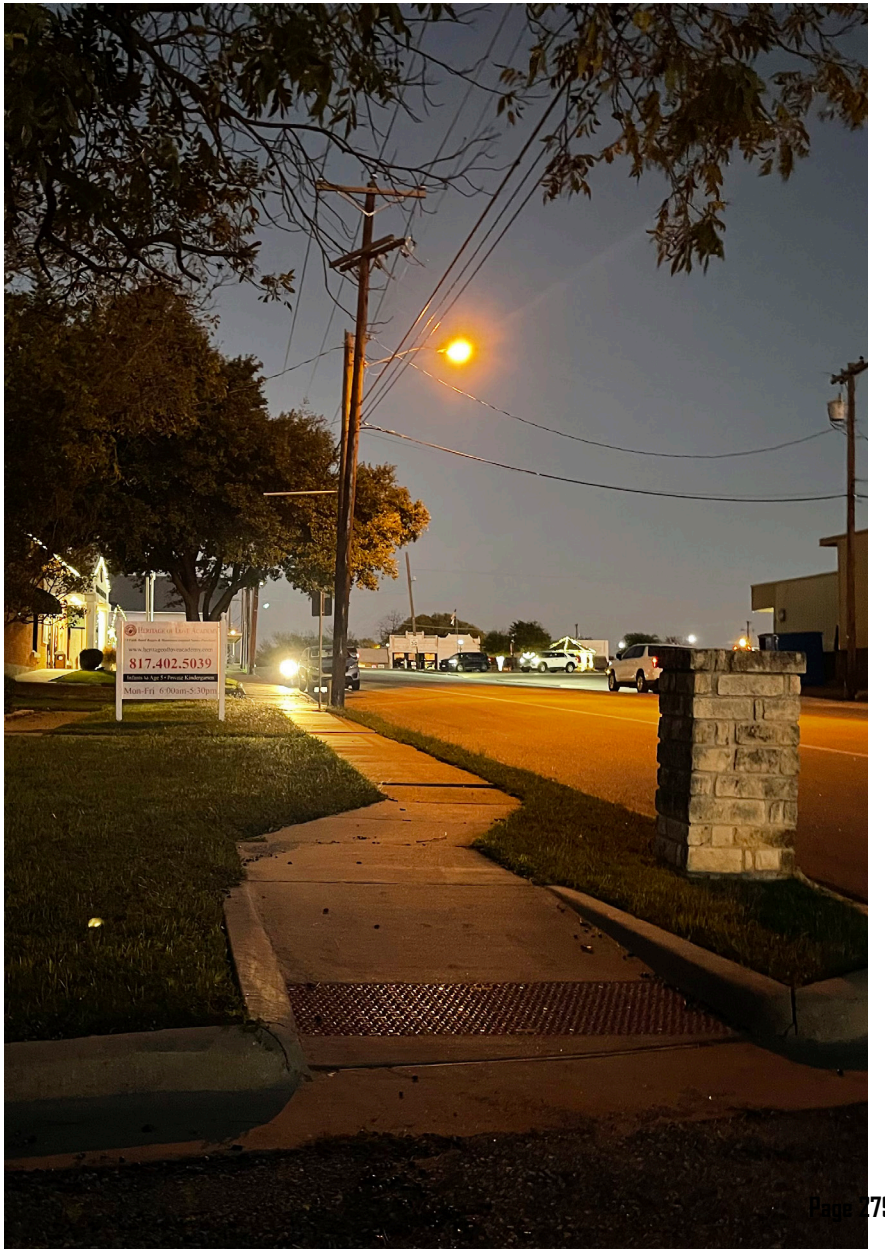
Downtown Living

VISION

Downtown Living will diversify housing types and create the conditions for a walkable mixed-use environment and allow Downtown to evolve into a vibrant hub of activity and opportunity. The Downtown Living Transformation Catalyst seeks to create an active Downtown that offers diverse housing options, which will enhance the overall vibrancy of Downtown. The increase of housing options benefits Downtown businesses and generates more frequent activation of public spaces. Retail often follows rooftops, suggesting that the addition of housing will make Downtown more viable for local retailers to open and operate. Overall, expanding housing types will create better conditions for a walkable mixed-use environment and allow Downtown to evolve into a vibrant hub of activity and opportunity.

COMMUNITY FEEDBACK RELATED TO DOWNTOWN LIVING

Participants expressed enthusiasm for high-quality, visually appealing development that complements and preserves Alvarado's existing character. There was a desire to introduce multifamily housing as a valuable addition to the Downtown. Many also favored mixed-use developments, particularly those with retail on the ground floor with residential units above. This type of development was seen as appropriate, especially in areas near the Downtown Square and gateway districts. Participants recognized the opportunity to incorporate Missing Middle Housing types, such as duplexes and fourplexes to serve as a transitional buffer between single family styles.



VISION: TRANSFORMATION CATALYSTS

Downtown Living

ALIGNMENT WITH THE MAIN STREET APPROACH

- Economic Vitality: Enhances the vibrancy and vitality of Downtown through appropriate density to support downtown business.
- Design: Includes high-quality and visually appealing housing development complementing and preserving Alvarado's existing character.
- Promotion: Promotes a vibrant Downtown complete with shopping, dining, and events all within a walkable aesthetically pleasing environment.
- Organization: Encourage collaboration among downtown stakeholders to allow for creation of Downtown living.

TRIPLE BOTTOM LINE BENEFITS

Downtown living can deliver strong benefits across people, economic and fiscal vitality, and nature. By activating upper-story space and reusing underutilized or vacant properties, Downtown can add residents without expanding outward, supporting efficient infrastructure use and reinforcing reinvestment within the existing footprint. New residents create a built-in, year-round customer base that can support longer business hours and stronger after-hours activity. This consistency strengthens local spending patterns, supports small business stability, and increases the attractiveness of Downtown to reinvestment partners.

Downtown housing also supports a more walkable pattern of daily life, improving access to services and amenities and potentially reducing reliance on longer vehicle trips for basic needs. When paired with high-quality public realm improvements, Downtown Living can improve comfort, safety, and neighborhood functionality while preserving surrounding historic character through context-sensitive transitions.

HIGHLIGHT: MISSING MIDDLE HOUSING

Missing Middle Housing is a term used to describe housing types that are in between a single-family home and a large apartment building. Historic neighborhood development often included a broader range of housing where structures like duplexes, triplexes, courtyard apartments, and townhouses would be interspersed with single-family residences. This provided for options for people and families to stay in the same neighborhood as they transitioned through different stages of life. As zoning in cities evolved to limit residential zones to a narrower range of product types, like a solely single family detached residential zone on a specific lot size, there has been a shortage of Missing Middle options.

Missing Middle Housing options can be a benefit to Downtowns as they can provide additional housing at neighborhood compatible scale and also provide for transitions between a range of uses. It can contribute to affordability and has the benefit of being an infill opportunity within the area.

VISION: TRANSFORMATION CATALYSTS

Placemaking + Storytelling

VISION

Turn space into place by strengthening identity, activating spaces, and bringing the community together through intentional placemaking and storytelling. The Placemaking + Storytelling Transformation Catalyst seeks to create places and spaces that are inviting, vibrant, and visually appealing. Together these strategies foster a brand identity that serves to promote Downtown as a destination worth residents' and visitors' time and attention.

COMMUNITY FEEDBACK RELATED TO PLACEMAKING + STORYTELLING

Participants in community engagement opportunities expressed a strong desire for a vibrant and visually appealing Downtown that reflects Alvarado's unique identity and charm. There was interest in creating a more dynamic environment with diverse activities, particularly during evenings and weekends. Suggestions included live music, outdoor markets, food trucks, and cultural events to bring the community together and enhance the Downtown experience. Residents emphasized the importance of preserving the character of Alvarado while encouraging businesses that reflect local values and culture. Public art, art galleries, and additional community events were also highlighted as key opportunities to strengthen Downtown's sense of place and storytelling.

ALIGNMENT WITH THE MAIN STREET APPROACH

- Economic Vitality: Support Downtown businesses through curb appeal and visual interest leading to increased foot traffic, dwell time, and repeated visitation.
- Design: Activate the public realm through aesthetic enhancement to the physical environment.
- Promotion: Demonstrate the unique history, character, and identity (through programming and events) Downtown to attract residents and visitors alike.
- Organization: Coordinate among business and organization and community groups to foster events and experiences in Downtown.

TRIPLE BOTTOM LINE BENEFITS

Placemaking and storytelling can increase community pride, strengthen identity, and support more frequent everyday use of Downtown by making it feel welcoming, comfortable, and memorable. Increased dwell time supports stronger business performance and higher levels of local spending, helping Downtown businesses remain viable and encouraging reinvestment. Strategic public realm improvements and programming can create more opportunities for repeat visits, stronger community connection, and a healthier mix of activity beyond major events.

In Downtown Alvarado, placemaking and storytelling interventions, paired with improved trail linkages and pedestrian comfort, can help increase foot traffic, support small business growth, and enhance how residents and visitors experience Downtown. These strategies can also support environmental outcomes when improvements incorporate trees, shade, green infrastructure, and connected open spaces that reinforce resilience and comfort.

VISION: TRANSFORMATION CATALYSTS

Downtown Civic Trail + Node System

VISION

The Downtown Civic Trail + Node System establishes a non-directional, people-centered network that physically and symbolically connects Downtown's civic, cultural, residential, and recreational destinations. Rather than functioning as a single linear trail, the system is designed as a looped and interconnected civic network with multiple entry points, no defined beginning or end, and flexible use throughout the day. This system reinforces Downtown as an everyday place—not just an event destination—by encouraging walking, lingering, discovery, and connection between key destinations. It also provides a unifying structure that ties together public investments, placemaking, mobility improvements, and Downtown identity.

NETWORK CONCEPT

The Downtown Civic Trail + Node System is intentionally non-directional and intuitive, allowing people to enter and exit the network at multiple locations depending on where they live, park, or arrive. The trail prioritizes comfort, safety, legibility, and visual continuity through consistent materials, lighting, landscaping, signage, and public art.

Rather than competing with vehicular movement, the system complements Downtown streets by emphasizing:

- Pedestrian comfort
- Clear crossings and connections
- Shaded routes and resting points
- Visual cues that reinforce Downtown identity

The system supports daily use (walking, casual recreation, errands) as well as event conditions, when increased pedestrian volumes require clear and safe circulation.

KEY CIVIC NODES

The Downtown Civic Trail connects a series of identifiable civic and cultural nodes that anchor Downtown activity and provide meaningful destinations along the network. These nodes function as places to pause, gather, reflect, and orient.

Key nodes include:

- **Library –** A civic anchor supporting learning, daily visits, and community programs
- **Northern Trailhead –** A recognizable gateway connecting neighborhoods into Downtown
- **Heritage Park –** A space for interpretation, history, and community identity
- **Downtown Square –** The central hub and crown jewel of Downtown activity
- **City Hall –** A visible and accessible center of civic life
- **Historic Cemetery –** A place for pause, reflection, shade, and interpretation
- **Pecan Orchard Park –** A flexible green space supporting recreation, events, and connection to Downtown West

Each node is envisioned to include seating, shade, lighting, wayfinding, and design features that reinforce its role within the broader Downtown system.

VISION: TRANSFORMATION CATALYSTS

Downtown Civic Trail + Node System

RELATIONSHIP TO DOWNTOWN CHARACTER GUIDE

The Civic Trail + Node System is tailored to respond to the six Downtown Character Areas, adjusting in scale, design, and intensity as it moves through different contexts. In residential subareas, the trail emphasizes neighborhood-scale comfort and greenery. In the Downtown Core and gateway areas, it reinforces walkability, visibility, and activity. This approach ensures the trail system feels cohesive while still respecting the unique identity and function of each subarea.

RELATIONSHIP TO DOWNTOWN MOBILITY GUIDE

The Civic Trail + Node System works in concert with the Downtown Mobility Guide by:

- Reinforcing pedestrian-priority streets near the Square
- Supporting shared-street and flexible event-day conditions
- Improving crossings at special consideration intersections
- Enhancing safety and comfort near at-grade railroad crossings

The trail network helps translate mobility improvements into a human-scale experience, making Downtown easier to navigate and more inviting to spend time in.

ROLE IN DOWNTOWN IDENTITY AND ACTIVATION

Beyond mobility, the Downtown Civic Trail + Node System functions as a placemaking and storytelling tool. Through public art, interpretive signage, materials, and landscape design, the system tells the story of Alvarado's history, culture, and civic life.

By connecting everyday destinations and reinforcing Downtown's structure, the trail system supports:

- Increased everyday foot traffic
- Stronger connections between parks, civic uses, and businesses
- Longer dwell times
- A Downtown that feels intentional, legible, and welcoming

VISION: DOWNTOWN CHARACTER GUIDE

Purpose Of the Downtown Character Guide

The Downtown Character Guide provides a nuanced approach to Downtown by allowing flexibility and recognizing that the Downtown Study has distinct character areas. Each of the six Downtown Subareas are comprised of differing land uses, zoning classifications, and building types which all interact to shape Downtown Alvarado. At the center of Downtown is the Downtown Core which is the historic commercial center with a central Square. Downtown East contains a mix of institutional, commercial, residential, and vacant properties. It acts as a natural entry to Downtown off US 67. Downtown Inner South is a transition from Downtown Core and has a mix of institutional, commercial, and residential uses. Downtown West is primarily residential though it is partially zoned commercial. This subarea also contains Pecan Orchard and Balch Cemetery. Both Downtown North and Downtown South are primarily detached single family homes. The division of Downtown into six character areas allows for both preservation and enhancement of Alvarado's unique identity. The Downtown Character Guide was informed by the community throughout the engagement process.

Designing by character and context allows redevelopment, new development, and public improvements to respond to differences within areas of Downtown, while still contributing to a unified Downtown experience. The Study plans for growth that feels intentional, authentic, and rooted in Alvarado's values rather than imposed or out of scale.

Downtown Character Guide + Downtown Mobility Guide Integration

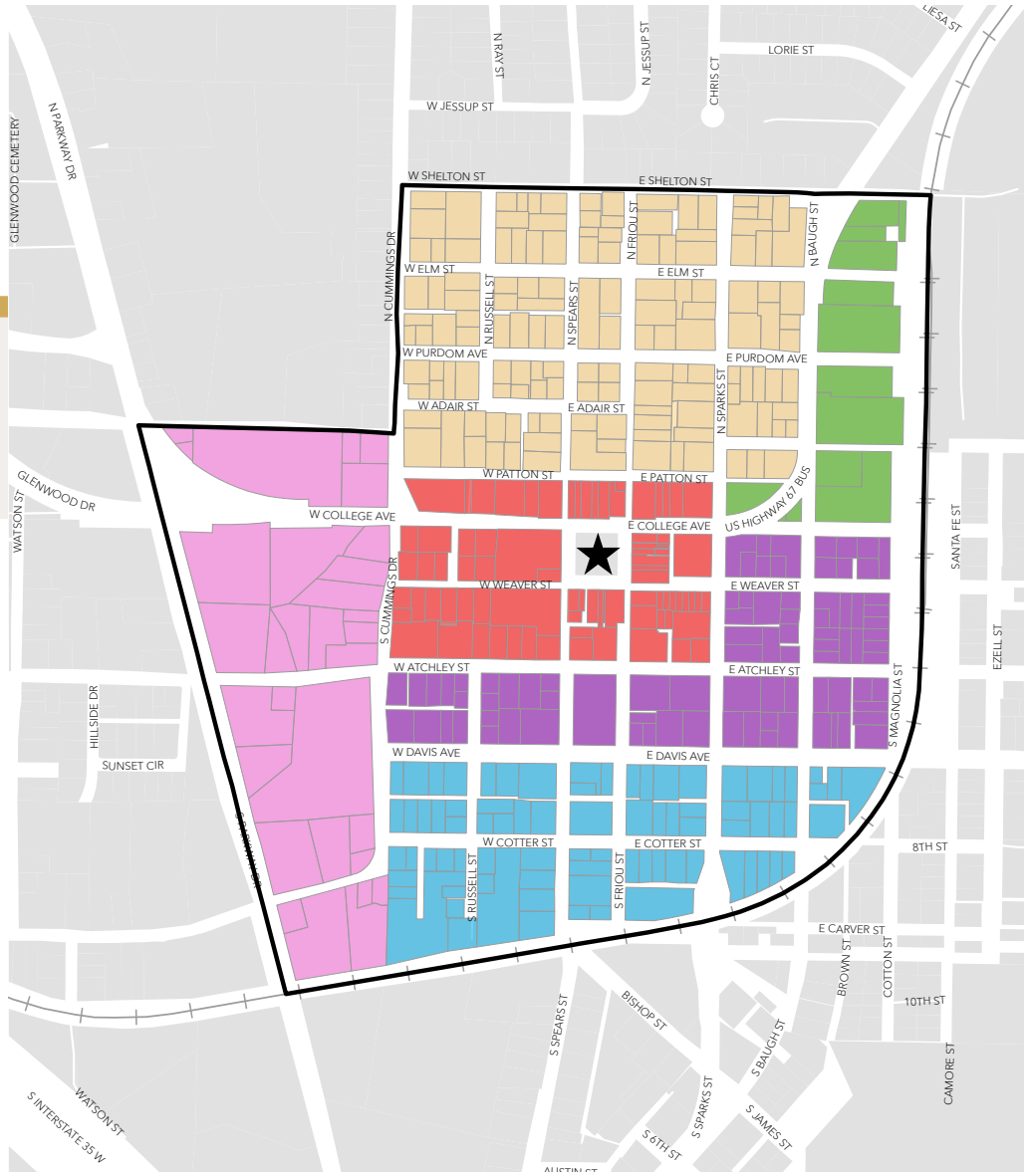
The Downtown Character Guide and the Downtown Mobility Guide are designed to work together as the Downtown Character Guide establishes the desired identity and scale for each subarea, and the Downtown Mobility Guide defines how streets and intersections will support those places.

SIX DISTINCT CHARACTER AREAS GUIDE SCALE, LAND USE, AND DESIGN—WHILE WORKING TOGETHER AS ONE COHESIVE DOWNTOWN.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN CHARACTER GUIDE MAP



Source: City of Alvarado and LJA, August 2025

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN NORTH

General Description + Location

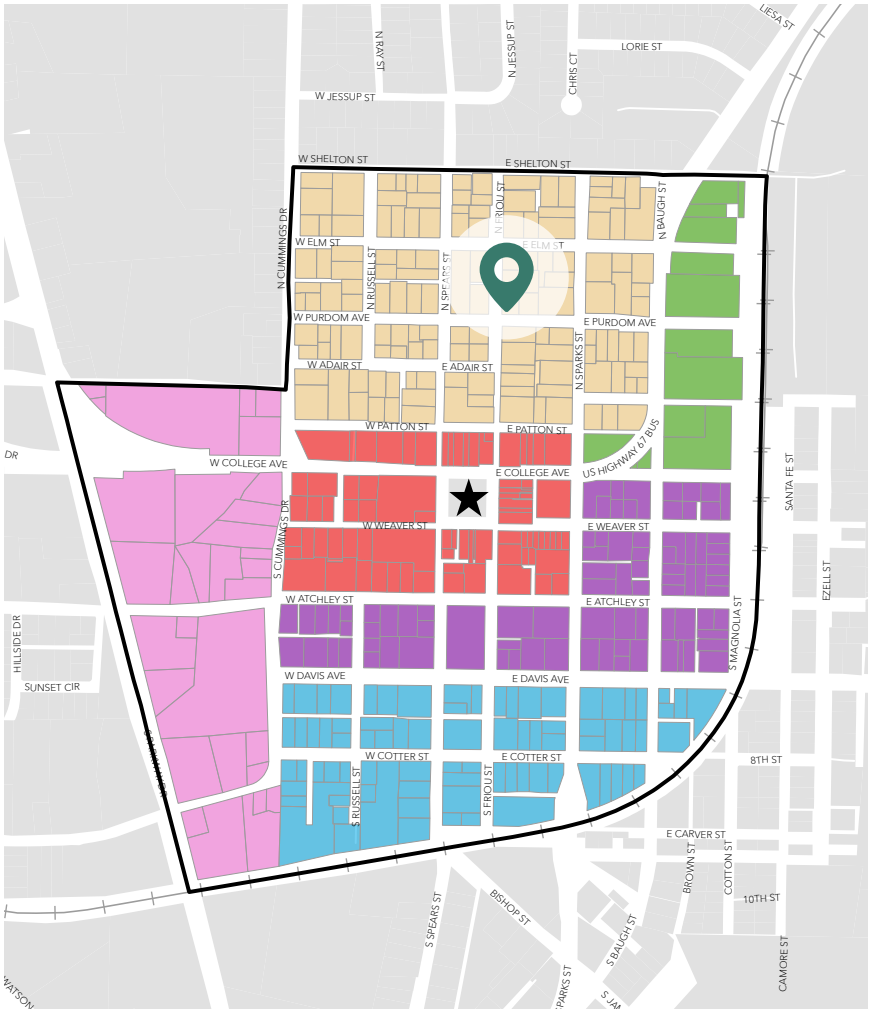
The subarea shown in yellow features primarily single-family homes. It acts as a traditional historic neighborhood adjacent to Downtown with quaint homes and lots. The subarea is generally bounded by Shelton Street, North Baugh Street, Patton Street/ Avenue, and North Cummings Drive.

Design Principles

- **Block Face:** Detached
- **Maximum Height:** Two Stories
- **Character:** Residential Feel
- **Architecture**: Farmhouse Chic and Historic Texas

Role In Downtown

The Downtown North subarea will be a reminder of original "Old Alvarado" and will retain the residential feel with residential housing types that emphasize historic features like porches and columns, and are a maximum of two stories.



VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN NORTH

Future Character Traits

- **Distinct:** Wayfinding and signage that highlights the area's historic character
- **Neighborly:** A "front porch" neighborhood where neighbors gather and a sense of community thrives
- **Quaint:** Charming walkability with a mix of historic homes, mature trees, and opportunity for small scale redevelopment
- **Heritage Trail:** An eight-foot-wide trail, with pedestrian-scale lighting, from Triangle Trailhead to Heritage Park along Elm and Spears
- **Historic Structures:** Well-preserved historic structures from Alvarado's past

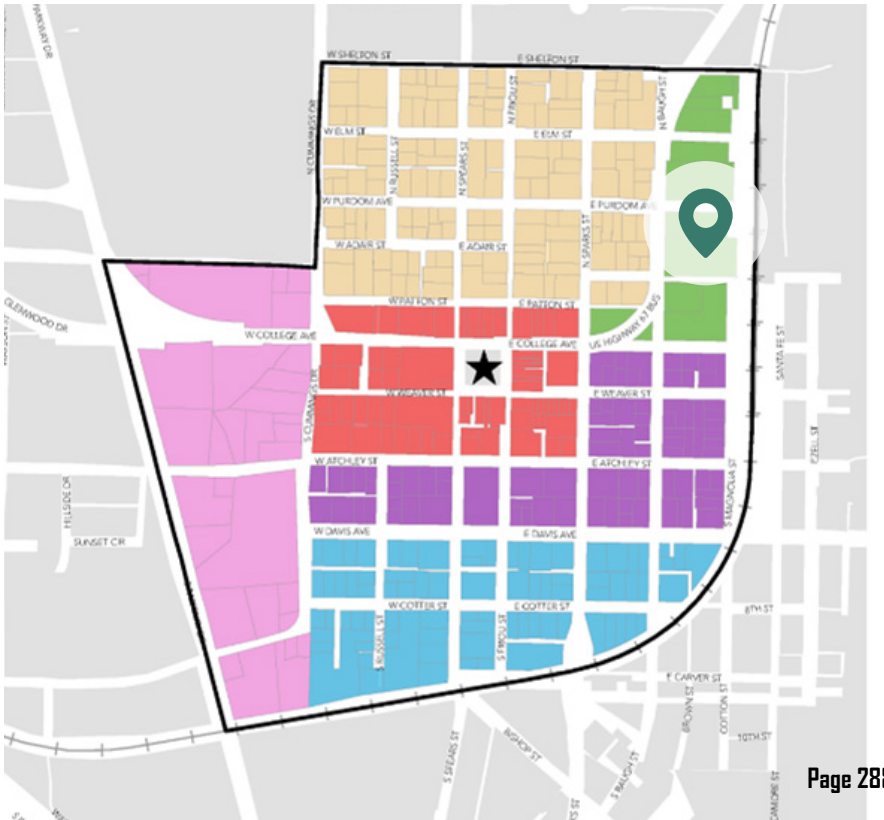
VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN EAST

General Description + Location

The subarea shown in green features a mix of civic, institutional, and commercial uses. Notably it contains the Alvarado Public Library and a Johnson County Courthouse. It is generally bounded by East Shelton Street, North Baugh Street, East College Street, and the railroad. Businesses are spread out on larger parcels and the City has additional undeveloped areas adjacent to roads and the railroad.



Design Principles

- **Block Face:** Detached
- **Maximum Height:** Three Stories
- **Character:** Gateway
- **Architecture:** Farmhouse Chic and Historic Texas

Role In Downtown

This area will serve as a civic and community anchor to Downtown. Enhancements in landscaping, lighting, and signage will present an inviting entry into the Downtown Core. This subarea has opportunities for new commercial and mixed-use development as there is undeveloped land and Baugh Street is a primary way to enter and move through Downtown. Streetscape improvements will enhance the visual appeal and provide a welcoming entrance.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN EAST

Future Character Traits

- **Community And Civic Anchor:** An anchor for civic services through public buildings and spaces
- **Gateway:** A welcoming entrance with landscaping and signature signage that makes an impression
- **Mixed-Use Momentum:** New commercial and mixed-use buildings that support walkability and complement existing civic uses
- **Purposeful Transition:** Intentional shift in character from auto-oriented to gateway to Downtown as residents and visitors enter from US 67

A WELCOMING CIVIC GATEWAY THAT INTRODUCES DOWNTOWN ALVARADO AND SUPPORTS WALKABLE, MIXED-USE GROWTH.

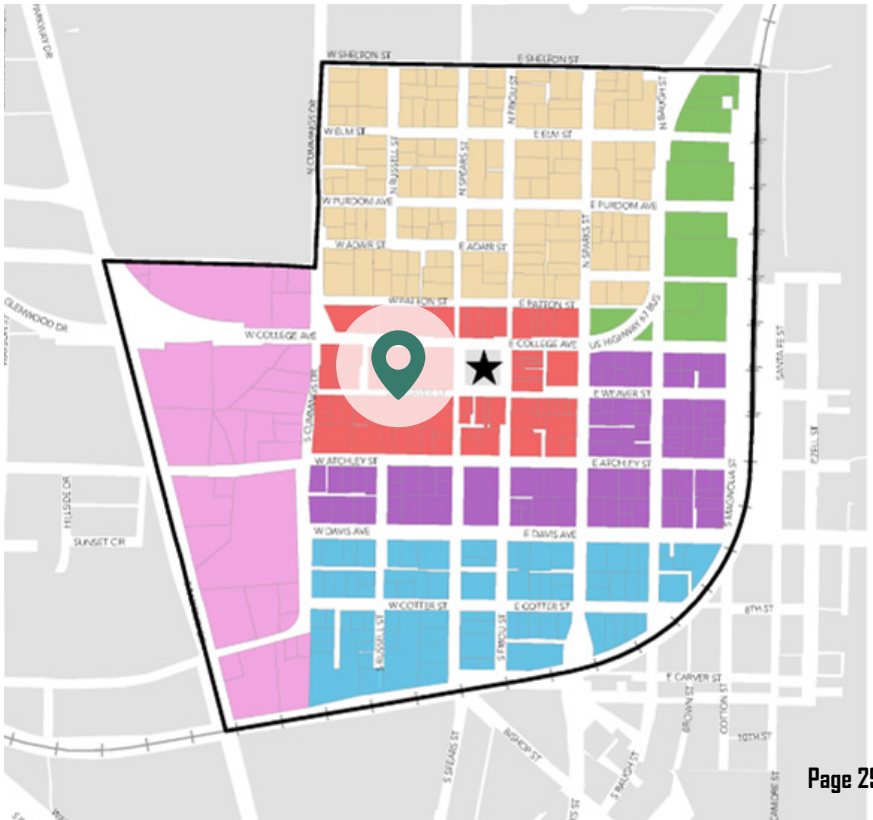
VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN CORE

General Description + Location

The subarea shown in red is in the heart of the historic Downtown of Alvarado, focused on the blocks bordering around the traditional Square. This subarea contains primarily commercial, civic and institutional land uses, and some single family. This subarea is generally bounded by Patton Street, Sparks Street, Atchley Street, and Cummings Drive. Notably the City of Alvarado recently unveiled the first public mural in Downtown, titled "Echoes of Alvarado," representing creativity, community, and pride in Alvarado. "Echoes of Alvarado" shows commitment to the beautification of Downtown.



Design Principles

- **Block Face:** Continuous
- **Maximum Height:** Three Stories
- **Character:** Heart Of The City
- **Architecture**: Historic Texas

Role In Downtown

The Downtown Core will be Alvarado's most vibrant, authentic, and active place, with a revitalized Square, thriving storefronts, and public spaces for gathering and events. The Core will be walkable and encourage interaction through outdoor dining, access to ground floor retail, public spaces, and event programming. Upper floors will provide a mix of uses to further support vibrancy with offices, studios, and residences. Travel through the area will be enjoyable for all modes of transportation, with an emphasis on safe streets, expanded sidewalks, landscaping that adds interest and shade, and signage and lighting.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN CORE

- **Redesigned Square:** Restored Downtown Square with active storefronts, dining, and retail boutiques that drive foot traffic. Include native plants, areas for daily use and events, and regular activation with evening and weekend activity.
- **Inviting Ambiance:** Public art, string lights, and open space intersecting with a vibrant sense of place emerging from Downtown streets
- **Historic Texas Character:** Authentically Alvarado, rooted in Historic Texas architecture
- **Enhanced Streetscape:** On-street parking around the Square allowing for ease of access to Downtown shops and buffering pedestrian space

THE HEART OF DOWNTOWN ALVARADO, ACTIVE, WALKABLE, AND ROOTED IN HISTORIC CHARACTER.

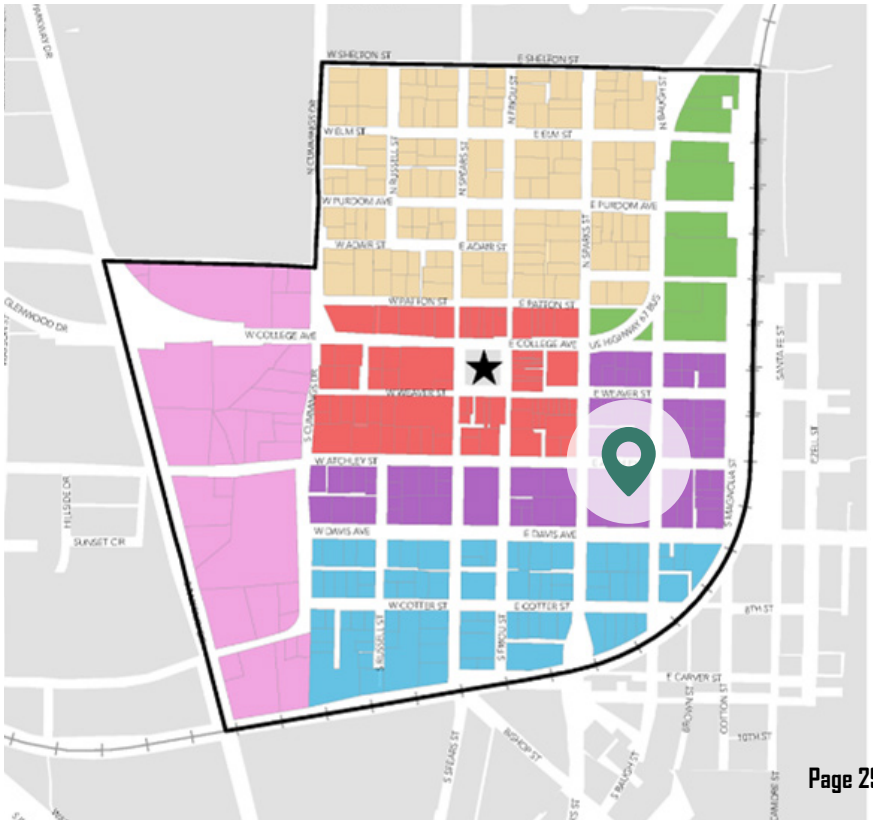
VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN INNER SOUTH

General Description + Location

The subarea shown in purple surrounds the Downtown Core on two sides. This subarea is generally bounded by South Cummings Drive, Atchley Street, South Magnolia Street, and Davis Avenue. It serves as a transitional area between the Core and residential area to the south. It includes a mix of businesses, churches, and historic homes.



Design Principles

- **Block Face:** Mixed
- **Maximum Height:** Two Stories
- **Character:** Charming + Walkable
- **Architecture:** Farmhouse Chic and Historic Texas

Role In Downtown

This area will provide a mix of housing, retail, and restaurant options in a walkable, small-scale environment that supports the vitality of the Downtown Core. The area can include business and residential uses side-by-side as the scale and design supports historic charm and where the vibrancy of Downtown transitions to a neighborhood-scale.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN INNER SOUTH

Future Character Traits

- **Neighborhood-Scale Commercial:** Neighborhood-scale shops and dining serving both residents and visitors, while enhancing the vibrancy of Downtown
- **Main Street Feel:** Orientation and interface with the street with two story buildings, pedestrian friendly design, and active street frontages that reinforce a traditional Main Street experience
- **Housing Options:** Missing Middle housing types providing various living options within walking distance of shops, services, and downtown amenities

A CHARMING, WALKABLE TRANSITION WHERE DOWNTOWN ENERGY MEETS NEIGHBORHOOD CHARACTER.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

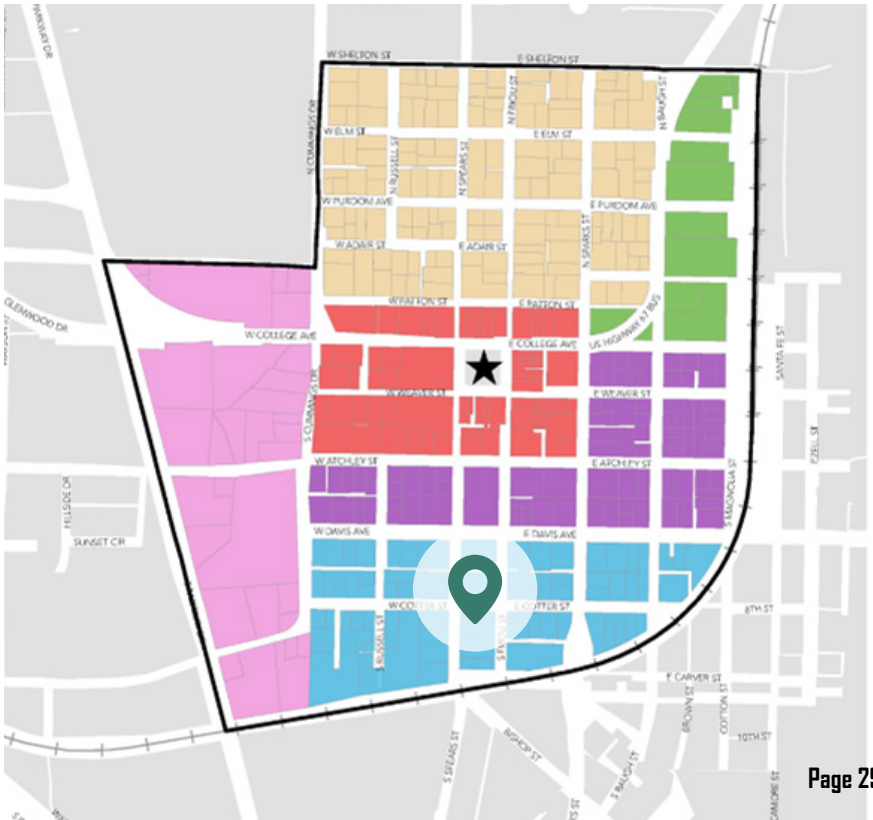
DOWNTOWN SOUTH

General Description + Location

The subarea shown in blue contains primarily single-family residential neighborhoods, features many mature trees, and includes George Washington Carver Park. This subarea is generally bound by South Cummings Drive and Davis Avenue, with the railroad acting as the eastern and southern boundary.

Design Principles

- **Block Face:** Detached
- **Maximum Height:** Two Stories
- **Character:** Residential Feel
- **Architecture:** Farmhouse Chic and Historic Texas



Role In Downtown

The Downtown South subarea will retain the residential feel with single family homes and a maximum of two stories. An improved streetscape along Cotter Street will provide enhanced access, connectivity, and safety to George Washington Carver Park. The area will be celebrated for its well-preserved and charming homes.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN SOUTH

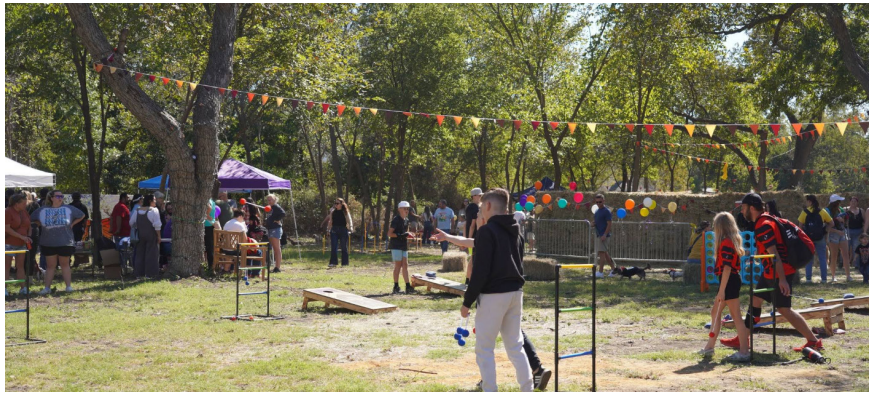
Future Character Traits

- **Enhanced Curb Appeal:** Committed to growth, maintenance, and life cycle of the neighborhood through maintenance, yard care, and neighborhood aesthetics
- **Community Park Anchor:** Foster the legacy of learning and innovation of George Washington Carver through the addition of a community garden at George Washington Carver Park to anchor the subarea
- **Green Streets:** Green streetscaping in this subarea should enhance and preserve the existing greenery in the subarea

A GREEN, RESIDENTIAL NEIGHBORHOOD ANCHORED BY PARKS, TREES, AND COMMUNITY LIFE.

VISION: DOWNTOWN CHARACTER GUIDE

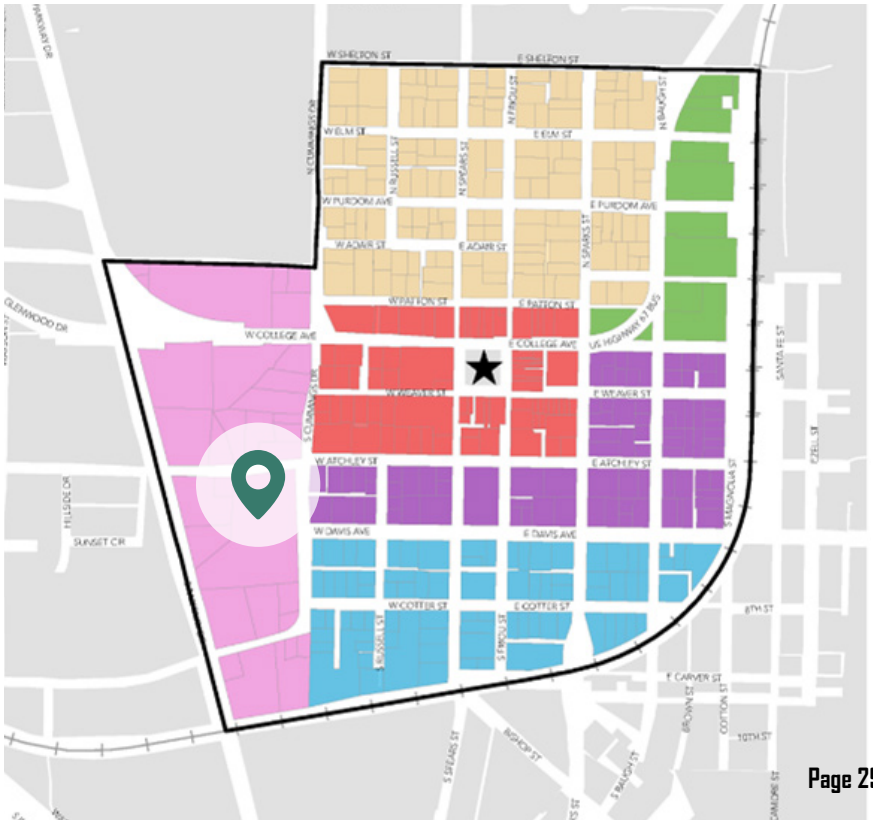
Downtown Character Areas



DOWNTOWN WEST

General Description + Location

The subarea shown in pink features a mix of commercial, undeveloped, vacant, or single-family land uses. This subarea is generally bounded by Parkway Drive, Patton Avenue, Cummings Drive, and the railroad as the southern boundary. There are large lots, many existing trees, and the historic Balch Cemetery.



Design Principles

- **Block Face:** Detached
- **Maximum Height:** Four Stories
- **Character:** Mixed-Use Gateway
- **Architecture**: Farmhouse Chic and Historic Texas

Role In Downtown

Downtown West will be a mixed-use gateway into Downtown, blending new housing and commercial activity with trail and street enhancements that connect to nearby parks and the Core. It will be a distinct and vibrant area that will lead into the Core and complement it with new developments with historically compatible architecture and support of the Downtown as a place for entertainment and gathering.

VISION: DOWNTOWN CHARACTER GUIDE

Downtown Character Areas

DOWNTOWN WEST

Future Character Traits

- **Community Gathering:** Emphasize Pecan Orchard and green space as flexible outdoor venues for community events, recreation, and nature
- **Pathways:** Connections linking Parkway Park, Pecan Orchard to the Downtown Core, and adjacent subareas
- **Housing Options:** Missing Middle and mixed-use up to four stories
- **Connected Gateway**: Strengthened identity through signage, wayfinding, branding, connection

A CONNECTED, MIXED-USE GATEWAY THAT LINKS PARKS, NEIGHBORHOODS, AND DOWNTOWN LIFE.

VISION: DOWNTOWN MOBILITY GUIDE

Purpose of The Downtown Mobility Guide

The Downtown Mobility Guide outlines a vision for how people and cars move through Downtown Alvarado with an emphasis on safety, connectivity, and sense of place. The framework is made up of three different street types. The Downtown Mobility Guide establishes a clear, context-sensitive approach to street design where streets are designed based on their function, surrounding land uses, and desired level of activity.

This approach recognizes that Downtown streets serve different purposes, from supporting a vibrant Downtown Square to transitioning to more tranquil neighborhood connectors. Each street type is tailored to support different levels of activity, land use, and needs across the Downtown Subareas. In addition, the framework identifies Special Consideration Intersections and At-Grade Railroad Crossings as key opportunities for targeted enhancements. When combined together, the Downtown Mobility Guide steers Downtown Alvarado into a more connected, safe, and people-centered place.

A PEOPLE-FIRST STREET FRAMEWORK THAT PRIORITIZES SAFETY, CONNECTIVITY, AND PLACE.

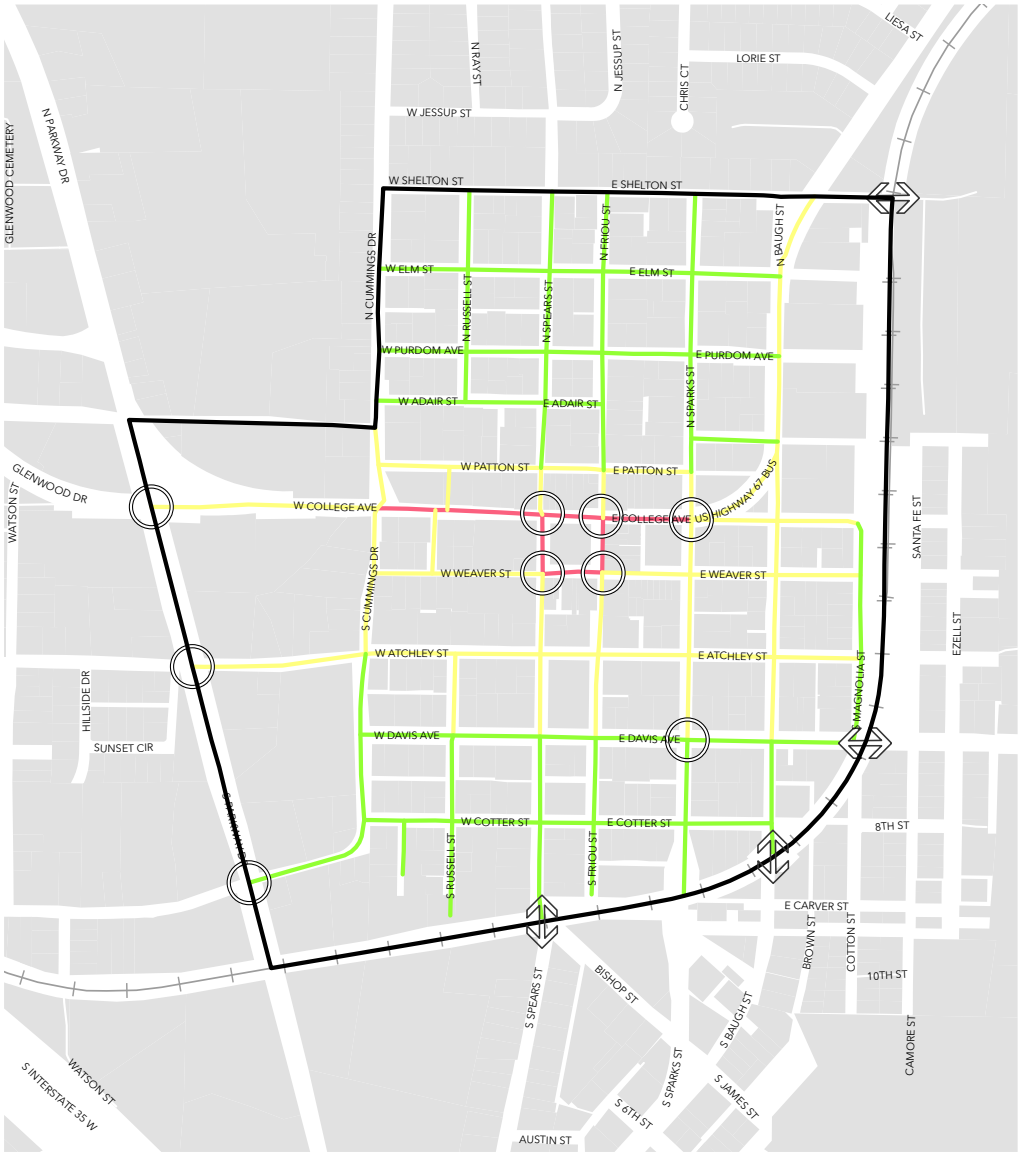
Downtown Mobility Guide + Downtown Character Guide Integration

The Downtown Mobility Guide is integrated with the Downtown Character Guide to ensure that mobility is not treated as just a transportation function but as a placemaking tool that shapes how people move through Downtown with comfort and safety.

VISION: DOWNTOWN MOBILITY GUIDE

Downtown Mobility Guide

- Downtown
- Special Consideration Intersections
- Type A
- Type B
- Type C
- Railroad Crossings



VISION: DOWNTOWN MOBILITY GUIDE

Downtown Street Functional Classifications

STREET TYPE A (PEDESTRIAN ORIENTED STREETS)

General Description + Location

Type A streets, shown in red, are located around the Downtown Square and along College Street from Cummings to Sparks, within the Downtown Core Subarea. These streets are the most pedestrian-focused, with continuous block face and strong Main Street characteristics. They prioritize people and place over vehicles through active frontages, wide sidewalks, landscaping, and amenities.

Role In Downtown

Type A streets will serve as the signature corridors of Downtown Alvarado. They will showcase the historic character of the Square while fostering vibrancy through walkable design, activated storefronts, outdoor dining, and programming.

Future Street Traits

- Features like wide sidewalks, shade trees, seating, decorative lighting, street furniture, and planters
- Public art along corridors and visible from the streets
- Continuous storefronts with active ground floors
- On-street parking that buffers pedestrian space
- Enhanced crosswalks and traffic calming to ensure safety

TYPE A

VISION: DOWNTOWN MOBILITY GUIDE

Downtown Street Functional Classifications

STREET TYPE B (MIXED TRAFFIC WITH ENHANCED STREETSCAPES)

General Description + Location

Type B streets, shown in yellow, are located in the Downtown East, Core, Inner South, and West subareas. These are connection focused streets with a mix of continuous and detached block faces. They balance vehicular circulation with pedestrian access. This street type brings flexibility for different land uses while still contributing to the Downtown experience.

Role In Downtown

Type B streets will provide connectivity to and through Downtown. They will move vehicles and people between districts while also serving as secondary destinations with a mix of uses, attractive streetscapes, and safe multimodal infrastructure.

Future Street Traits

- Sidewalks on both sides of the street with street trees at regular intervals
- Variable setbacks for buildings accommodating building configurations
- Improved intersections, crosswalks, and pedestrian signals
- Wayfinding between districts, destinations, and neighborhoods

TYPE B

VISION: DOWNTOWN MOBILITY GUIDE

Downtown Street Functional Classifications

STREET TYPE C (NEIGHBORHOOD CONNECTORS)

General Description + Location

Type C streets shown in green are located primarily in the Downtown North and South subareas. These are neighborhood focused streets with detached block face. They serve primarily residential areas but remain important connectors to the Core. This street type sees less activity and lower traffic volumes than other street types.

Role In Downtown

Type C streets will maintain a calm, residential feel yet reinforce connections to Downtown. They will emphasize safety, walkability, and comfort for residents.

Future Street Traits

- Traffic calming, reduced speeds, narrowed lanes, and curb extensions
- Neighborhood scale street lighting to enhance comfort and visibility
- Sidewalks with planting strips and landscaped buffers between street and homes
- Street trees and landscaping to support green neighborhoods and provide shaded pedestrian paths

TYPE C

VISION: DOWNTOWN MOBILITY GUIDE

Downtown Street Functional Classifications

AT-GRADE RAILROAD CROSSING INTERSECTIONS

General Description + Location

An at-grade crossing occurs where a roadway intersects a railroad track at the same elevation, as opposed to a grade-separated crossing such as a bridge or tunnel. These crossings are typically equipped with passive and active warning devices to alert motorists and pedestrians of approaching trains. Within the Downtown area, three at-grade crossings are located in the Downtown South subarea and one is located in the Downtown East subarea along the BNSF Railroad, which forms the eastern and southern boundary of Downtown.

Role In Downtown

Railroad crossings will be designed as safe, multimodal gateways that improve mobility while enhancing Downtown's identity.

Future Intersection Traits

Consistent with Texas Department of Transportation (TxDOT) design guidance and Federal Railroad Administration (FRA) safety principles, future improvements should prioritize safety, visibility, and operational efficiency for all users. Some future intersection traits are listed below.

Active Warning Devices

Active warning devices provide real-time alerts that activate when a train is approaching and can include:

- Automatic crossing gates (full or half gates)
- Flashing light signals
- Audible warning devices (bells or horns at crossings)
- Pedestrian swing gates or active pedestrian signals
- Illuminated message signs

Passive Warning Devices

Passive warning devices are static and do not change based on train activity. They rely on user awareness and compliance and can include:

- Advance warning signs
- Pavement markings (RXR symbols and stop bars)
- STOP or YIELD signs at crossings
- Raised medians or channelization islands
- Textured or contrasting pavement treatments
- Reflective signage and striping

VISION: DOWNTOWN MOBILITY GUIDE

Downtown Street Functional Classifications

SPECIAL CONSIDERATION INTERSECTIONS

General Description + Location

Special consideration intersections have been identified at locations where targeted enhancements are necessary to improve safety, traffic flow, and visual character. These intersections are typically situated at major gateway locations or areas with a history of vehicular conflicts. Several of these intersections occur at high-risk locations along major entry points into Downtown, where increased traffic intersects with pedestrian activity. Common issues include limited visibility, pedestrian safety concerns, and congestion. Together, these improvements are intended to enhance safety for all users while reinforcing Downtown's identity and sense of place.

Role In Downtown

Their future role in Downtown will be to increase safety, traffic flow, and mobility for vehicular and pedestrian movement alike.

Future Intersection Traits

- High visibility crossings with striping
- Enhanced crosswalk treatments with flashing pedestrian signals
- Curb extensions to shorten crossing distances
- Improved signage and pavement markings
- Context-sensitive design elements

STOP

IMPLEMENTATION: DOWNTOWN STUDY

Goal: Transform Downtown Alvarado into a welcoming, walkable, and active town center that supports everyday life, local businesses, and civic pride while honoring the city's historic character.

STRATEGY: IMPLEMENT DOWNTOWN REVITALIZATION USING THE MAIN STREET FOUR-POINT APPROACH

This strategy establishes the organizational and programmatic foundation required to carry out the Downtown Vision and Transformation Catalysts in a coordinated and sustained manner.

Policies + Ongoing Practices

- Commit to the Main Street Four-Point Approach (Organization, Promotion, Design, Economic Vitality) as the guiding framework for Downtown revitalization.
- Maintain ongoing coordination with the Texas Main Street Program (TMSP) and the Texas Historical Commission.
- Treat Downtown revitalization as an ongoing City priority rather than a one-time initiative.
- Regularly maintain and update Downtown data, including property inventories, business directories, and historic resources.

Actions

- Attend a Texas First Street Initiative (TMSP) virtual information session.
- Conduct a Texas First Street informational session with City leadership to confirm eligibility, expectations, and capacity requirements.
- Register for the Texas First Street Initiative with the required signature from the City Manager.
- Complete required Texas Main Street due-diligence materials, including:
  - Downtown boundary confirmation
  - Property and business inventory
  - Historic resource summary
- Establish a Downtown tracking system that is updated annually and includes:
  - Vacant and occupied storefronts
  - Public and private reinvestment activity
  - Downtown events and programming
- Prepare required annual reports if Main Street designation is achieved.
- Apply for and achieve designation as a certified Texas Main Street community.

IMPLEMENTATION: DOWNTOWN STUDY

STRATEGY (DOWNTOWN SQUARE REDESIGN): TRANSFORM THE DOWNTOWN SQUARE INTO A FLEXIBLE, EVERYDAY CIVIC SPACE AND ECONOMIC ANCHOR

The Downtown Square Redesign focuses on reimagining the Square as a comfortable, adaptable, and active public space that supports daily use, special events, and surrounding reinvestment.

Policies + Ongoing Practices

- Treat the Downtown Square as essential civic infrastructure rather than a single-purpose event space.
- Ensure Square improvements reflect Alvarado's Historic Texas character and community identity.
- Encourage public–private partnerships to support reinvestment, programming, and long-term maintenance.
- Coordinate Square redesign efforts with adjacent property owners and businesses to encourage complementary private reinvestment.
- Design Square improvements to function during both everyday conditions and large events.

Actions

- Prepare a Downtown Square Park Master Plan that establishes:
  - Finalized layout and design direction
  - Daily-use amenities (shade, seating, circulation)
  - Event functionality requirements
  - Phasing strategy and cost estimates
- Prepare 30%, 60%, and 90% schematic drawings for the Downtown Square Park Master Plan.
- Prepare Construction Drawings for the Downtown Square Park Master Plan.
- Develop a coordinated construction phasing plan to minimize disruption to Downtown businesses.
- Submit a grant to the Texas Parks and Wildlife Department (TPWD) for potential funding for the Downtown Square Park construction.
- Complete construction of Downtown Square Park improvements as designed in the Downtown Square Park Master Plan.
- Establish an ongoing programming strategy for the Downtown Square to support daily activity and economic vitality.

IMPLEMENTATION: DOWNTOWN STUDY

STRATEGY (DOWNTOWN LIVING): EXPAND DOWNTOWN HOUSING TO SUPPORT A RESIDENT-SERVING, WALKABLE DOWNTOWN.

Downtown Living focuses on adding residents within walking distance of the Square to support local businesses, increase everyday activity, and strengthen Downtown as a place to live as well as visit.

Policies + Ongoing Practices

- Encourage a mix of housing types and densities appropriate to Downtown context.
- Promote neighborhood-serving retail, services, and amenities that support daily life.
- Support compatible infill, adaptive reuse, and redevelopment that integrates residential uses with commercial and civic assets.
- Ensure new residential development contributes positively to the public realm.
- Encourage mixed-use development near the Downtown Square and along key Downtown corridors.
- Allow a broad range of form-based, residential uses in a new Downtown Code.

Actions

- Identify and map opportunity sites for residential infill, adaptive reuse, or redevelopment, including underutilized and vacant properties.
- In a new Downtown Code, allow Missing Middle housing and mixed-use buildings in appropriate locations.
- Improve neighborhood-serving amenities such as sidewalks, lighting, open space, and access to daily services.
- Buy a property for development of multi-story mixed-use, townhomes, or multi-family Downtown.

STRATEGY (PLACEMAKING + STORYTELLING): REINFORCE DOWNTOWN IDENTITY THROUGH ACTIVATION, ART, AND PROGRAMMING.

Placemaking + Storytelling strengthens Downtown's identity by transforming spaces into meaningful places through intentional design, programming, and narrative.

Policies + Ongoing Practices

- Celebrate Downtown Alvarado's history, culture, and sense of place through public art, interpretation, and design.
- Coordinate placemaking initiatives with capital projects, private development, and Downtown programming.
- Treat activation and storytelling as ongoing practices rather than one-time installations.

IMPLEMENTATION: DOWNTOWN STUDY

Actions

- Establish a Downtown Brand + Visual Identity, and ensure the Downtown brand is distinct but aligned with an updated City brand.
  - Develop and adopt an official Downtown Alvarado brand, including:
    - Downtown-specific logo or wordmark
    - Color palette and typography
    - Graphic motifs inspired by Historic Texas character
  - Apply the Downtown brand consistently across:
    - Signage
    - Wayfinding
    - Street furnishings
    - Event materials
    - Digital platforms

- Install Historic Downtown Sign Toppers + Gateways coordinated with the Downtown Character Guide to reinforce authenticity and provide a sense of place.
  - Design and fabricate historic Downtown sign toppers for key entry corridors and intersections.
  - Install gateway signage at primary Downtown entry points, such as:
  - Parkway Drive
  - College Street
  - Key approaches to the Square
  - Use signage to clearly communicate:
    - Arrival into Downtown
    - Direction to the Square, Civic Trail, parks, and key destinations

- Create a Downtown wayfinding system that includes:
  - Pedestrian-scale directional signs
  - Map kiosks at key civic nodes
  - Interpretive signage highlighting Downtown history and landmarks
  - Storytelling elements such as historic photos, short narratives about Alvarado's past, and cultural and civic milestones

- Align wayfinding with the Downtown Civic Trail + Node System to reinforce movement and discovery.

- Identify a short list of priority mural and public art locations within the Downtown Core and along key corridors.

- Establish a streamlined approval and funding process for murals and temporary installations.
  - Ensure public art reflects Alvarado's history, agricultural and civic heritage, or community stories and identity

- Identify underutilized Downtown spaces suitable for everyday activation, such as:
  - Sidewalk extensions
  - Pocket plazas
  - Vacant storefront windows

- Implement low-cost, high-impact activations, including:
  - Temporary seating and shade
  - String lighting and festoon lights
  - Seasonal décor tied to Downtown branding
  - Pilot small-scale programming (music, pop-ups, markets) on non-event weekends to build consistent activity.

IMPLEMENTATION: DOWNTOWN STUDY

- Launch Downtown Alvarado digital hubs on a standalone website and a Facebook page.
  - Include a business directory, events calendar, maps and parking information, and stories highlighting Downtown businesses and history.
- Coordinate Downtown social media content across City, EDC, and Chamber channels.
- Track and reinforce placemaking outcomes by annually documenting:
  - New placemaking installations
  - Public art additions
  - Downtown branding deployments
  - Use before-and-after imagery to communicate progress to residents and stakeholders.

STRATEGY (DOWNTOWN CIVIC TRAIL + NODE SYSTEM): CREATE A CONNECTED, NON-DIRECTIONAL CIVIC NETWORK LINKING DOWNTOWN'S KEY PLACES.

The Downtown Civic Trail + Node System establishes a walkable network that connects Downtown's civic, cultural, residential, and recreational destinations, reinforcing Downtown as an everyday place.

Policies + Ongoing Practices

- Treat the Civic Trail + Node System as core civic infrastructure.
- Prioritize pedestrian comfort, safety, shade, lighting, and legibility along all trail segments.
- Coordinate trail improvements with streetscape, utility, drainage, and park investments.
- Reinforce Downtown identity through consistent materials, signage, and landscape design.

Actions

- Map and formally adopt the Downtown Civic Trail + Node System, identifying:
  - Primary and secondary trail segments
  - Key civic nodes
  - Priority improvement areas
- Develop Downtown-specific trail design guidance addressing:
  - Sidewalk widths and materials
  - Pedestrian-scale lighting
  - Shade trees and seating
  - Wayfinding and interpretive signage
- Prioritize near-term improvements that connect:
  - Neighborhoods to the Downtown Square
  - Parks and civic buildings to Downtown
- Integrate Civic Trail projects into the Capital Improvements Program (CIP).
- Incorporate interpretation and storytelling elements at key nodes and along routes.

IMPLEMENTATION: DOWNTOWN STUDY

STRATEGY (DOWNTOWN CHARACTER GUIDE + DOWNTOWN MOBILITY GUIDE): IMPLEMENT CONTEXT-SENSITIVE DESIGN AND MOBILITY IMPROVEMENTS THAT REINFORCE DOWNTOWN CHARACTER

This strategy ensures that land use, building form, streets, and mobility function together to support Downtown's character, walkability, and safety.

Policies + Ongoing Practices

- Apply Downtown Character Area guidance to all public and private investments.
- Use street design as a placemaking tool rather than solely a transportation function.
- Coordinate transportation, utility, drainage, and streetscape projects.
- Prioritize pedestrian safety and comfort across all Downtown subareas.

Actions

- Survey all right-of-way within the Downtown Core, including the Downtown Square.
- Adopt Downtown Street Types A, B, and C into City design standards and guidelines.
- Create a Downtown-specific Capital Improvements Plan (CIP).
- Redesign and install all Type A Streets (including associated paths, lighting, and trees) near the Downtown Square.
- Conduct an ADA Assessment for Downtown.
- Conduct engineering and design studies on all Special Consideration Intersections and at-grade railroad crossings with safety and placemaking features.
- Coordinate with TxDOT to evaluate modifications to the US 67 Business Route to reduce heavy truck traffic through Downtown.
- Create and adopt a Downtown Code that deregulates desired development and modernizes design standards.

7. ADDITIONAL STUDY: PARKS AND RECREATION

INTRODUCTION

Alvarado's Parks and Recreation System is at a pivotal point as the city grows and expectations for everyday public spaces increase. Community feedback shows strong demand for more parks and amenities, more trails and safe connections, more trees and beautification, and more places to gather that feel welcoming and easy to use. At the same time, existing conditions reveal clear gaps: many residents live too far from a park to visit regularly, the trail network is limited and disconnect ed, opportunities for quiet reflection are minimal, and Lake Alvarado, one of the Planning Area's most significant assets, remains difficult to find, access, and comfortably enjoy. Together, these conditions highlight the need to treat parks and recreation as healthy infrastructure—essential public systems that support physical health, mental well-being, environmental comfort, and community life.

This Parks and Recreation Study provides a practical roadmap for addressing those needs by documenting existing conditions, incorporating community input, and applying proven planning and placemaking best practices. The Study is organized around four complementary components (Play + Reflect, Trails + Connectivity, Nature + Trees, and Gather + Celebrate) to balance active recreation with restoration, mobility, environmental comfort, and community gathering. It also establishes a clear, phased implementation approach focused on making parks and public spaces easier to find, easier to access, and more inviting to use, helping the City coordinate improvements with roadway projects and development, pursue state and regional funding, and deliver visible progress over time.

A COMPREHENSIVE APPROACH TO STRENGTHENING PARKS, MOBILITY, AND PUBLIC SPACES TO SUPPORT HEALTH, ACCESS, AND COMMUNITY CONNECTION AS ALVARADO GROWS.

COMMUNITY FEEDBACK

Key Themes from Community Feedback

More amenities and play spaces are desired

Community members repeatedly express a desire for more recreation spaces in Alvarado. Comments highlight needed improvements to existing spaces, while also emphasizing the need for new places given the presence of only two fully amenitized parks in the city. There is also consensus for a new community/ recreation center in the city, with both outdoor and indoor features to accommodate recreation interests of seniors, adults, and children.

Desire for more Beautification and Landscaping

Many residents value Alvarado's community feel, but there is still a call for more beautification across public areas. People want to see more greenery and landscaping, especially in places that are currently dominated by large parking lots or aging buildings. Downtown has been highlighted as an area where improved streetscapes and refreshed public spaces could make a significant difference in creating a more welcoming and attractive environment.

More trails are desired

There are only a couple of trails in Alvarado, and many residents have shared concerns about lack of connectivity, as well as safety and accessibility. People want more connections between green spaces, neighborhoods, and destinations, along with features like lighting and shade.

Community events are cherished

Residents welcome the recent addition of community events and express excitement about opportunities to gather in Alvarado. Improvements at Pecan Orchard have been especially well received, with many appreciating the space as a hub for the farmers market and other activities. Feedback reflects strong interest in continuing to expand event programming and reflects how important these experiences are for building community spirit and connection.

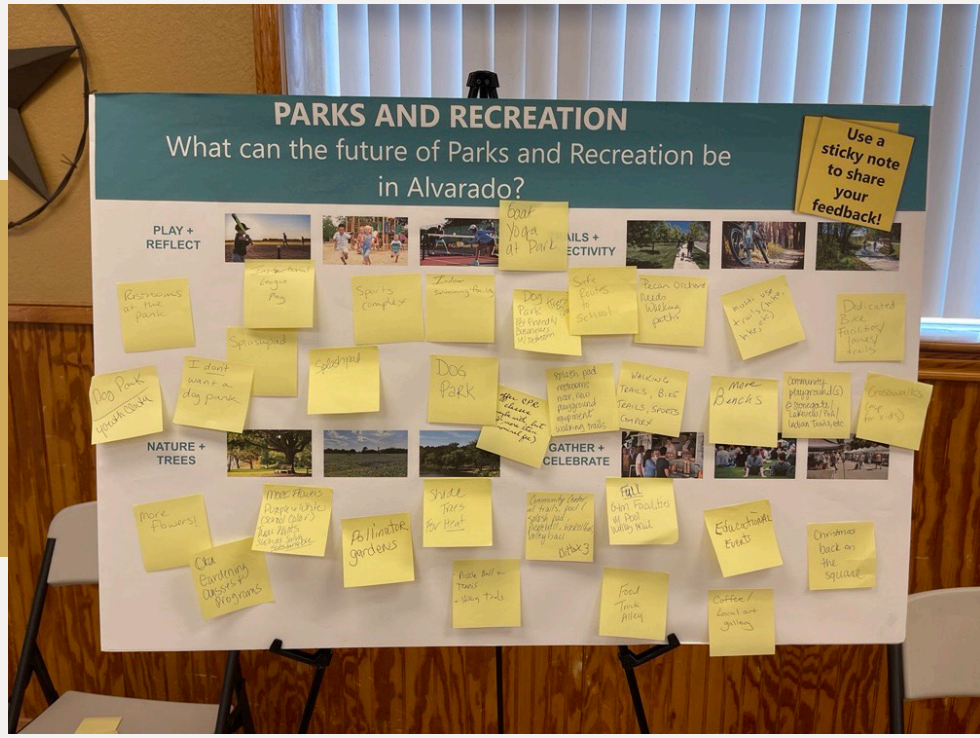
COMMUNITY FEEDBACK

Community Forum Insights

What Can the Future of Parks and Recreation be in Alvarado?

At the first Community Forum, participants were asked to consider the future of parks and recreation in Alvarado, specifically what types of amenities are needed and appropriate. The board was divided into the four categories of this chapter: play + reflect, trails + connectivity, nature + trees, and gather + celebrate. Some responses included:

- Dog park
- Gardens/flowers
- Splashpad
- Sports complex
- Walking trails
- Restrooms at the park
- Shade trees
- Seating areas/benches

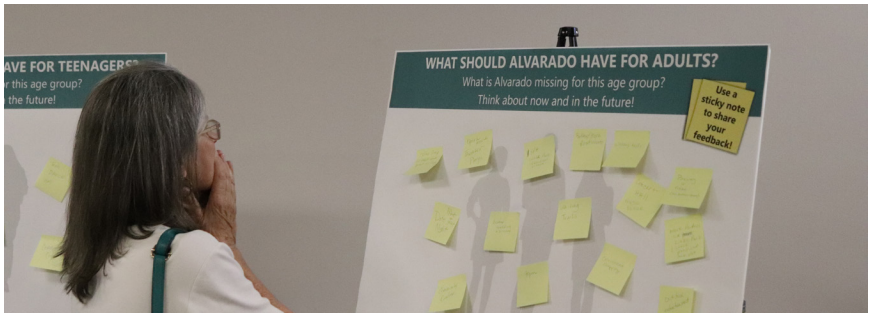


COMMUNITY FEEDBACK

Community Forum Insights

Ages + Stages

At Community Forum 2, participants were asked to identify what Alvarado should have for four broad age groups as detailed below. A sampling of age-related feedback in no ranking order, for each group is as follows:



Young Kids:
Larger park; basketball court; swimming pool; splashpad; upgraded bathroom at Lake Alvarado; community center; kids play museum; sports complex; fitness center (YMCA); and remote-control flying field.

Teenagers:
Teen park; sports courts; recreation facility; bowling alley; teen dance hall; study area/coffee shop; community center.

Adults:
Longer and larger running trail; library; café; outdoor park area with event venue; opera house or theater venue; coffee shop; remote-control flying field; gym; date night spots; spa; park with trail; more restaurants; brewery with pizza; more patrol and ADA parking at Lake Alvarado; more roadways; better shopping and grocery; outdoor entertainment.

Seniors:
Senior center (open all day); shuttling service with cooling/ relaxing station; rideshare; pond; accessible park; remote control flying field; community center; better walkway accommodations; trails; opera house; theater; meet and eat spots.

COMMUNITY FEEDBACK

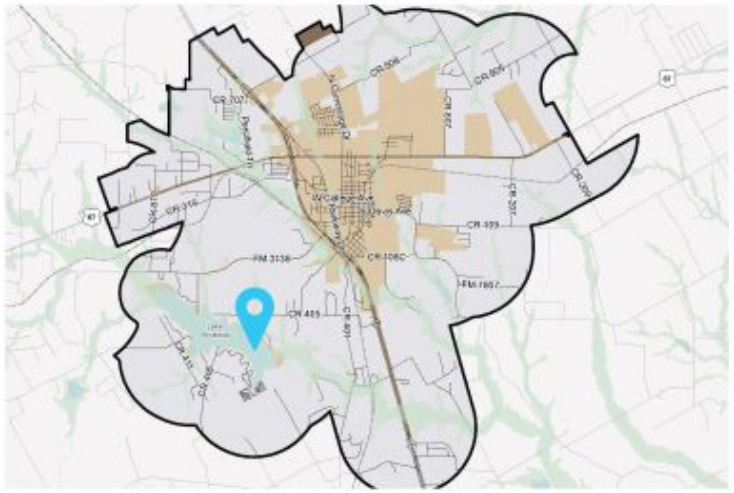
Community Forum Insights

Lake Alvarado

Participants were asked to consider if improvements were needed at Lake Alvarado at Community Forum 2 by placing a sticky dot under "yes" or "no." Results of this station indicated 100% consensus that, yes, improvements should be made. Some responses on what type of improvements included:

More handicap + general parking

- More police patrol
- Better parking lot
- Lights in bathroom at lake
- More recreational area for families
- Maybe a small restaurant
- Repair parking lot
- Clean up areas w/ dumping
- Better maintained landscaping
- Fishing area
- Picnic/ play areas



COMMUNITY FEEDBACK

Community Forum Insights

My Dream Park + Festival

Community Forum 2 attendees had the opportunity to design their dream park, using crayons and markers, resulting in a variety of creative and imaginative ideas. Highlights in the designs included:

- *Shaded Areas:* Whether from trees or structures, designers desire shade.
- *Trails:* Walking paths and elaborate trails leading to a communal space.
- *Water Features:* Splash pads, fountains, and pools.

Though the activity allowed participants to design a dream park or festival, all participants opted to create their dream park for Alvarado. This indicates a strong desire for green and communal spaces within the community that appeal to diverse age groups. These designs will inform the Parks Study to ensure that Alvarado offers recreational spaces that are desirable and accessible.

COMMUNITY FEEDBACK

Community Survey Insights

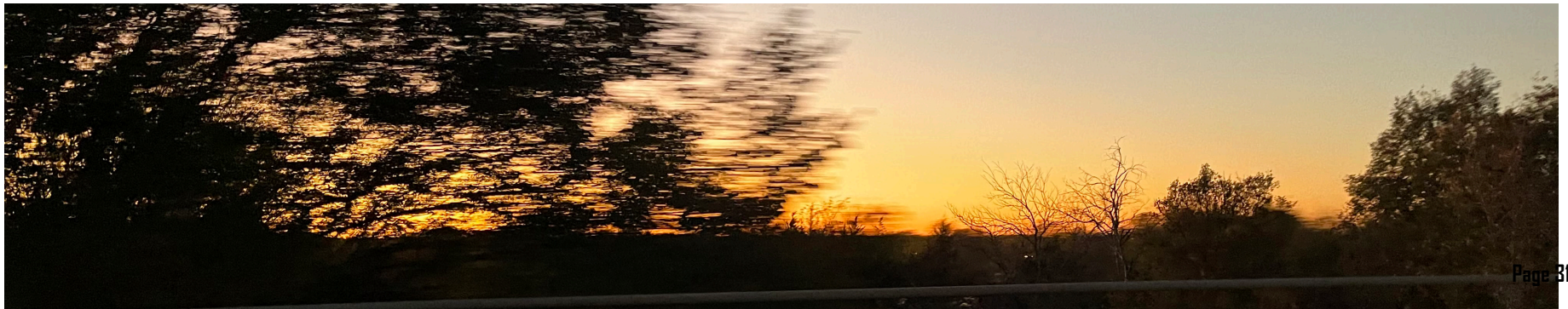
The community survey included the following four prompts specific to the Parks and Recreation system in Alvarado:

- How often do you visit one of the eight Alvarado Parks?
- Does Alvarado need more parks, trails, and protected open space?
- Does Alvarado need more recreation programming?
- Please provide any additional, summarized comments regarding what else you would like to see (if anything) for Alvarado parks and recreation.

Responses indicate a generally low level of awareness or use of Alvarado's eight parks, with several respondents unsure of their locations or even unaware that so many existed. Among those familiar with the parks, most mentioned just one or two, typically the best-known or most centrally located spaces, suggesting uneven visibility and access. Comments noted that the parks are underdeveloped, lack bathrooms, and offer few amenities, making extended visits difficult or enjoyable. Others mentioned needing improvements or a sports complex to support youth activities. These qualitative insights reinforce the quantitative data, suggesting that both awareness and quality of facilities may be limiting park use.

Approximately 76% of respondents believe Alvarado needs more parks, trails, and protected open space, showing strong community support for expanded outdoor amenities. A strong majority of respondents, approximately 78%, also believe Alvarado needs more recreation programming, indicating clear demand for expanded offerings. Write-in comments suggested interest in youth-focused activities, including sports leagues, after-school programs, and affordable family events, as well as broader ideas like senior programming and cultural events. This feedback emphasizes the community's desire for inclusive, age-diverse, and accessible programming to enhance quality of life and community connection.

THROUGH HANDS-ON ACTIVITIES AND DRAWINGS, COMMUNITY MEMBERS EXPRESSED WHAT THEY VALUE MOST IN LOCAL PARKS; COMFORT, CONNECTION, AND SPACES THAT BRING PEOPLE TOGETHER.



CONTEXT

ALVARADO PLANNING AREA
Area: 36.94 square miles

Demographics

Understanding the characteristics and projected growth of the broader Alvarado Planning Area is essential to planning a Parks and Recreation System that will reflect both current and future community needs. The Planning Area contains approximately 4,192 households with a population estimate of 12,087 according to Esri. Steady residential expansion is expected over the next two decades. The demand for public spaces and recreation amenities will increase as new housing units are added and the city continues to grow. The two most prominent Esri Tapestry Segments in Alvarado, "Flourishing Families" and "Southern Satellites", highlight a population composed of family-oriented households and residents who generally value outdoor activities and connection to their surroundings. These demographic and lifestyle insights provide a foundation for understanding how residents engage with their environment in Alvarado, offering important context for shaping a Parks and Recreation System that aligns with the Alvarado community identity and future growth patterns.

FLOURISHING FAMILIES (H1)
Dominant Tapestry Segment

KEY FACTS

12,087	*Total Population*
10,620	*Day Time Population*
323	*Businesses*
36.9	*Median Age*
2.9	*Avg Household Size*
1.9%	*2025-2030 Pop Growth*
$261,831	*Median Home Value*
$87,430	*Median Household Income*
$32,842	Per Capita Income

Source: This infographic contains data provided by Esri (2025, 2030), Esri-Data Axle (2025), Esri-U.S. BLS (2025).

PLAY + REFLECT CONTEXT

Existing Parks Map

- Floodplain
- Bodies of Water +Lake Park
- Planning Area
- City Limits

1. Lake Park
2. Stonegate Park
3. Moore Park
4. Parkway Park
5. Pecan Orchard Park
6. Heritage Park
7. Downtown Square Park
8. George Washington Carver Park

Source: City of Alvarado, August 2025

PLAY + REFLECT CONTEXT

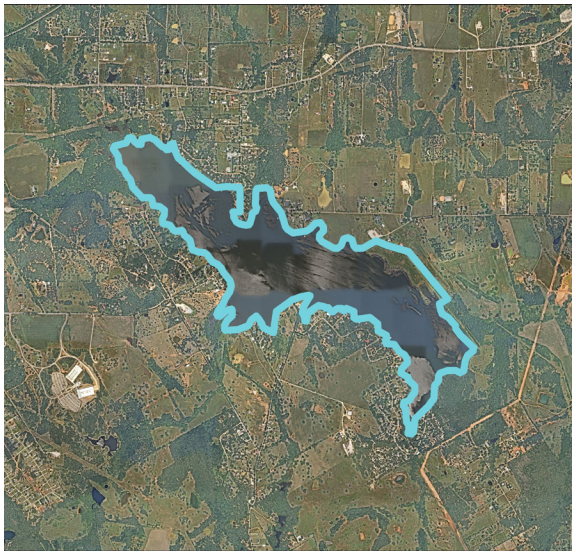
Park Inventory

LAKE PARK

- **Location:** South of FM 3136, west of IH-35W
- **Approximate Size:** 466 acres
- **Amenities:** Lake, boat ramp, mature trees

REGIONAL NATURAL ASSET

Lake Park functions as a major regional open space, offering expansive natural areas, water access, and opportunities for passive recreation and outdoor enjoyment.



PLAY + REFLECT CONTEXT

Park Inventory

STONEGATE PARK

- **Location:** Intersection of Lakeview Dr. and Shirley Dr.
- **Approximate Size:** 14.36 acres
- **Amenities:** Green space, trees, pond

NEIGHBORHOOD GREEN SPACE

Stonegate Park serves surrounding neighborhoods as a local green space, providing informal recreation and a natural setting within a residential context.

PLAY + REFLECT CONTEXT

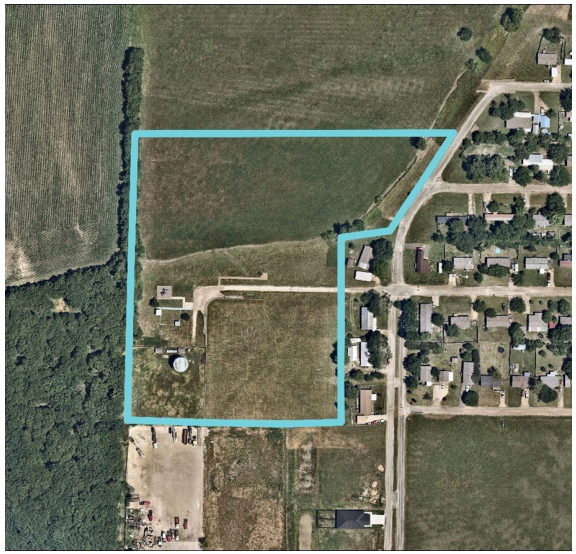
Park Inventory

MOORE PARK

- **Location:** West side of Burnett Blvd
- **Approximate Size:** 10.85 acres
- **Amenities:** Green space, trees, playground, baseball field, covered seating

ACTIVE NEIGHBORHOOD PARK

Moore Park supports everyday recreation with a mix of open space and active amenities, serving families and youth within the surrounding residential area.



PLAY + REFLECT CONTEXT

Park Inventory

PARKWAY PARK

- **Location:** Southwest corner of N Parkway Dr. and Glenwood Dr./College St.
- **Approximate Size:** 3.84 acres
- **Amenities:** Two playgrounds, two pavilions, picnic tables, benches, trees, lighting, grills, tennis court, skate ramp, Little Free Library, trail, water fountain

COMMUNITY ACTIVITY HUB

Parkway Park offers a diverse mix of amenities and programming opportunities, making it a key gathering space for recreation, events, and neighborhood activity

PLAY + REFLECT CONTEXT

Park Inventory

PECAN ORCHARD PARK

- **Location:** Southeast corner of N. Parkway Dr. and College St.
- **Approximate Size:** 4.32 acres
- **Amenities:** Green space, trees, picnic tables

PASSIVE COMMUNITY RETREAT

Pecan Orchard Park provides shaded green space for informal use, offering a quiet, neighborhood-scaled setting for relaxation and community events.

PLAY + REFLECT CONTEXT

Park Inventory

HERITAGE PARK

- **Location:** North side College St., just west of N Spears St., adjacent to City Hall
- **Approximate Area:** 0.21 acres
- **Amenities:** Green space

CIVIC GREEN SPACE

Located adjacent to City Hall, Heritage Park functions as a small civic open space that enhances the downtown environment and supports community identity.

PLAY + REFLECT CONTEXT

Park Inventory

DOWNTOWN SQUARE PARK

- **Location:** 115 S Friou St.
- **Approximate Area:** 0.74 acres
- **Amenities:** Gazebo, benches, trees, lighting, parking

DOWNTOWN GATHERING PLACE

Downtown Square Park serves as a focal point for community events and daily use, contributing to the character and vitality of the downtown core.

PLAY + REFLECT CONTEXT

Park Inventory

GEORGE WASHINGTON CARVER PARK

- **Location:** 405 S. Baugh St.
- **Approximate Size:** 1.30 acres
- **Amenities:** Shade pavilion, grills, picnic tables, playground, Little Free Library, dog waste station, basketball court, parking, trees

NEIGHBORHOOD RECREATION SPACE

George Washington Carver Park provides accessible recreational amenities for nearby residents, supporting active use and community connection.

PLAY + REFLECT CONTEXT

Existing Reflection Spaces

While Alvarado contains open spaces and parkland, opportunities for reflection and passive enjoyment are limited and largely unintentional. Existing parks and open areas are primarily designed for active use or function as unimproved green space, rather than as places that invite people to linger, sit, or quietly enjoy their surroundings. In many locations, reflection is possible only in a theoretical sense, such as sitting on grass in an open field, rather than through deliberate design. Features typically associated with reflective spaces, including shaded seating, well-lit and amenity-adjacent walking loops, overlooks, gardens, or clearly defined quiet areas, are minimal or absent throughout the Planning Area.

UNIMPROVED AND UNDERSIGNED OPEN SPACE

Several parks and green spaces function as undeveloped or lightly improved areas. While these spaces offer potential, they currently lack the amenities, comfort, and clarity needed to support everyday reflective use. The absence of benches, shade structures, accessible paths, and defined edges limits their usefulness for seniors, caregivers, and residents seeking low-impact recreation or quiet outdoor time. As a result, these spaces are often underutilized outside of special events or informal use and are not widely perceived by residents as destinations for reflection or relaxation.

LAKE ALVARADO: A HIDDEN AND UNDERUTILIZED ASSET

Lake Alvarado represents the Planning Area's most significant opportunity for reflection, yet it is one of the least understood and least accessible assets in the community. Engagement feedback indicates that many residents were unaware that the Lake is located within the Planning Area, and those who were aware often lack clear information on how to access it or feel unwelcome to be there. Public access points are not well marked, signage is limited, and the Lake environment feels informal and closed off. Surrounding private residences further blur the distinction between public and private space, making it difficult for residents to confidently identify where they are welcome to park, walk, fish, sit, etc. These conditions discourage casual visits and limit the Lake's role as a shared community resource.

LACK OF VISIBILITY AND COMFORT

Across the Planning Area, reflection spaces suffer from a lack of visibility. There are few visual cues that indicate where people can go, how long they can stay, or what activities are encouraged. Without intentional design elements such as signage, seating, paths, lighting, or play/reflect features, residents are less likely to view parks and open spaces as places for everyday restoration and wellness. This gap is particularly notable for older adults, individuals with mobility limitations, and residents seeking calm, non-programmed outdoor experiences. These existing conditions highlight a significant gap in Alvarado's Parks and Recreation System and underscore the need for clearer, more comfortable, and more legible spaces that support reflection alongside play.

PLAY + REFLECT CONTEXT

Existing Recreation Programming + Sports

The City of Alvarado does not currently lead, sponsor, or fund any recreation programming or sports within the Planning Area.

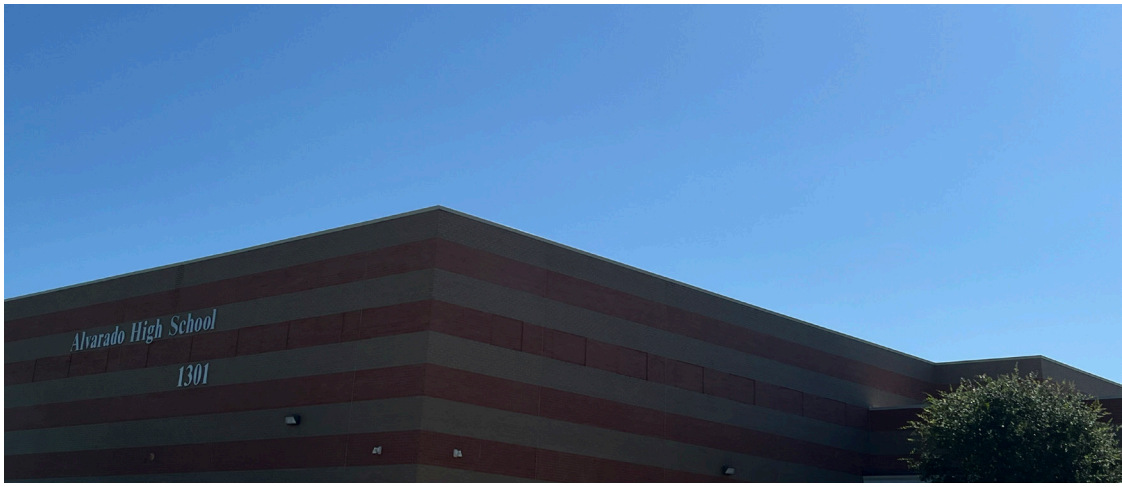
Any recreation programming and sports are being provided through the Alvarado Youth Sports Association (AYSA). As a 501(c)(3) non-profit, the AYSA provides supervised, competitive athletic programs for ages three through 14. Current sports provided are the following:

- Cheer
- Football
- Basketball
- Volleyball
- Baseball
- Softball
- Soccer

Through the planning process, the AYSA expressed extensive needs and demand for recreation programming, sports, and associated facilities and funding, in Alvarado.

YOUTH SPORTS DRIVE RECREATION IN ALVARADO

Organized sports programming within the Planning Area is currently led by partner organizations, highlighting an opportunity to expand city-supported recreation offerings.



PLAY + REFLECT CONTEXT

Existing Level of Service

Insights from the 2025 National Recreation and Park Association (NRPA) Agency Performance Review provide a framework for understanding the existing recreation spaces in Alvarado, as they relate to other cities. The Review presents data that communities can use to measure the performance of their park and recreation systems. While these benchmarks offer useful guidance, the NRPA recommendations vary based on population and local needs. To ensure that amenities are suited to residents, the City can utilize demographics and geographic context alongside the national reference points. The following benchmarks provide insight on how the NRPA benchmarking data applies to existing park and recreation conditions in Alvarado:

NRPA PARK BENCHMARK

- **Residents per park:**
  The median number of residents per park for a municipality with a population of <20,000 is 1,001 residents per park. Based on the estimated Planning Area population of Alvarado (12,087), approximately 12 parks should be available to residents if it were to be compared to the median benchmark. There are eight parks in Alvarado as of 2026.

- **Acres of parkland per 1,000 residents:**
  The median number of acres of parkland managed by a parks and recreation agency for a municipality with a population of <20,000 is 12.9 acres per 1,000 residents. Approximately 156 acres of parkland should be available for Alvarado residents if it were to be compared to the median benchmark. Total parkland acreage in Alvarado, as of 2026, is 501 acres, including all of Lake Alvarado.
- **Outdoor park and recreation facilities:**
  Over 70 percent of parks and recreation agencies have basketball courts, diamond fields, tennis courts and playgrounds. Alvarado has all of these facilities between Parkway Park, George Washington Carver Park, and Moore Park. However, the diamond field at Moore Park and basketball court at George Washington Carver Park need improvement. Additionally, Alvarado does not currently have public tennis courts, but it does provide a pickleball court at Parkway Park.

- **Indoor park and recreation facilities:**
  Indoor multi-use courts, including basketball, volleyball, and multiuse racquet courts (tennis, pickleball, etc.) are provided by approximately 30 percent of parks and recreation agencies. Indoor competitive swimming pools, basketball courts, and leisure pools are all provided by about 20 percent of parks and recreation agencies. With the recent closure and demolition of the Senior Center in Alvarado due to asbestos, public indoor recreation amenities are not available to community members.

- **Number of programs:**
  Based on the NRPA Agency Performance Review, the typical park and recreation agency offers 250 programs annually, of which 82 percent are fee-based. In this context, NRPA defines programming as activities, events, clubs, teams, classes or other types of group activities. However, the median number of programs provided by municipalities with less than 20,000 population is 45. The City of Alvarado currently hosts 14 events annually and has no formal, City-sponsored recreation activities.

Note: Events and gathering spaces are covered in "Gather + Celebrate."

PLAY + REFLECT CONTEXT

Existing Level of Service

EXISTING PARKS LEVEL OF SERVICE MAP

The map on the following page represents the Existing Level of Service for parks in Alvarado. Existing parks are shown in dark green, with a quarter-mile buffer, shown as a dark orange line/ring, to display the immediate area served by the park. The additional half-mile buffer, shown as a light orange line/ring, shows the full extent the park facilities, given feasible walking distance to a park. The remaining area depicted by the light orange color represents the gap in park service, or "Service Opportunity Areas." The Service Opportunity Areas are targets to create new parks and recreation spaces or facilities within the Planning Area. The extent of the Service Opportunity Areas highlights the growing need for additional Play + Reflect spaces.

LEVEL OF SERVICE SNAPSHOT

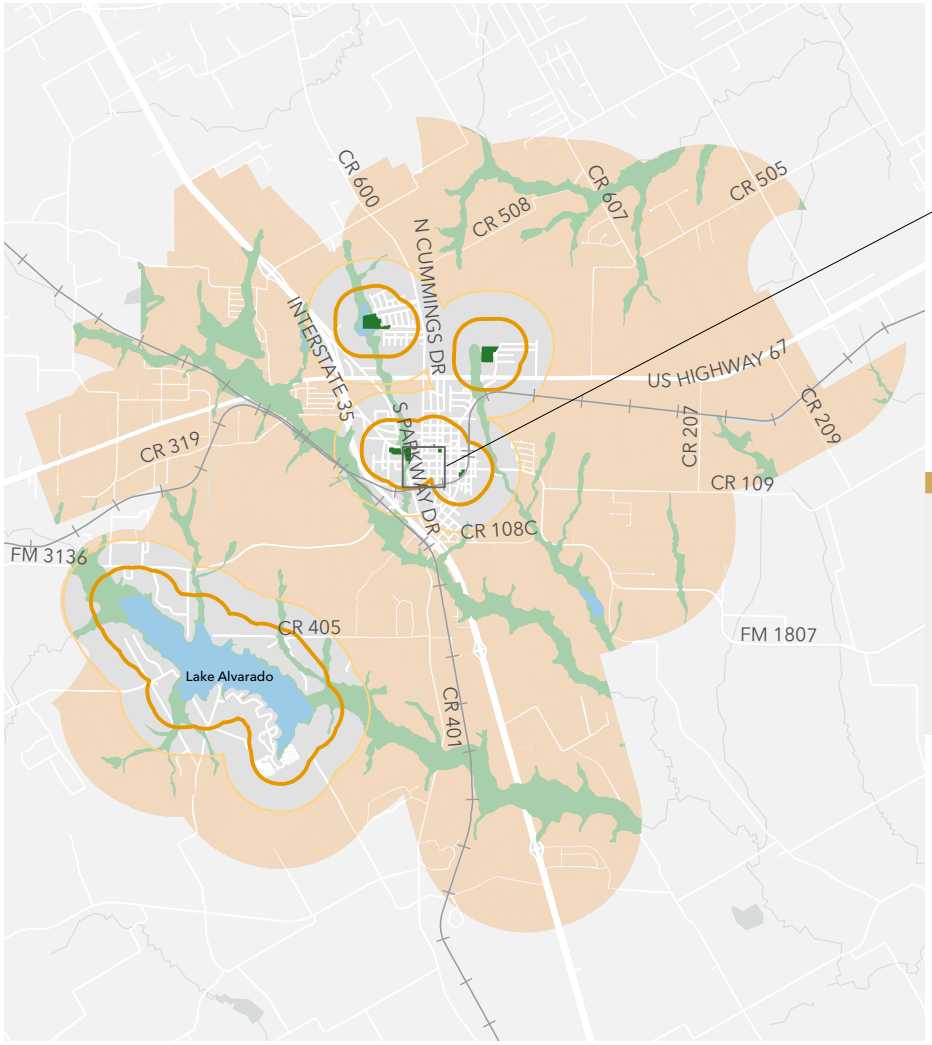
- 8 parks currently serve the Planning Area
- Park access varies across neighborhoods
- Indoor recreation amenities are limited
- Organized programming is primarily partner-led

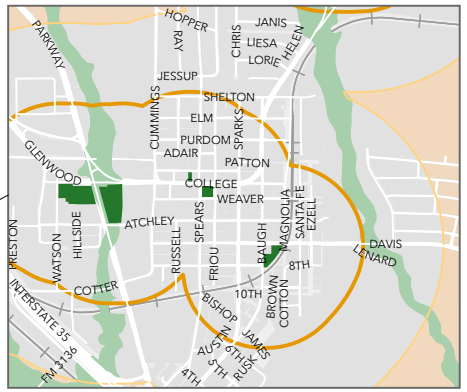
Park access and recreation services vary across Alvarado, with limited indoor amenities and formal programming.

PLAY + REFLECT CONTEXT

Existing Level of Service

- Floodplain
- Bodies of Water +Lake Park
- Service Opportunity Area
- 1/4 Mile Buffer
- 1/2 Half Mile Buffer
- Existing Parks





EXISTING PARKS LEVEL OF SERVICE MAP

CITY OF ALVARADO

0 1.5 3 Miles

Source: City of Alvarado and LJA, August 2025

PLAY + REFLECT CONTEXT

Play + Reflect Future Demand

As the population of Alvarado continues to grow, the demand for parks and recreation spaces is expected to increase alongside it. Community member feedback and existing parks level of service also suggest that current recreation amenities are deficient and below expectations. With just over 12,000 residents in the Planning Area and eight existing parks (some of which are unimproved or require extensive improvements), current facilities will face greater use and pressure in the coming years. The extent of the Service Opportunity Areas suggests that many residents are so far from parks or open spaces that they might not ever visit one. Central to meeting current and future demand is providing (1) parks, recreation, and reflection spaces with desired features in needed locations, and (2) fully investing in the staffing and organization of modern-day recreation programming. The provision of high-quality play and reflect infrastructure and services within the Planning Area is essential for quality of life and economic development in Alvarado.

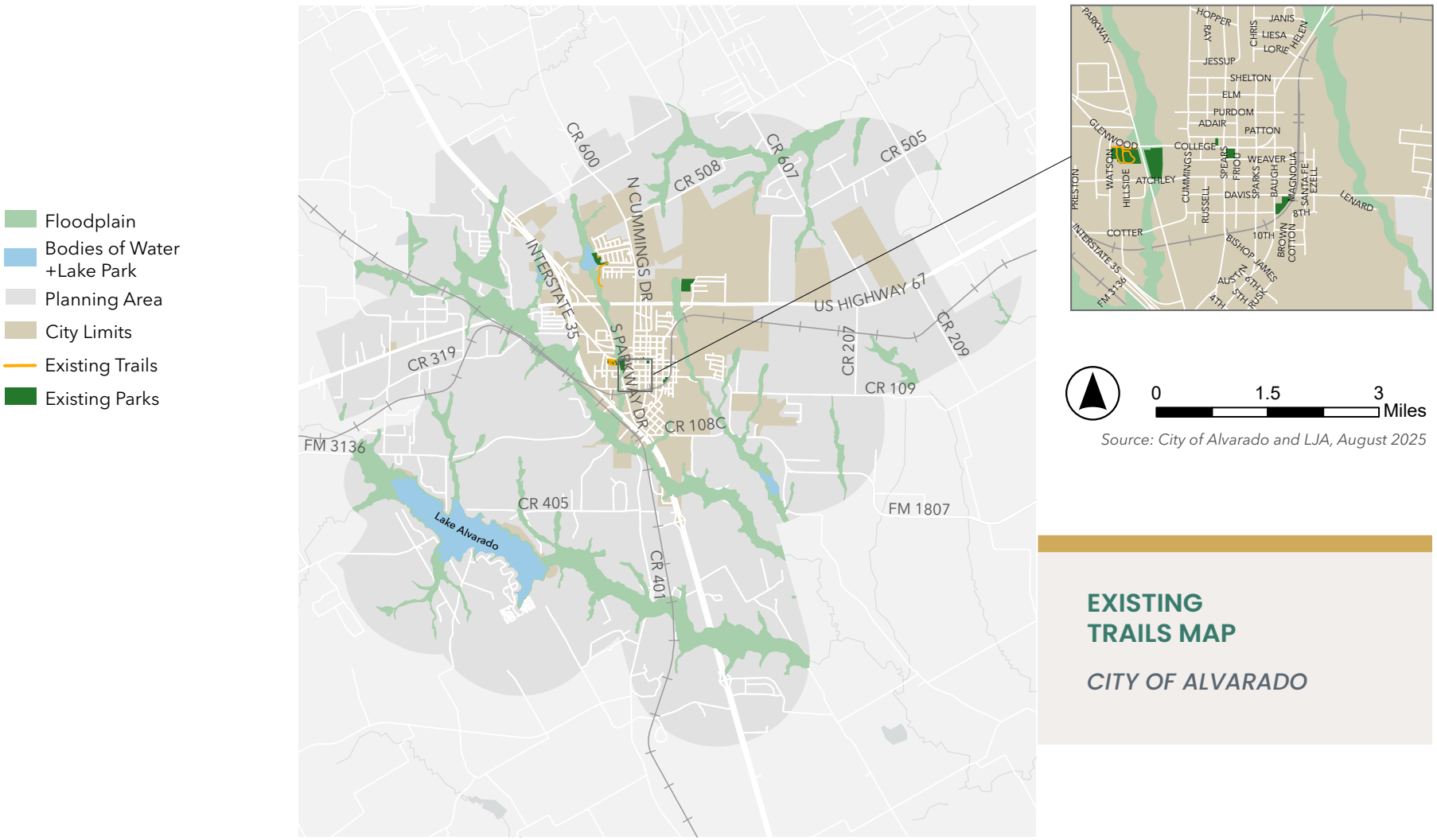
Play + Reflect Triple Bottom Line Benefits

Play and reflect spaces support quality of life in Alvarado by promoting physical health, mental well-being, and everyday comfort for residents of all ages and abilities while also strengthening the City's long-term economic and environmental resilience. Access to nearby parks and passive recreation spaces encourages daily movement, stress reduction, and social connection, contributing to healthier routines and a more livable community. At the same time, research from the Trust for Public Land shows that proximity to parks is associated with more stable property values, supporting a stronger property tax base and making small, targeted investments—such as shade trees, seating, play features, and walking paths—cost-effective tools for community reinvestment. These spaces also incorporate trees and natural features that reduce heat, improve environmental comfort, and support stewardship, reinforcing the role of play and reflect spaces as essential infrastructure that benefits people, economic vitality, and nature together.

TRAILS + CONNECTIVITY CONTEXT

Alvarado's long-term success will depend in part on how residents travel between parks, neighborhoods, schools, Downtown, and daily destinations, as well as how future growth supports ease of movement and overall livability. This section examines how an integrated system of trails, sidewalks, and bikeways can improve access throughout the city while reinforcing the parks network, and it includes an overview of the existing trails inventory and current levels of service. By focusing on connections among established parks, green spaces, residential neighborhoods, and key community destinations, this chapter describes how targeted investments in trails, safer street crossings, and active transportation infrastructure can expand recreational access, enhance safety, and contribute to local economic strength. Collectively, these strategies provide a roadmap for a more mobile, healthy, and adaptable Alvarado.

TRAILS + CONNECTIVITY CONTEXT



Source: City of Alvarado and LJA, August 2025

EXISTING TRAILS MAP

CITY OF ALVARADO

TRAILS + CONNECTIVITY CONTEXT

Existing Trails Inventory

STONEGATE PARK TRAIL

- **Location:** South of the intersection of Lakeview Dr. and Shirley Dr.
- **Approximate Length:** 0.03 miles

TRAILS + CONNECTIVITY CONTEXT

Existing Trails Inventory

SUNSET RIDGE TRAIL

- **Location:** West of Shawnee Trail, connecting Stonegate Manor and Sunset Ridge Subdivisions
- **Approximate Length:** 0.37 miles

TRAILS + CONNECTIVITY CONTEXT

Existing Trails Inventory

PARKWAY PARK TRAIL

- **Location:** Southwest corner of Glenwood Dr. and S Parkway Dr. intersection
- **Approximate Length:** 0.37 miles
- **Amenities:** Playgrounds, Picnic Areas, Pickleball Court, Skate Park, Water Fountain

TRAILS + CONNECTIVITY CONTEXT

Existing Level of Service

Similar to park spaces, insights from the 2025 National Recreation and Park Association (NRPA) Agency Performance Review provide a framework for understanding Alvarado's existing recreation spaces. The NRPA collects data, provided in this document, that communities can use to measure the performance of their trail systems. While these benchmarks offer useful guidance, the NRPA recommendations vary based on population and local needs. To ensure that amenities are suited to residents, the City must evaluate its own demographics and geographic context alongside the national reference points. The sections immediately following provide insight on how the NRPA benchmarking data applies to existing trail conditions in Alvarado.

NRPA TRAIL BENCHMARK

- Miles of trails:
  The typical park and recreation agency is responsible for managing and/or maintaining approximately 17 miles of trails. The median number of miles of trails managed by a parks and recreation agency for a population of less than 20,000 is four miles. Alvarado is currently trail deficient with 0.77 miles of trails managed by the City.

- As Alvarado's population is projected to grow significantly over the next 20 years, the City will need to look beyond maintaining the current four-mile median and instead plan toward a ten-mile standard in order to sustain an appropriate level of service for its expanding population.

EXISTING RIGHT-OF-WAY

Current data on existing sidewalks in Alvarado is limited. Older areas of Alvarado have some sidewalks, but they are typically fragmented, in poor condition, and without compliant Americans with Disabilities Act (ADA) ramps. Most of the Planning Area is not served with sidewalks or trails. Recent neighborhoods that have been developed in Alvarado have sidewalks, but they comprise a small portion of the Planning Area.

TRAILS AND SIDEWALKS REMAIN LIMITED ACROSS ALVARADO, HIGHLIGHTING A SIGNIFICANT OPPORTUNITY TO IMPROVE CONNECTIVITY AND ACCESS AS THE COMMUNITY GROWS.

TRAILS + CONNECTIVITY CONTEXT

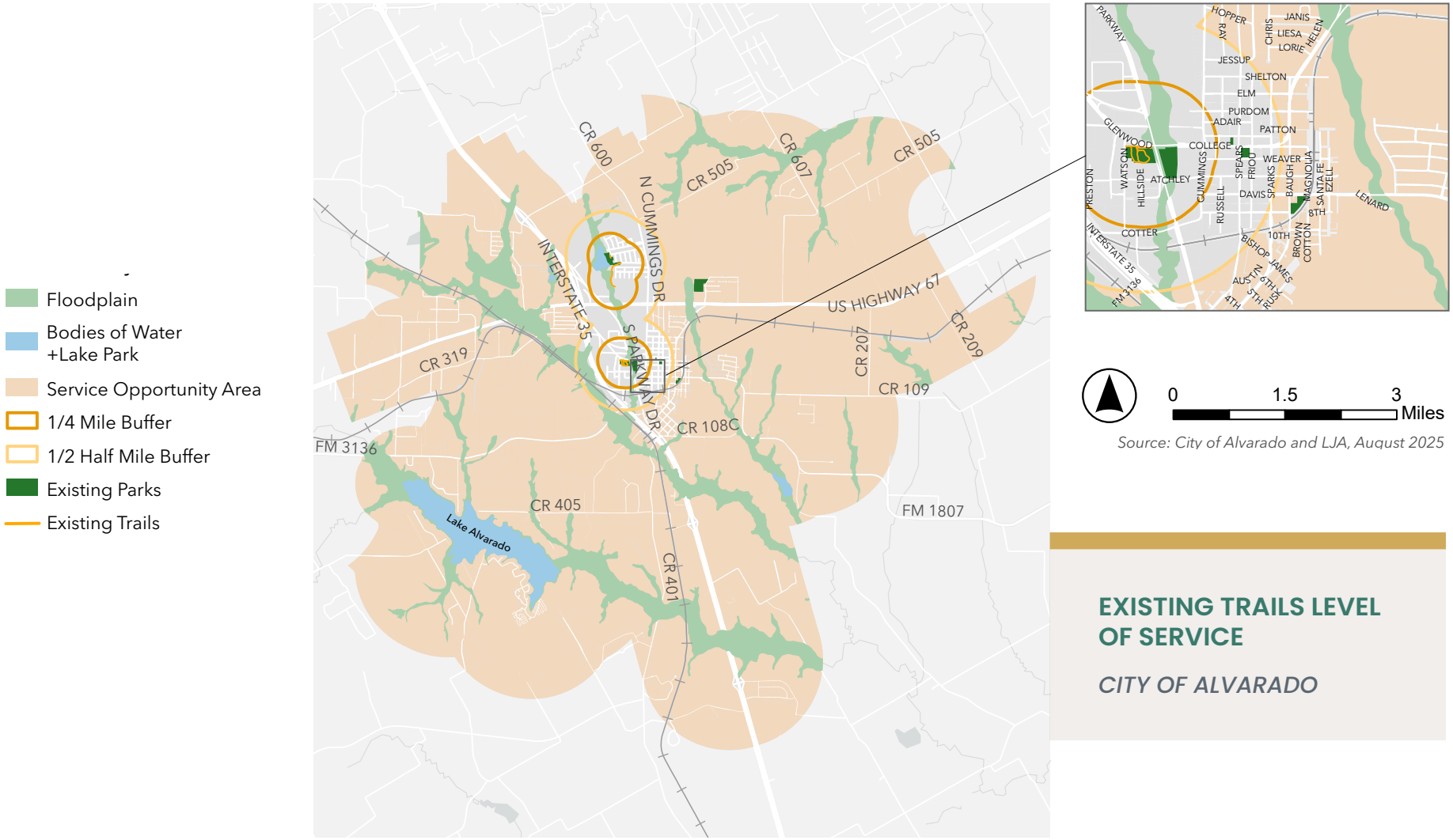
Existing Level of Service

EXISTING TRAILS LEVEL OF SERVICE MAP

The map on the following page represents the Existing Level of Service for trails in Alvarado. Existing trails are shown as dark orange lines, with a quarter-mile buffer, shown as a dark orange line/ring, to display the immediate area served by the trail. The additional half-mile buffer, shown as a light orange line/ring, shows the full extent of the trail facilities, given feasible walking distance to the trail. The remaining area depicted by the light orange color represents the gap in park service, or "Service Opportunity Areas." The Service Opportunity Areas are targets to create new trail facilities within the Planning Area. The extent of the Service Opportunity Areas highlights the growing need for additional trails and connectivity.

TRAILS + CONNECTIVITY CONTEXT

Existing Level of Service



Source: City of Alvarado and LJA, August 2025

EXISTING TRAILS LEVEL OF SERVICE

CITY OF ALVARADO

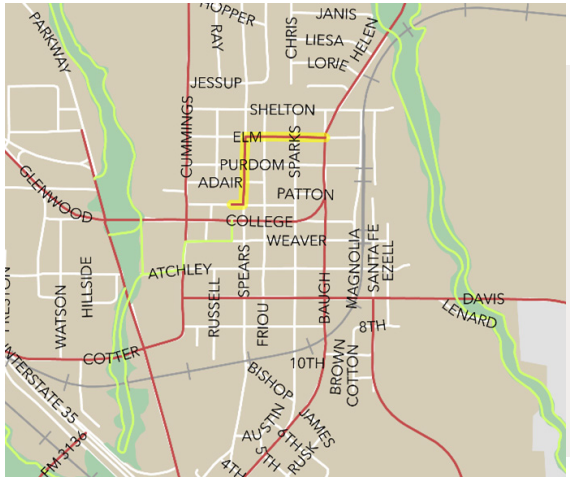
TRAILS + CONNECTIVITY CONTEXT

Trails + Connectivity Future Demand

The future of trails in the City of Alvarado presents an opportunity to expand access and create a more connected experience for residents and visitors. With only a few trails currently in place and limited park space throughout the Planning Area, many parts of the community remain without safe and accessible walking routes or outdoor pathways. Residents would benefit from a broader network that links neighborhoods and destinations, allowing people to move safely and comfortably through the community, **without getting in a car for every trip.** Strategically planned trail connections can play a central role in promoting physical activity, supporting everyday mobility, and strengthening community connectivity throughout Alvarado. One notable opportunity is the Heritage Trail, which could serve as a key corridor linking the Downtown Square to surrounding neighborhoods and enhancing access to the city's historic core; please refer to the Downtown Study for more details.

Trails + Connectivity Triple Bottom Line Benefits

Trails and connectivity investments support the health, economy, and environment of Alvarado by improving access, mobility, and everyday usability of public space. Connected trail networks encourage regular walking, biking, and low-impact activity, supporting physical health and providing safe, comfortable options for residents of all ages to move through the community. From an economic and fiscal perspective, trails increase the desirability of nearby neighborhoods, improve access to parks and local destinations, and support efficient infrastructure investments by linking multiple community assets through shared corridors. Environmentally, trails can be integrated with greenbelts, floodplains, and rights-of-way to manage stormwater, reduce vehicle dependence for short trips, and create continuous green connections that enhance resilience while expanding recreation access.



CONNECTING NEIGHBORHOODS THROUGH SAFE, ACCESSIBLE TRAILS THAT SUPPORT EVERYDAY TRAVEL, RECREATION, AND COMMUNITY LIFE.

NATURE + TREES CONTEXT

Major Tree Species

Understanding the location of major tree stands and the variety of tree species within the Planning Area is a critical step in providing and managing a healthy and resilient landscape. Each species contributes in unique ways, from providing shade and enhancing beauty, to supporting wildlife and improving air quality and more. Alvarado is located within two ecoregions in Johnson County that include Cross Timbers and Blackland Prairie, featuring a mix of woodlands, grasslands, and riparian areas.

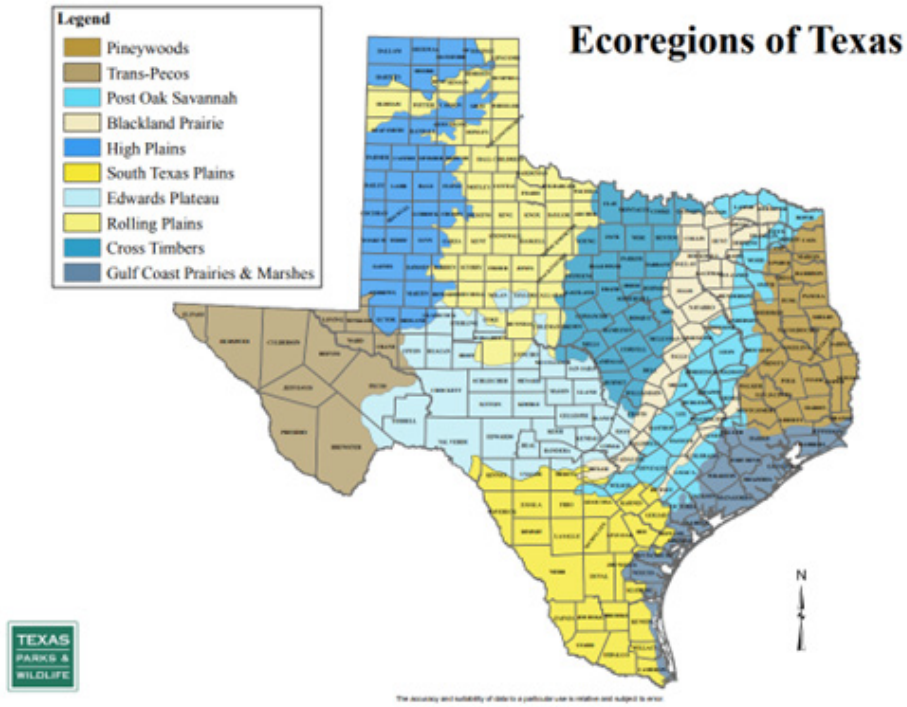
The Cross Timbers ecoregion is dominated by oak species and some cedars and elms mixed throughout. The Blackland Prairie ecoregion is mainly grassland but has some riparian trees like cottonwood and pecan along rivers.

POST OAK (QUERCUS STELLATA)- Tolerant of dry, sandy-loam soils common in Cross Timbers.

BLACKJACK OAK (QUERCUS MARILANDICA)- Well adapted to poor, drought-prone soils.

EASTERN COTTONWOOD (POPULUS DELTOIDES)- Often found bordering creeks and lowland areas within the prairie.

PECAN (CARYA ILLINOINENSIS)- Can form larger shade trees along waterways and bottomlands.



NATURE + TREES CONTEXT

Existing Tree Canopy Coverage

A healthy tree canopy is an essential part of a thriving Parks and Recreation System. Trees bring shade that makes outdoor spaces more comfortable and encourage people to spend more time outside. They clean the air, help manage rainfall by slowing runoff, and frame places with a sense of beauty and character. A strong tree canopy also supports wildlife habitat and helps the community stay cooler during hotter months. Expanding and caring for tree cover ensures that parks remain resilient places that protect the environment while offering inviting and restorative settings for future generations. The following map provides an overview of Tree Canopy in Alvarado. There is wide coverage on the west side of the Planning Area, which is mainly concentrated around floodplains. The eastern half of the Planning Area, however, is lacking tree coverage.

A HEALTHY TREE CANOPY SUPPORTS ENVIRONMENTAL QUALITY AND LONG-TERM RESILIENCE WITHIN ALVARADO'S PARKS AND PUBLIC SPACES.

NATURE + TREES CONTEXT

Existing Tree Canopy Coverage

Source: ESA WorldCover, August 2025

EXISTING TREE CANOPY
CITY OF ALVARADO

NATURE + TREES CONTEXT

Nature + Trees Future Demand

The natural areas and tree canopy in Alvarado can serve as defining elements of the character of the city and overall quality of life. Prioritizing the preservation of existing trees and the thoughtful expansion of tree coverage can create special places, improve air quality, and provide the beautiful, landscaped aesthetic that the community envisions. Intentional selection of which tree species and each new location can strengthen the resilience of the natural environment against the impacts of extreme weather, pests, and disease. The City can ensure that its natural assets reinforce a sense of pride and identity, while safeguarding the nature.

Nature + Trees Triple Bottom Line Benefits

Nature and tree-based investments provide foundational benefits across all three pillars of the Triple Bottom Line by supporting environmental resilience, public health, and long-term fiscal efficiency. Trees and natural areas improve air quality, reduce heat, manage stormwater, and protect sensitive landscapes, helping the community adapt to extreme weather and environmental stressors. These same features enhance comfort and usability in parks, trails, and public spaces, encouraging people to spend more time outdoors and supporting mental well-being and everyday restoration. From an economic perspective, preserving and expanding tree canopy and natural areas reduces long-term infrastructure and maintenance costs, protects property values, and reinforces Alvarado's identity as a community that values its natural assets.

INVESTMENTS IN TREES AND NATURAL AREAS SUPPORT ENVIRONMENTAL RESILIENCE, PUBLIC HEALTH, AND LONG-TERM ECONOMIC VALUE.

GATHER + CELEBRATE CONTEXT

Existing Events + Programs

Community events and programs play an important role in bringing people together and strengthening the sense of identity for the City of Alvarado. They provide opportunities for people to connect and participate in activities that enrich daily life. From seasonal events to festivals and cultural gatherings and more, events and programs showcase the character of the city and create lasting memories for both participants and visitors that are highly cherished. Understanding the range and reach of existing events and programming helps identify what is being provided and where future efforts can build on community strengths.

Note: Recreation programming, such as youth sports, is covered in "Play + Reflect."

NRPA PROGRAMMING BENCHMARK

- Number of programs:
  Based on the NRPA Agency Performance Review, the typical park and recreation agency offers 250 programs annually, of which 82 percent are fee-based. In this context, NRPA defines programming as activities, events, clubs, teams, classes or other types of group activities. However, the median number of programs provided by municipalities with less than 20,000 population is 45. The City of Alvarado currently hosts 14 events annually and has no formal, City-sponsored recreation activities.

GATHER + CELEBRATE CONTEXT

Existing Events + Programming

RECURRING CITY-SPONSORED ACTIVITIES

- Johnson County's Pioneers and Old Settler's Reunion
- Alvarado Public Library Book Sale
- AAS TCAP Low-Cost Vaccination Clinic
- ARD Canned Food Drive
- Alvarado Public Library Summer Reading Program
- Annual APEC* Trunk-N-Treat
- APEC* Holiday Parade of Lights

*Alvarado Planning Events Committee; Community Committee made up of Alvarado residents who partner with the City on various events/host separate events within the City of Alvarado.

ANNUAL EVENTS

- National Night Out Alvarado Police Department
- Fall Festival and Weenie Dog Race
- Magical Old Town Christmas
- Irish Festival
- Community Safety Day
- Summer Movie Series (four films)
- 4th of July Celebration

SEASONAL EVENTS

- Alvarado Artisans and Farmers Market
  - Monthly from April to December

EXISTING EVENTS AND PROGRAMS PROVIDE IMPORTANT OPPORTUNITIES FOR COMMUNITY CONNECTION, THOUGH OFFERINGS REMAIN LIMITED COMPARED TO TYPICAL PROGRAMMING BENCHMARKS.

GATHER + CELEBRATE CONTEXT

Existing Gathering Spaces

DOWNTOWN SQUARE PARK
- Gazebo
- Open areas for festivals and markets
- Historic landmark and memorial

PECAN ORCHARD PARK
- Picnic tables
- Open areas for festivals and markets
- String lights
- Yard games

ALVARADO PUBLIC LIBRARY
- Community meeting room and workspaces
- Areas for local programs and educational events

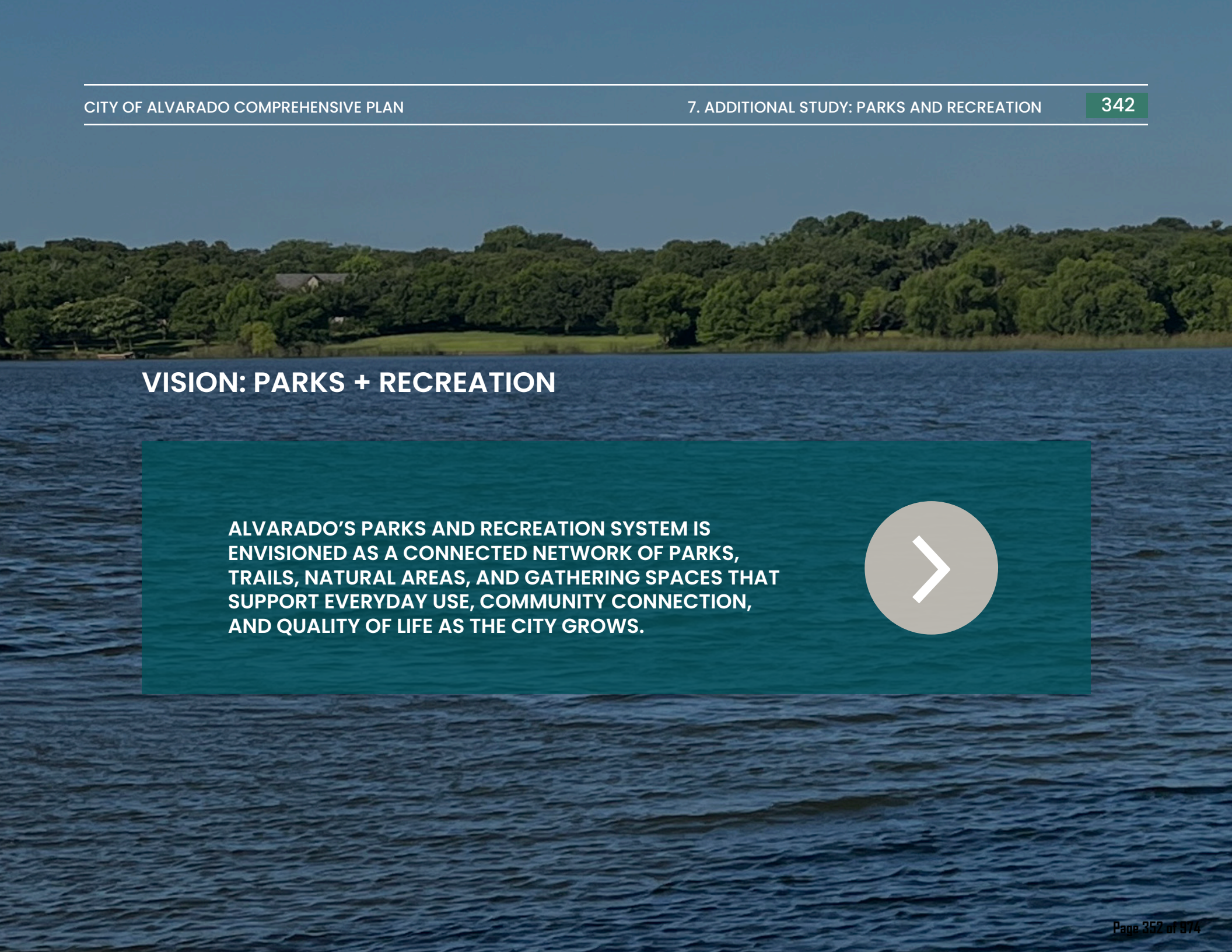
GROWING DEMAND FOR GATHERING SPACES HIGHLIGHTS THE NEED FOR FLEXIBLE FACILITIES AND PROGRAMMING THAT REFLECT ALVARADO'S EVOLVING COMMUNITY.

Gather + Celebrate Future Demand

The future demand of Alvarado gathering spaces and events will continue to increase as the population grows. Considering the existing demand is already not being met (according to feedback and relevant benchmarking), the City can ensure that programs remain accessible and relevant by aligning offerings with the evolving interests and needs of residents. Central to meeting current and future demand is providing (1) facilities that can host valued gathering, celebrating, and recreation, and (2) fully investing in the staffing and organization of modern-day events and gathering. Thoughtful planning and strategic investment will allow events and programming to reflect the identity and values of the community, while providing consistent opportunities for residents to come together. Over time, events and programs can cultivate a strong sense of belonging and serve as a cornerstone of a vibrant and resilient community. The City can create a lasting framework that grows with its population and fosters a culture of participation and pride by approaching programming with intention and foresight.

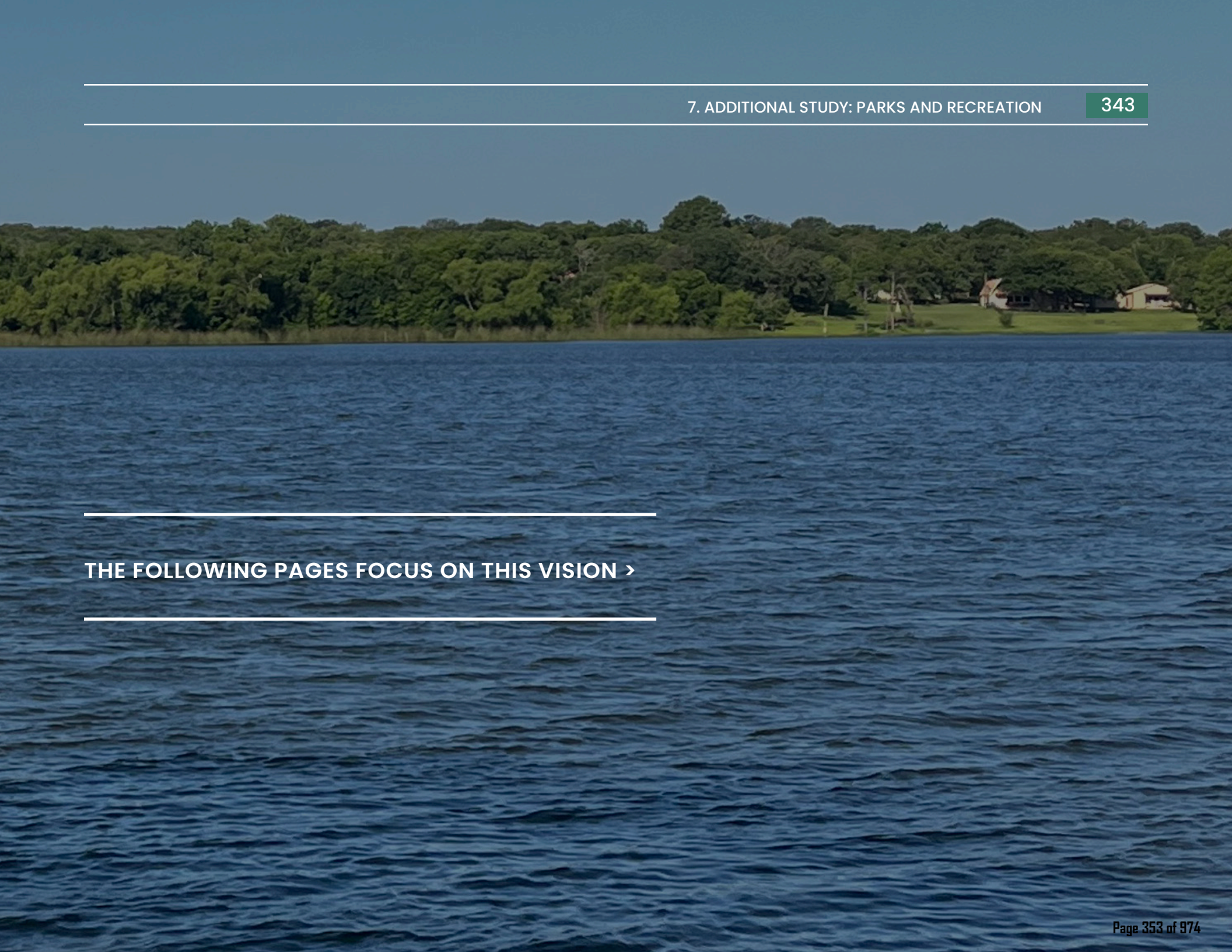
Gather + Celebrate Triple Bottom Line Benefits

Gathering spaces and community events strengthen Alvarado's social fabric while contributing to economic vitality and efficient use of public space. Accessible places to gather—such as Downtown parks, plazas, and event spaces—support social connection, civic pride, and a sense of belonging by creating opportunities for residents to come together through shared experiences. These spaces also generate economic activity by supporting local businesses, attracting visitors for events, and increasing foot traffic in surrounding areas. When designed as flexible, multi-use environments, gathering spaces make efficient use of public investment while minimizing environmental impact by accommodating both daily use and special events within existing public areas.



VISION: PARKS + RECREATION

ALVARADO'S PARKS AND RECREATION SYSTEM IS ENVISIONED AS A CONNECTED NETWORK OF PARKS, TRAILS, NATURAL AREAS, AND GATHERING SPACES THAT SUPPORT EVERYDAY USE, COMMUNITY CONNECTION, AND QUALITY OF LIFE AS THE CITY GROWS.



THE FOLLOWING PAGES FOCUS ON THIS VISION >

VISION: PARKS + RECREATION

Alvarado's Parks and Recreation System will provide a connected network of parks, trails, natural areas, and gathering spaces that support daily life, community identity, and long-term quality of life as the city grows. The System will serve residents of diverse ages and abilities by offering a balanced mix of active recreation, passive enjoyment, and shared community spaces.

Parks and open spaces will be legible, accessible, and clearly public, designed so residents understand where they can go, how spaces are used, and feel welcome to spend time there. The System will move beyond incidental open space toward intentional places that support play, reflection, connection to nature, and community gathering as part of everyday routines.

Trails and green connections will link neighborhoods, parks, Downtown, and key destinations, reducing reliance on vehicles and expanding access to recreation throughout the Planning Area. Natural features, trees, and floodplains will be recognized as foundational assets that shape the character of the System while supporting resilience and comfort in outdoor spaces.

Community gathering spaces and programs will continue to strengthen Alvarado's sense of identity and belonging, offering opportunities for residents to come together in ways that reflect local values and traditions. The Parks and Recreation System will function as an integrated, reliable public resource, one that grows intentionally alongside Alvarado and supports health, connection, and pride in place.

VISION: PARKS + RECREATION

Alignment with Vision Guiding Principles

Continuously Improving

The City commits to ongoing evaluation and intentional reinvestment in the Parks and Recreation System. Incremental improvements, informed by community feedback and changing needs, will strengthen the System over time and improve everyday quality of life.

Fun + Inviting

Parks and programs provide welcoming, comfortable environments that encourage people of diverse ages and stages to gather, play, and enjoy time outdoors. These spaces support both everyday use and special moments that create lasting memories.

Neighborly + Family-Friendly

Parks serve as familiar, accessible places where families and neighbors connect through shared experiences. Spaces are designed to support a wide range of ages, abilities, and activity levels.

Efficient + Connected

Parks, trails, and open spaces function as an integrated System, linking neighborhoods, Downtown, and key destinations. Coordinated planning and maintenance support ease of access, operational efficiency, and long-term sustainability.

Intentional + Distinct

Each Parks and Recreation System component reflects thoughtful design decisions that respond to context, use, and community character. Investments are made with purpose, reinforcing Alvarado's identity while accommodating growth and change.

Safe

The design, maintenance, and programming of parks and recreation spaces prioritize visibility, comfort, and a sense of security. Clear layouts, appropriate lighting, and ongoing care help ensure that residents feel safe and welcome.

Engaged + Collaborative

The City advances its parks and recreation goals through partnerships with residents, local organizations, and regional entities. Community input and collaboration play an essential role in shaping spaces that reflect shared values and priorities.

Landscaped + Charming

Well-maintained landscapes, trees, and natural features enhance the appearance and comfort of parks, public spaces, and the city overall. Thoughtful planting and design contribute to a sense of pride and reinforce Alvarado's character.

Trusted Action

The City builds trust by following through on adopted plans and making visible, consistent improvements. Clear communication and reliable delivery reinforce confidence in the Parks and Recreation System as a public resource and community asset.

VISION: PARKS + RECREATION

Alignment with Regional + State Priorities

Texas Parks and Wildlife Department (TPWD) Priorities

This Parks and Recreation Study aligns with key priorities established by the Texas Parks and Wildlife Department (TPWD) through its statewide planning, conservation, and recreation initiatives. TPWD's 2024 Land and Water Resources Conservation and Recreation Plan provides guidance for expanding park access, conserving natural resources, and integrating outdoor recreation into local planning efforts. In addition, TPWD's R3 (Recruitment, Retention, and Reactivation) Strategic Plan emphasizes increasing participation in outdoor recreation through accessible facilities, clear public access, and community-driven programming. TPWD research and planning documents consistently highlight the role of parks, trails, and natural areas in supporting public health, community well-being, economic vitality, and long-term resilience. These priorities align closely with the needs identified in Alvarado, particularly the need to move beyond incidental open space toward intentional, legible, and accessible public recreation assets.

A few highlights of TPWD priority areas relevant to Alvarado's Parks and Recreation System are as follows:

1. CONSERVATION + STEWARDSHIP OF NATURAL RESOURCES

TPWD Priority: Protect, restore, and manage land, water, and wildlife to ensure long-term environmental and recreational sustainability.

In Alvarado, floodplains, waterways, tree cover, and open land represent foundational assets for both conservation and recreation. This Study aligns with TPWD priorities by recognizing natural features as system-level infrastructure that shape park character, comfort, and usability. Preservation of floodplains and natural drainage areas as public open space supports ecological health while reducing long-term infrastructure costs.

This approach reflects best practices for growing communities by balancing development pressures with proactive conservation and stewardship, particularly in areas vulnerable to flooding, heat, and environmental degradation.

2. INCREASING PUBLIC ACCESS + OUTDOOR RECREATION OPPORTUNITIES

TPWD Priority: Ensure that all Texans have access to outdoor spaces and recreation.

TPWD emphasizes access, clarity, and usability as core components of successful park systems. This Parks Study aligns with that guidance by identifying service gaps, documenting access challenges, and emphasizing legibility as a key system need. Improving awareness of existing parks, clarifying public access, and strengthening connections between neighborhoods and recreation spaces are central themes throughout the Study. Water-based recreation access, passive park use, and multi-generational amenities are also consistent with TPWD priorities. In Alvarado, this includes recognizing the potential of Lake Alvarado as a public resource while acknowledging existing barriers related to access, visibility, and comfort.

VISION: PARKS + RECREATION

Alignment with Regional + State Priorities

Texas Parks and Wildlife Department (TPWD) Priorities

3. ECONOMIC DEVELOPMENT + PARK-SUPPORTED ACTIVITY

TPWD Priority: Leverage parks and outdoor recreation to support local economies and community vitality.

TPWD planning documents and grant guidance recognize parks and trails as contributors to local economic activity through increased visitation, event programming, and quality-of-life enhancements that support small businesses and workforce retention. In Alvarado, parks and recreation investments are closely tied to community identity, Downtown activity, and event-based use of public spaces.

By strengthening everyday park functionality while supporting gathering spaces and community events, the Parks and Recreation System contributes to broader economic and placemaking goals without relying on destination-scale tourism or overdevelopment.

4. EDUCATION, COMMUNITY ENGAGEMENT + R3 ALIGNMENT

TPWD Priority: Expand outreach, environmental education, and participation in outdoor recreation.

The R3 framework emphasizes reducing barriers to participation by improving clarity, comfort, and welcoming design. This Study reflects those principles by prioritizing legible spaces, visible public access, and amenities that support casual, everyday use rather than specialized recreation alone.

Opportunities for interpretive elements, community stewardship, and partnerships with local organizations align with TPWD's emphasis on education and engagement, particularly for youth, seniors, and residents new to outdoor recreation.

5. SUSTAINABLE FUNDING + LONG-TERM SYSTEM RESILIENCE

TPWD Priority: Support long-term viability of parks and recreation systems through diversified funding and partnerships.

TPWD grant programs encourage communities to plan holistically, demonstrate need, and align projects with statewide priorities related to access, conservation, and connectivity. By documenting existing conditions, service gaps, and system-wide needs, this Study positions Alvarado to pursue future grant opportunities while making informed, phased investments aligned with local capacity.

VISION: PARKS + RECREATION

Regional Transportation + Connectivity Alignment

North Central Texas Council of Governments (NCTCOG)

NCTCOG supports regional mobility, alternative transportation, and trail connectivity throughout North Texas. While Alvarado is not currently connected to the Regional Veloweb network, the emphasis on shared-use paths, off-street trails, and multimodal corridors reflects best practices incorporated into this Study. Coordinating local trail development with regional mobility goals strengthens long-term connectivity and access.

Johnson County Thoroughfare Plan

The Johnson County Thoroughfare Plan establishes a framework for roadway expansion and connectivity as the county grows. A key best-practice component of the Plan is the integration of sidewalks and shared-use paths within roadway corridors. This Parks and Recreation Study aligns with that approach by treating streets and rights-of-way as extensions of the recreation system and identifying opportunities to improve access to parks through coordinated infrastructure planning.

Texas Department of Transportation (TxDOT)

TxDOT roadway corridors within and near Alvarado represent both barriers and opportunities for recreation access. Best practices reflected in this Study include coordinating trail and pedestrian improvements with roadway projects, advocating for safe crossings and side paths, and integrating landscaping and shade to improve comfort for non-motorized users.

TOGETHER, THESE ALIGNMENTS ENSURE THAT ALVARADO'S PARKS AND RECREATION SYSTEM IS GROUNDED IN PROFESSIONAL STANDARDS WHILE REMAINING REALISTIC, LOCALLY RESPONSIVE, AND IMPLEMENTABLE.

VISION: PARKS + RECREATION

Alignment with Best Practices + Approaches

This Parks and Recreation Study was developed using proven planning and placemaking practices that emphasize everyday usability, system integration, healthy infrastructure, and long-term resilience. The approaches outlined below reflect current best practices in parks and recreation planning while remaining grounded in local context, fiscal realities, and implementation readiness.

SYSTEM-BASED + PLACE-BASED PLANNING

The Study approaches parks and recreation as an integrated public system made up of distinct places. Parks, trails, natural areas, and gathering spaces are planned to work together while still responding to their surrounding context and users. This combined system-based and place-based approach ensures that parks function collectively as public infrastructure while allowing each space to have a clear role and identity. This approach supports coordinated investment, operational efficiency, and adaptability over time without creating one-size-fits-all solutions.

PARKS AND RECREATION FUNCTION AS ESSENTIAL PUBLIC INFRASTRUCTURE, SUPPORTING HEALTH, DAILY LIFE, AND LONG-TERM COMMUNITY RESILIENCE WHEN DESIGNED AS INTEGRATED SYSTEMS OF PLACES.

HEALTHY INFRASTRUCTURE AS EVERYDAY PUBLIC INVESTMENT

The Study applies a healthy infrastructure lens, recognizing parks, trails, trees, and public spaces as essential systems that support physical health, mental well-being, social connection, and environmental comfort. Rather than treating recreation amenities as optional enhancements, the Study frames them as core public infrastructure that shapes daily routines and long-term quality of life. Healthy infrastructure investments support residents across all ages and abilities and help reduce long-term public health and infrastructure costs by promoting active living, outdoor access, and comfortable public environments. Parks and recreation priorities are organized into four complementary categories: play and reflection, trails and connectivity, nature and trees, and gathering and celebration. This framework reflects best practices in placemaking by recognizing that successful public spaces support multiple types of use, energy levels, and experiences. Together, the four categories function as a healthy infrastructure system by balancing activity, restoration, environmental comfort, and social connection.

VISION: PARKS + RECREATION

Alignment with Best Practices + Approaches

Visibility, Comfort, and the Everyday Experience
A core placemaking principle reflected in this Study is that people use places they understand and feel comfortable in. Analysis considers not only where parks are located, but how clearly they function as public spaces. Emphasis is placed on visible access points, clear public presence, shade, seating, lighting, and paths as essential amenities. By prioritizing visibility and comfort, the Study reinforces healthy infrastructure principles that encourage frequent, low-barrier use of public spaces as part of everyday life.

Parks as Civic Rooms + Community Anchors
Public spaces are treated as shared civic rooms, which are places where community life occurs informally and organically. This perspective supports parks that are flexible, familiar, and adaptable over time rather than overly programmed or single-purpose. As civic rooms, parks support social health by providing low-pressure environments for interaction, observation, and connection, reinforcing their role as everyday community anchors.

Access-Based Planning + Proximity
The Study emphasizes proximity and access as fundamental planning and placemaking considerations. Parks, trails, and open spaces are evaluated based on their relationship to neighborhoods, schools, Downtown, and daily destinations. This access-based approach supports healthy routines by making walking, outdoor activity, and time outside an easy and regular choice rather than a special trip. Identifying service gaps through walkable distance analysis helps guide future investments as the community grows.

Downtown as the Heart of the Parks and Recreation System
Downtown is recognized as the civic heart of Alvarado and its Parks and Recreation System. As one of the most visible and active public spaces in the city (especially in the future), Downtown functions as a central gathering place where events, daily activity, and community identity can naturally converge. Framing Downtown as the heart of the System reflects best practices in placemaking that position civic spaces as anchors for social interaction, wayfinding, and shared experience. Downtown parks and public spaces serve as entry points to the broader system of parks, trails, and public spaces throughout Alvarado, supporting both everyday use and community-wide gatherings.

VISION: PARKS + RECREATION

Alignment with Best Practices + Approaches

LAKE ALVARADO AS THE NATURAL ANCHOR

Lake Alvarado is recognized as the natural anchor of Alvarado and its Parks and Recreation System. As the largest open space within the Planning Area, the Lake represents a critical opportunity for reflection, nature-based recreation, and natural comfort. Framing Lake Alvarado as a natural anchor aligns with best practices that treat large natural assets as system stabilizers—spaces that support health, resilience, and restoration while balancing more active areas of the System. This approach emphasizes clarity of public access, stewardship of natural features, and everyday usability rather than destination-driven development.
Positioning the Lake as a natural anchor allows it to function as a complementary counterpoint to Downtown, strengthening the overall balance of the Parks and Recreation System.

NATURE AS INFRASTRUCTURE + EXPERIENCE

The Study reflects best practices that treat natural features as both environmental assets and functional infrastructure. Trees, floodplains, waterways, and green corridors are recognized for their role in comfort, identity, and resilience. These natural systems function as healthy infrastructure by improving air quality, reducing heat exposure, managing stormwater, and creating more comfortable and usable outdoor spaces for daily recreation.

INCREMENTAL + VISIBLE IMPLEMENTATION

Rather than relying on large, single investments, the Study supports incremental implementation strategies. Phased improvements allow the City to make steady progress within available capacity while delivering visible benefits that residents can experience over time. Incremental investments in healthy infrastructure—such as shade, seating, paths, and lighting—build trust through consistent, tangible improvements and allow flexibility as funding opportunities evolve.

PARTNERSHIPS + SHARED STEWARDSHIP

The Study emphasizes partnerships and shared stewardship as essential components of successful park systems. Collaboration with schools, community organizations, regional agencies, and private partners helps expand access to recreation while maximizing public investment. Shared stewardship reinforces long-term care, community ownership, and resilience of public spaces.

COMMUNITY-INFORMED + CONTEXT-SENSITIVE DESIGN

Community engagement informed priorities throughout the Study and helped translate feedback into design principles rather than prescriptive solutions. This approach reflects best practices that prioritize how spaces feel and function over fixed programming. Community input ensures that healthy infrastructure responds to real use patterns, comfort needs, and local character, supporting adaptable spaces that remain relevant over time.

VISION: PARKS + RECREATION

Proposed Trails

TRAIL PLAN

The Trail Plan presents a high-level framework for a connected trail network across the Alvarado Planning Area, illustrating how trails can function as an integrated system over time. The network considers existing trails, planned roadway corridors, floodplains, anticipated growth areas, and key community destinations to establish overall connectivity, access, and priorities. The map is intended to communicate system relationships and long-term structure rather than final alignments, providing flexibility as conditions, funding, partnerships, and implementation opportunities evolve. The trail and trailhead typologies that follow translate this system-level framework into more detailed guidance for design, amenities, and implementation.

A key organizing principle of the proposed network is the integration of trails within both planned roadway corridors and floodplain greenbelts, recognizing these areas as foundational components of the Parks and Recreation System. Trails are shown on both sides of floodplain corridors where practicable, supporting redundancy, improved access from surrounding neighborhoods, and looped trail experiences. This dual-edge approach reflects best practices in trail planning and resilience by balancing recreation access with environmental constraints. The network is generally organized into Primary Trails and Secondary Trails to support phased implementation and coordination with other infrastructure investments.

Primary Trails

Generally align with Minor Arterial and Collector roadways identified in the City's Master Thoroughfare Plan.

These corridors are anticipated to accommodate shared-use paths or side paths as part of future roadway construction or reconstruction, allowing trail expansion to occur incrementally as transportation projects move forward and funding becomes available.

Secondary Trails

Primarily located within floodplain and greenbelt corridors, providing natural connections between neighborhoods, parks, Lake Alvarado, and Downtown.

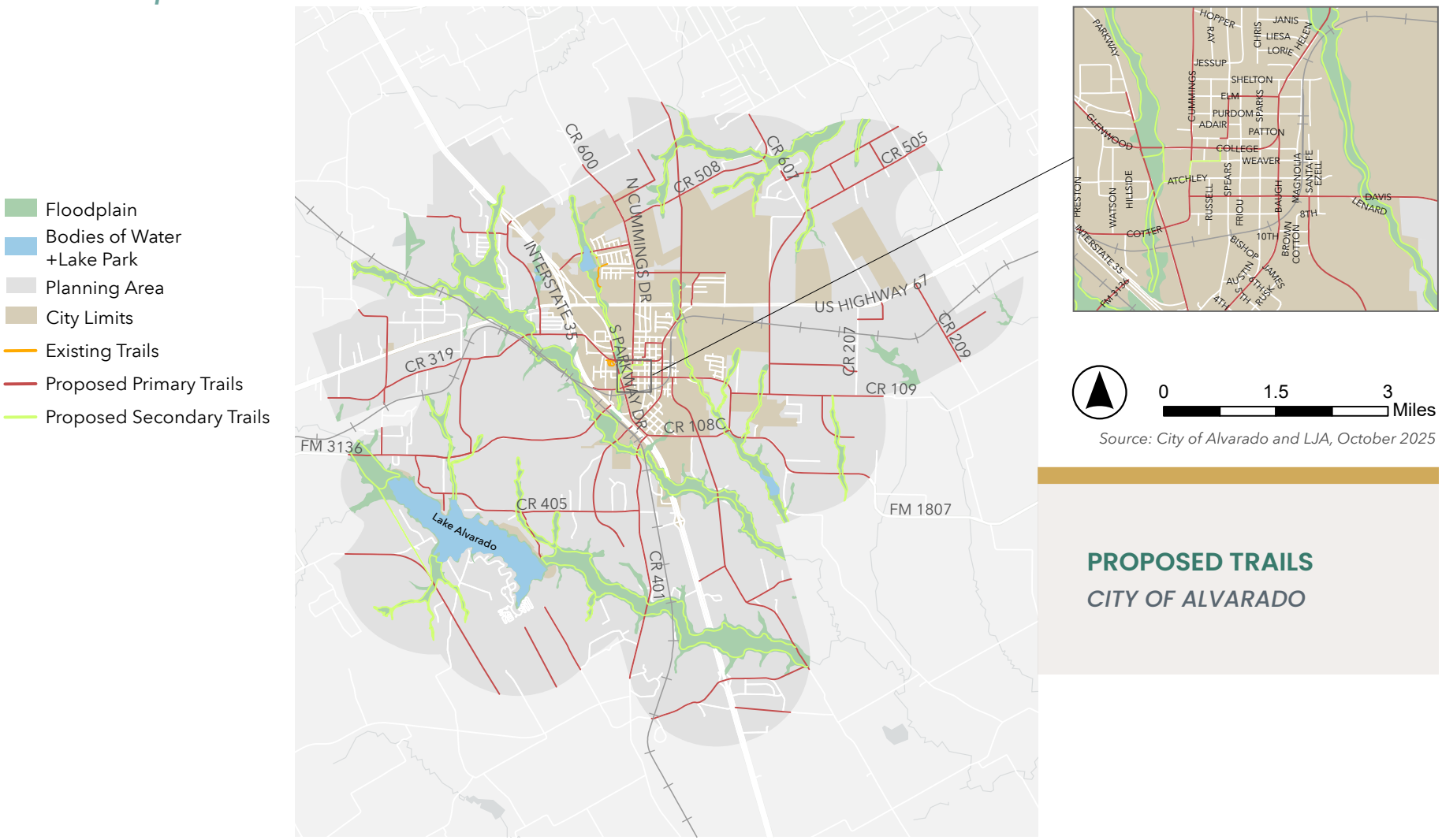
These trails emphasize recreation, environmental stewardship, and access to open space while complementing the roadway-based trail network.

Together, the Primary and Secondary Trails are intended to function as an integrated system that expands access, strengthens connectivity, and supports everyday recreation throughout Alvarado. As development occurs, trail connections should be considered as part of broader land planning efforts to ensure continuity, legibility, and long-term system performance.

THESE SYSTEM-LEVEL PRINCIPLES ARE FURTHER REINFORCED THROUGH THE TRAIL AND TRAILHEAD TYPOLOGIES AND KEY CONCEPTS THAT FOLLOW.

VISION: PARKS + RECREATION

Trail Plan Map



Source: City of Alvarado and LJA, October 2025

PROPOSED TRAILS
CITY OF ALVARADO

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

Trails and trailheads are key components of a connected Parks and Recreation System, supporting mobility, recreation, and access to nature. The trail and trailhead typologies outlined in this section provide flexible guidance to inform future planning, design, and investment decisions by matching trail design and amenities to location, use, and context. These typologies are intended to support phased implementation and should be refined through detailed study, coordination with partner agencies, and consideration of community priorities, environmental constraints, capacity, and funding availability.

Trail Types

SHARED-USE GREENBELT TRAILS
(Primary Multi-Use Pathway System)

Purpose

Provide a safe, accessible, and scenic network for walking, jogging, cycling, and other low-impact uses, connecting neighborhoods, parks, Downtown, and key destinations.

Typical Features

- Generally 10-12 feet wide, with widths adjusted based on context and anticipated use
- Durable paved surfaces such as asphalt or concrete
- Buffers from roadways where feasible, using landscaped areas or tree-lined separations
- Rest areas with benches, shade, and water access at appropriate intervals
- Wayfinding signage, including distance markers and system maps
- Stormwater features such as bioswales, permeable sections, or boardwalks in flood-prone areas
- Lighting and safety features in higher-use or urbanized segments, where appropriate

Priority Corridors

- N. Cummings corridor: a north–south connection linking South and North Alvarado to Downtown
- CR 405 corridor: an east–west connection linking Downtown to Lake Alvarado

WHERE THIS FITS
Forms the backbone of Alvarado's trail system, providing safe, continuous connections between neighborhoods, parks, Downtown, and Lake Alvarado.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

Trail Types

NATURE + SINGLETRACK TRAILS

(Hiking and Low-Impact Recreation)

Purpose

Provide off-road, natural-surface trails that encourage outdoor recreation and immersion in nature while preserving sensitive landscapes.

Typical Features

- Narrow trail widths (approximately 4-6 feet) using natural soil, gravel, or stabilized surfaces
- Alignments designed to minimize erosion, including switchbacks and grade control where needed
- Boardwalks or elevated sections in wetland or flood-prone areas
- Clearly designated difficulty levels where appropriate
- Interpretive signage highlighting local ecology, wildlife, and landscape features

Priority Areas

Natural floodplain and open space areas near Lake Alvarado, offering low-impact trails with views of the lake and surrounding landscapes

WHERE THIS FITS

Supports low-impact recreation and nature immersion in sensitive open space areas while preserving environmental character and landscape integrity.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

Trail Types

SAFE ROUTES TO SCHOOLS + PARKS

(SPEAR – Safe Pathways for Education, Access, and Recreation)

Purpose

Establish safe, accessible pedestrian and bicycle routes that encourage walking and biking to schools, parks, Downtown, and other daily destinations.

Typical Features

- Sidewalks or shared-use paths along priority neighborhood corridors
- On-street bicycle accommodations or protected multi-use paths where feasible
- Enhanced crossings at major intersections, such as high-visibility markings or refuge islands
- Traffic-calming measures in areas with high pedestrian activity
- Tree canopy or shade elements to improve comfort during warmer months

Priority Areas

- CR 109-CR 319 corridors providing east–west walking and biking access to Downtown
- Downtown pathways improving pedestrian connections within and around Downtown
- SPEAR corridors connecting schools, parks, and residential areas

WHERE THIS FITS

Prioritizes everyday walking and biking by linking schools, parks, and neighborhoods through safe, visible, and accessible routes.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

Trail Types

DESTINATION + LOOP TRAILS

(Recreation and Community Experience)

Purpose

Create experience-driven trail loops that support fitness, recreation, and community identity while accommodating a range of users.

Typical Features

- Combination of paved and natural trail segments
- Scenic viewpoints or rest areas
- Interpretive elements such as public art, historic markers, or educational signage
- Optional fitness elements or loop configurations
- Infrastructure capable of supporting occasional community events or programs

Priority Areas

- Lake Alvarado loop opportunities incorporating outdoor learning and interpretive elements
- Downtown loop connections highlighting Alvarado's historic character
- Trail connections serving recreational facilities and school campuses

WHERE THIS FITS

Creates experience-driven trail loops that reinforce community identity, support recreation, and accommodate a wide range of users and activities.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

Trailhead Types

Trailheads are scaled and designed based on location, surrounding land use, and anticipated use, ranging from neighborhood access points to regional destinations.

NEIGHBORHOOD TRAILHEADS

Purpose

Provide convenient, walkable access to trails within neighborhoods and near everyday destinations.

Typical Features

- Wayfinding and directional signage
- Bicycle racks
- Waste and recycling receptacles
- Dog waste stations
- Bollards or similar features to limit unauthorized vehicle access

Additional Features (Where Feasible)

- Small parking areas or limited on-street parking
- Lighting, including solar options
- Interpretive signage or public art
- Drinking fountains with pet access

Strategic Locations

- Downtown access points connecting surrounding neighborhoods
- Cummings corridor near Alvarado Elementary North

WHERE THIS FITS

Provides convenient, walkable access points that support daily trail use and connect nearby neighborhoods to the broader trail network.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

REGIONAL DESTINATION TRAILHEADS

Purpose

Serve as primary access points for higher-use trail areas and visitors arriving by vehicle.

Typical Features

- Parking areas sized to anticipated demand
- Trail maps, safety information, and wayfinding signage
- Restroom facilities or portable amenities
- Shaded seating or picnic areas
- Waste and recycling receptacles
- Dog waste stations

Additional Features (Where Feasible)

- Covered pavilions or scenic overlooks
- Bike repair or support stations
- Interpretive signage highlighting local history, ecology, or community identity

Strategic Locations

- FM 3136 area providing access to Lake Alvarado and surrounding greenbelt corridors

CONTEXT-SPECIFIC TRAILHEADS

Purpose

Enhance identity, education, and community engagement through trailheads tailored to local context. These trailheads are intentionally flexible and site-responsive, allowing amenities and design features to vary based on location, context, and community needs.

Examples

- Historic Trailheads: featuring interpretive signage and public art related to Alvarado's history
- Eco-Education Trailheads: highlighting wetlands, wildlife, and native landscapes
- Recreation-Oriented Trailheads: supporting fitness activities, group use, or small community events

WHERE THIS FITS

Serves as key access points for higher-use trails while allowing site-responsive design that reflects local history, ecology, and community needs.

VISION: PARKS + RECREATION

Trails + Trailheads: Typologies

KEY CONCEPTS

Downtown as a Nested Trail + Civic Node Network

Downtown is envisioned as a primary trail and civic node network within Alvarado's Parks and Recreation System, where multiple trail types, pedestrian routes, and public spaces converge. This node-based approach reflects best practices that position Downtown as both a destination and a connector, supporting everyday movement, community gathering, and intuitive wayfinding. By organizing trail connections around Downtown, the system reinforces legibility, encourages multi-directional access, and strengthens the relationship between trails, public spaces, and local businesses. From a resilience perspective, Downtown civic nodes also function as flexible community spaces that can support emergency access, information sharing, and post-event recovery activities while continuing to serve daily needs. Downtown trail and civic nodes function as visible, welcoming entry points to the broader trail network while supporting flexible use for events, daily circulation, and community life.

Master Thoroughfare Plan Roadways as Trail Corridors

Planned roadways identified in the City's Master Thoroughfare Plan are recognized as essential components of the trail and connectivity network. As new or improved roadways are constructed, associated side paths, shared-use paths, and sidewalks should be viewed as extensions of the Parks and Recreation System rather than standalone transportation facilities. Integrating MTP roadways into the trail network expands access citywide as development occurs, creates predictable and continuous routes for walking and biking, links neighborhoods to schools, parks, Downtown, and civic destinations, and maximizes the return on public infrastructure investment. This approach supports resilience by embedding safe, accessible routes into everyday infrastructure, providing redundant mobility options during disruptions and supporting long-term adaptability as land use and transportation needs evolve. This reinforces the idea that trails function as a community-wide network embedded within everyday infrastructure.

Floodplain Corridors as Dual-Edge Trail Opportunities

Floodplains and drainage corridors present unique opportunities to expand trail access while supporting environmental stewardship and resilience. Where practicable, trails should be considered on both sides of floodplain corridors to improve connectivity, reduce out-of-direction travel, and provide multiple access points to parks and open spaces. A dual-edge approach to floodplain trails improves system redundancy during maintenance or flooding events, enhances access from surrounding neighborhoods, supports looped trail experiences, and balances recreation access with habitat protection. In addition, floodplain trails can be designed to accommodate periodic inundation, recover quickly after storm events, and reinforce public awareness of natural systems as working infrastructure. Trail placement should be informed by environmental constraints, safety considerations, and long-term maintenance needs, with flexibility to adjust alignments based on site-specific conditions.

IMPLEMENTATION: PARKS + RECREATION

Goal: Create a connected, resilient Parks and Recreation System that supports everyday life, strengthens community identity, and grows intentionally alongside Alvarado.

Strategy (Play + Reflect): Expand and improve parks and recreation spaces to support everyday play, reflection, and low-impact recreation for residents of all ages and abilities.

POLICIES + ONGOING PRACTICES

- Require new parks and park renovations to include a balance of active and passive amenities, including shaded seating and accessible paths.
- Review park conditions annually and adjust improvement priorities based on use, maintenance needs, and community feedback.
- Coordinate park planning with infrastructure, utilities, and development review activities

ACTIONS

- Complete a feasibility and cost assessment for a potential community recreation center, including site options, program needs, operating models, and partnership opportunities.
- Prepare a park-specific master plan for Pecan Orchard Park identifying phased improvements, amenities, circulation, lighting, and event-support infrastructure.
- Conduct a citywide inventory of existing parks and unimproved open spaces to identify gaps in play and reflection amenities.
- Identify and prioritize at least five locations across existing parks for new reflective amenities such as benches, shade structures, walking loops, or seating nodes.
- Install a pilot set of low-cost reflective amenities in at least one park to evaluate use, maintenance needs, and community response.
- Execute a joint-use agreement with Alvarado ISD allowing shared community access to school playgrounds, fields, and recreational facilities during designated non-school hours.
- Develop a phased park improvement list tied to cost ranges to support future budgeting and grant applications.

IMPLEMENTATION: PARKS + RECREATION

Strategy (Trails + Connectivity): Build a connected, legible trail network that links neighborhoods, parks, Downtown, schools, and key destinations while improving safety, accessibility, and resilience.

POLICIES + ONGOING PRACTICES

- Treat trails, side paths, and shared-use paths as core Parks and Recreation infrastructure rather than standalone transportation facilities.
- Prioritize redundancy and connectivity, including dual-edge floodplain trails where practicable.
- Periodically review trail design standards to ensure consistency with safety, accessibility, and maintenance capacity.

ACTIONS

- Amend the Code of Ordinances to require public access easements and trail construction as public improvements when plats or development align with planned trail corridors.
- Update the Capital Improvements Program to include trail segments tied to roadway projects and identify funding assumptions and implementation triggers.
- Identify and prioritize three initial trail segments for near-term implementation based on connectivity, feasibility, and equity of access.
- Identify and conceptually design at least three trailhead locations, including access points, signage, parking, and basic amenities.
- Install standardized wayfinding, distance markers, and trail identification signage along existing City-managed trails.
- Prepare a trail coordination checklist for working with Johnson County, TxDOT, and adjacent jurisdictions on roadway and side-path projects.

IMPLEMENTATION: PARKS + RECREATION

Strategy (Nature + Trees): Use trees, landscaping, and natural systems as foundational infrastructure that enhances comfort, environmental health, and long-term resilience.

POLICIES + ONGOING PRACTICES

- Prioritize native and climate-adapted species in all City-led planting efforts.
- Use floodplains and greenbelts as multifunctional spaces supporting recreation, habitat, and stormwater management.
- Track changes in tree canopy coverage over time to inform planting priorities.

ACTIONS

- Identify and map priority properties for acquisition, conservation, or partnership to support parks, greenbelts, floodplain access, or trail corridors.
- Develop a native planting and tree enhancement plan for parks, trails, floodplains, and priority streets.
- Complete an invasive species assessment for City-managed parks and initiate removal and restoration in at least one high-priority location.
- Update the Code of Ordinances to adopt tree preservation, planting, and landscape standards for new development, roadway projects, parks, and trails.
- Identify at least three priority corridors or parks for near-term tree planting based on shade gaps and heat exposure.
- Coordinate tree planting plans with drainage and stormwater projects to improve erosion control and runoff performance.
- Establish a basic tree inventory for City-managed parks to support long-term maintenance planning.

IMPLEMENTATION: PARKS + RECREATION

Strategy (Gather + Celebrate): Support community identity and connection by ensuring parks and public spaces are designed and managed to host gatherings, events, and everyday social activity.

POLICIES + ONGOING PRACTICES

- Design public spaces with flexible layouts that support both daily use and special events.
- Review event attendance, costs, and community feedback annually to refine programming and facility needs.
- Encourage partnerships with local organizations and businesses to support programming and activation.

ACTIONS

- Create and publish a consolidated annual events calendar through the City website, social media, and printed materials.
- Develop and formally adopt public gathering space standards addressing lighting, power access, signage, seating, ADA accessibility, and safety.
- Identify at least two parks or public spaces suitable for expanded event use and prepare site-specific improvement recommendations.
- Document infrastructure needs for City-hosted events, including power, staging areas, storage, and access requirements.
- Establish written vendor, sponsorship, and participation guidelines for City-hosted events and festivals.
- Pilot one new or expanded community event in a park or public space upgraded through this Study.
- Evaluate event operations and site performance following the pilot and document recommended improvements

City of Alvarado
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MEMORANDUM

City of Alvarado, Texas Date: January 13, 2025

To: Texas General Land Office From: City of Alvarado

City Secretary/Assistant to the City Manager

Bobbie Jo Taylor (Alvarado Civil Rights Officer)

Re: Draft Comprehensive Plan AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) REVIEW for the Resilient Communities Program (RCP)

1. Purpose of AFFH Review

The City of Alvarado has prepared this Affirmatively Furthering Fair Housing (AFFH) review to demonstrate how the Draft Comprehensive Plan supports fair housing choice, reduces barriers to opportunity, and promotes inclusive access to housing, services, and community amenities, consistent with:

- The Federal Fair Housing Act
- Texas General Land Office (GLO) civil rights requirements
- Resilient Communities Program (RCP) grant conditions
- The City's adopted Fair Housing Ordinance

This review evaluates whether the Draft Comprehensive Plan contains policies, strategies, and implementation actions that meaningfully advance fair housing objectives beyond nondiscrimination alone.

2. Fair Housing Commitment + Local Legal Framework

The City of Alvarado has formally demonstrated its commitment to fair housing through adoption of a Fair Housing Ordinance prohibiting discrimination based on race, color, religion, sex, national origin, disability, or familial status, establishing complaint procedures, enforcement authority, and public notice requirements. The Comprehensive

Plan builds on this legal foundation by embedding fair housing principles into land use, housing, infrastructure, mobility, parks, and community development policy.

3. AFFH Integration within the Draft Comprehensive Plan

A. Housing Choice + Supply

The Draft Comprehensive Plan supports expanded housing choice by:

- Allowing a range of housing types across the Planning Area, including single-family neighborhoods, townhomes, multifamily housing, and mixed-use development.
- Encouraging residential development in walkable, mixed-use areas, particularly Downtown and designated activity centers, improving access to services, jobs, and amenities.
- Supporting housing near infrastructure, services, and transit corridors, reducing transportation cost burdens and improving access to opportunity.

These strategies help reduce concentration of housing types and support inclusive residential patterns.

B. Land Use + Zoning Framework

The Future Land Use Plan (FLUP):

- Establishes clear, predictable development expectations, reducing discretionary barriers that can unintentionally limit

housing choice.
- Supports mixed-use and higher-intensity development in appropriate locations, creating opportunities for diverse household types.
- Avoids exclusionary land use practices by promoting compatibility and context-sensitive design rather than blanket restrictions.

The Plan's land use framework is designed to be implemented through future zoning updates that align with fair housing objectives.

C. Access to Opportunity + Community Amenities

The Draft Comprehensive Plan advances AFFH goals by improving equitable access to opportunity, including:

- Parks + Recreation: Expansion of parks, trails, and open space across the city, improving access to healthy infrastructure and recreational opportunities.
- Mobility + Connectivity: Improved sidewalks, trails, and roadway connections that link neighborhoods to schools, parks, Downtown, and employment areas.
- Downtown Investment: Revitalization of Downtown as a walkable, mixed-use destination accessible to residents citywide.

These investments reduce spatial inequities and support inclusive community participation.

D. Infrastructure + Public Services

The Strategic Growth framework addresses:

- Infrastructure gaps that can limit housing development or reinvestment.
- Long-term planning for water, wastewater, drainage, and public safety services to support growth without displacement or service inequities.
- Coordination of capital improvements to support existing and future residential areas equitably.

By aligning infrastructure planning with land use and housing policy, the City supports fair and consistent service delivery.

E. Community Engagement + Participation

The planning process itself supports AFFH by:

- Incorporating multiple engagement formats (community forums, stakeholder workshops, surveys, and advisory committees).
- Providing opportunities for residents, business owners, and stakeholders to shape plan outcomes.
- Emphasizing transparency, clarity, and follow-through to rebuild trust and encourage broader participation.

This inclusive planning process aligns with citizen participation requirements and supports fair housing awareness.

4. Barriers to Fair Housing + Mitigation Strategies

The Draft Comprehensive Plan acknowledges and responds to potential barriers to fair housing, including:

- Limited housing variety
- Infrastructure constraints
- Transportation and connectivity challenges
- Uneven access to amenities

Plan strategies focus on incremental, practical actions that reduce these barriers over time through coordinated land use, infrastructure investment, and policy alignment.

5. Implementation + Ongoing Compliance

Implementation of the Comprehensive Plan will be supported by:

- Alignment with the City's Civil Rights Officer, Citizen Participation Plan, nondiscrimination policies, and grievance procedures.
- Continued public notice and education regarding fair housing rights.
- Future zoning and code updates consistent with adopted plan policies.
- Monitoring through capital planning, development review, and public engagement processes.

The City recognizes AFFH as an ongoing obligation, not a one-time action.

6. Conclusion

The City of Alvarado's Draft Comprehensive Plan meaningfully affirms and furthers fair housing by integrating housing choice, access to opportunity, equitable infrastructure investment, and inclusive engagement into a single, coordinated planning framework. Through this Plan and the City's adopted civil rights policies, the City demonstrates compliance with GLO civil rights requirements and a proactive commitment to fair housing for current and future residents.

Respectfully,

City Secretary/Assistant to the City Manager Bobbie Jo Taylor

(Alvarado Civil Rights Officer)

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101

Planning and Zoning Management Report
Meeting Date: 3/12/2026
Contact:

AGENDA ITEM:
Public Hearing, presentation, and discussion of a preliminary zoning report. (LJA)

BACKGROUND & FINDINGS:

FINANCIAL IMPACT:

RECOMMENDATION:

MANAGEMENT REVIEW:
Paul DeBuff, City Manager

ATTACHMENTS:
1. 260219 - Draft Zoning Ordinance Clean
2. 260219 - Draft Zoning Ordinance Redline

Chapter 42

ZONING ORDINANCE REDLINE

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§ 42-2. Scope of chapter.
§ 42-3. Compliance with zoning regulations.
§ 42-4. Zoning districts.
§ 42-5. Zoning district map.
§ 42-6. Zoning district boundaries.
§ 42-7. Newly annexed territory.
§ 42-8. Consistency with comprehensive plan.
§ 42-9. Rules of construction and definitions.
§ 42-10. Classification of new and unlisted uses.
§ 42-11. through § 42-19. (Reserved)

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DISTRICTS AND LAND USES

§ 42-20. A Agricultural district.
§ 42-21. SF-1 Single-family residential district.
§ 42-22. SF-2 Single-family residential district.
§ 42-23. GH Garden home district.
§ 42-24. MH-1X Manufactured home park district (X).
§ 42-25. MH-2X Manufactured home subdivision district (X).
§ 42-26. MH-3X Manufactured home subdivision district (X).
§ 42-27. DD Duplex district.
§ 42-28. MFX Multifamily residential district (X).
§ 42-29. Neighborhood commercial district.
§ 42-30. RC Regional commercial district.
§ 42-31. CF Commerce Flex district.
§ 42-32. IND Industrial district.
§ 42-33. CBDX Central business district (X).
§ 42-34. INS Institutional district (X).
§ 42-35. PD Planned development district.
§ 42-36. FN Floodplain and Nature district.
§ 42-37. TH Townhome district.
§ 42-38. DT Downtown overlay district.
§ 42-39. NMU Neighborhood Mixed Use district.
§ 42-40. RMU Regional Mixed Use district.
§ 42-41. INN Innovation district.
§ 42-42. through § 42-44. (Reserved)

ARTICLE III
SPECIAL USES

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ARTICLE IV
SUPPLEMENTARY REGULATIONS

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§ 42-59. Fences.
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§ 42-74. through § 42-79. (Reserved)

ARTICLE VI
NONCONFORMING USES, LOTS AND STRUCTURES

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§ 42-83. Destruction of nonconforming use.
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§ 42-86. Waiver.
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ARTICLE VII
ADMINISTRATION AND ENFORCEMENT

§ 42-95. Board of adjustment.
§ 42-96. Changes and amendments.
§ 42-97. Fees, charges, and expenses.
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§ 42-99. Injunction.
§ 42-100. Planning and Zoning Commission.
§ 42-101. through § 42-175. (Reserved)

ARTICLE VIII
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DIVISION 2
Reserved
§ 42-209. through § 42-234. (Reserved)

DIVISION 3
Reserved
§ 42-235. through § 42-258. (Reserved)

DIVISION 6
Reserved
§ 42-328. through § 42-354. (Reserved)

DIVISION 7
Reserved
§ 42-355. through § 42-364. (Reserved)

DIVISION 8
Reserved

§ 42-379. through § 42-417. (Reserved)

DIVISION 9
Reserved

§ 42-418. through § 42-444. (Reserved)

DIVISION 10
Reserved

§ 42-445. through § 42-468. (Reserved)

DIVISION 12
Reserved

§ 42-500. through § 42-531. (Reserved)

DIVISION 14
Reserved

§ 42-566. through § 42-590. (Reserved)

DIVISION 15
Reserved

§ 42-591. through § 42-625. (Reserved)

DIVISION 16
Reserved

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DIVISION 17
Reserved

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DIVISION 18
Reserved

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Reserved

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Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, set out provisions for use herein as arts. I—VII, secs. 42-1—42-10, 42-20—42-36, 42-45, 42-55—42-59, 42-70—42-73, 42-80—42-85, and 42-95—42-99. Inasmuch as provisions with similar numbering already existed, at the direction of the city,

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the existing provisions numbered arts. III—VII were maintained by renumbering as new arts. VIII—XII.

Chapter 42 is included herein as published in the 2010 Code of Ordinances, as supplemented. Article, division and section numbers have not been changed.

ARTICLE I APPLICABILITY OF ORDINANCE

§ 42-1. Interpretation, purposes, and administration.

(a) Purpose. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals and welfare. The zoning regulations and districts as herein established have been made in accordance with a comprehensive plan, for the purpose of promoting the health, safety, morals and welfare of the city. This chapter has been designed, among other things, to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of the land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, open spaces, and to protect and enhance historical, cultural and environmental qualities, and other public requirements. They have been made with reasonable consideration, among other things; of the right to use the land subject to reasonable regulations; of the character of the district and its peculiar suitability for the particular uses specified; and with a view of conserving the value of land and buildings and encouraging the most appropriate use of land throughout the city consistent with the comprehensive plan.

(b) Zoning administration. The zoning administrator is charged with the administration and interpretation of this chapter. In the event that this chapter or any provision hereof is unclear as to its applicability to any property or person, the zoning administrator shall render an interpretation of the ordinance or provision after taking into consideration the purpose and intent of the ordinance as a whole. The decision of the zoning administrator shall be subject to review by the board of adjustment as provided in section 42-95.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-2. Scope of chapter.

The provisions of this zoning chapter and the regulations in the districts established herein constitute minimum requirements for the promotion of the public health, safety, morals and general welfare of the city. Wherever higher or more restrictive standards are established by provisions of any other applicable statute, ordinance or regulation than is established by the provisions of this chapter, the provisions of such other statute, ordinance or regulation shall govern.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-3. Compliance with zoning regulations.

(a) Compliance with zoning regulations required. Except as otherwise provided in this chapter, all property located within the city shall only be occupied, used, erected, altered, converted, arranged or designed in conformance with the zoning regulations prescribed for the zoning district in which such property is located as hereinafter provided.

(b) Building permits prohibited without plat. No permit for the construction or placement of a building upon any property shall be issued unless the property is part of a plat of record, properly approved by the planning and zoning commission and city council and filed in the plat records of the county.

(c) Exclusions. Nothing herein contained shall require any change in the plans, construction, or designated use of a building under construction at the time the provisions of this chapter become applicable provided the entire building shall be completed within one year from the date of the passage of the ordinance from which this chapter is derived.

(d) One main building on a lot or tract. Only one main building for one-family or two-family use with

permitted accessory buildings may be located upon any lot or tract. Every dwelling shall face or front upon a public street or approved means of access other than an alley, which street or approved means of access shall have a minimum width of 30 feet. Where a lot is used for retail or multifamily dwelling purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking, density, and other development requirements applicable to the uses in the district in which it is located. Whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the city council. No parking area, yard, or required open space for one building shall be computed as being the open space, yard, or area requirements for any other use.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-4. Zoning districts.

(a) Purpose. In order to regulate and restrict the location of trades and industries, the use of land and buildings, and the location of buildings erected, placed, reconstructed, altered or enlarged for specified uses; to regulate and limit the height and bulk of buildings; to regulate and determine the area of yards and other open spaces; to regulate and limit the density of population; and to otherwise assure that adjoining and adjacent uses of land are compatible, the city is hereby divided into the following zoning districts:

A	Agricultural District
CBDX	Central Business District (X)
CF	Commerce Flex District
DD	Duplex District
DT	Downtown Overlay District
FN	Floodplain and Nature District
GH	Garden Home District
IND	Industrial District
INN	Innovation District
INSX	Institutional District (X)
MFX	Multifamily Residential District (X)
MH-1X	Manufactured Home Park District (X)
MH-2X	Manufactured Home Subdivision District (X)
MH-3X	Manufactured Home Subdivision District (X)
NC	Neighborhood Commercial District
NMU	Neighborhood Mixed Use District
PD	Planned Development District
RC	Regional Commercial District
RMU	Regional Mixed Use District
SF-1	Single-Family Residential District
SF-2	Single-Family Residential District
TH	Townhome Residential District

(b) Uses permitted by district. Land and buildings in each of the zoning districts may be used for any of the indicated uses in that district but no land shall hereafter be used, and no building or structure

shall hereafter be occupied, used erected, altered, converted, arranged or designed for other than those uses specified as permitted uses in the district in which it is located.

(c) Description of zoning districts.

(1) A—Agricultural district. The A district provides for the continuance of farming, ranching, and commercial gardening activities on land being utilized for these purposes. When land in an agricultural district is needed for urban purposes, it is anticipated the zoning will be changed to the appropriate zoning district to provide for orderly growth and development in accordance with the comprehensive plan. See section 42-20 for agricultural district regulations.

(2) SF-1—Single-family residential district. The SF-1 district provides for a minimum residential building site of 7,500 square feet. Density in this district will usually be no greater than four units per gross acre. See section 42-21 for SF-1 single-family residential district regulations.

(3) SF-2—Single-family residential district. The SF-2 district provides for a minimum residential building site of 6,000 square feet and permits residential development of densities ranging from four to six units per gross acre. See section 42-22 for SF-2 single-family residential district regulations.

(4) GH—Garden home district. The GH district allows for more flexible development of single-family subdivisions with homes being built on small lots with zero lot lines. See section 42-23 for GH garden home district regulations.

(5) DD—Duplex district. The DD district provides for stable, quality residential development, including duplex, garden (patio) homes, and similar residential development with densities ranging from four to eight units per gross acre. See section 42-27 for DD regulations.

(6) MH-1X—Manufactured home park district. This is a legacy district. The MH-1X district establishes a category in which manufactured home park development with a maximum density of approximately five to six units per gross acre can occur. See section 42-24 for MH-1X manufactured home park district regulations.

(7) MH-2X—Manufactured home subdivision district. This is a legacy district. The MH-2X district establishes a category in which a tract can be platted and developed with lots sold to persons seeking to locate manufactured homes, and/or standard single-family units. The MH-2X district permits residential development of densities ranging from four to six units per gross acre. See section 42-25 for MH-2X manufactured home subdivision district regulations.

(8) MH-3X—Manufactured home subdivision district. This is a legacy district. The MH-3X district allows for manufactured home subdivisions with a more flexible design than the MH-2X district. As with the MH-2X district, it is interpreted to provide characteristics and atmosphere similar to a single-family subdivision. See section 42-26 for MH-3X manufactured home subdivision district regulations.

(9) MFX—Multifamily residential district (X). This is a legacy district. The MFX district permits multifamily developments of maximum densities of 15 units per acre, except under special mitigation conditions. See section 42-28 for MFX regulations.

(10) NC— Neighborhood commercial district—. Retail, commercial, and office uses developed under the standards of the NC district are designed to provide a compatible relationship between the NC development and adjacent residential areas. SeeSection 42-29 for NC regulations.

(11) RC— Regional commercial district. Uses which require considerable space for display, sales,

or open storage, or by the nature of the use are generally not compatible with residential uses, are located in the RC district. See section 42-30 for RC district regulations.

(12) CBDX—Central business district (X). This is a legacy district. The CBDX is established to accommodate the unique characteristics of the historical center of the city and to ensure that future development in the CBDX is compatible with maintaining the economic and historic integrity of the area. The Central business district (X) is designed to provide an area for shopping, dining, working, and entertainment which will remain active during evenings and weekends as well as standard work hours. See section 42-33 for CBDX regulations.

(13) CF—Commerce Flex district. The CF district is established to accommodate uses of a non-nuisance type located in relatively close proximity to residential and NC business areas. Development in the CF district is limited primarily to certain wholesale, jobbing, and warehouse uses and certain specialized manufacturing and research uses of a type which will not create nuisances, as well as any commercial uses. See section 42-31 for CF district regulations.

(14) IND—Industrial district. The IND district is established to accommodate industrial uses not appropriate for inclusion in the CF district and likely to create noise, traffic, odor and/or other conditions incompatible with most residential and commercial uses. See section 42-32 for IND district regulations.

(15) INSX—Institutional district (X). This is a legacy district. The INSX district is established to accommodate uses of a generally noncommercial institutional and/or group quarters character. Such uses typically have residential characteristics or have symbiotic relationships with residential neighborhoods. See section 42-34 for INSX regulations.

(16) PD—Planned development district. The PD district provides a zoning category for the planning and development of larger tracts of land or tracts of land with unique characteristics for a single use or combination of uses requiring flexibility and variety in design to achieve orderly development with due respect for the protection of surrounding property. See section 42-35 for PD planned development district regulations.

(17) FN—Floodplain and nature district. Zoning districts located in flood hazard areas which are subject to periodic inundation shall be preceded by the prefix FN, indicating a subdistrict. Areas designated FN may be used only for those uses listed in section 42-36 until a use in any area or any portion thereof located in FN subdistrict has been approved by the city council. Approval shall only be given after engineering studies determine that the area, or any portion thereof, is suitable for uses in the district, and building construction or development would not create an obstruction to drainage nor a hazard to life or property, and that such construction is not contrary to the public interest. See section 42-36 for FN district regulations.

(18) DT—Downtown overlay district. The downtown overlay district is established to safeguard the core of downtown Alvarado and ensure that any new development is compatible with existing development and also reflects a historic character, is functional, and has organized design. See section 42-38 for DT downtown overlay district regulations.

(19) TH – Townhome residential district. The TH is established to provide adequate space for medium density, single-family attached type residential development, on lots of not less than 1,600 square feet.

(20) INN – Innovation district. The INN district is intended to promote research, education, technology development, and emerging business creation by providing flexible, campus-style land use opportunities. Development within this district should foster a high-quality built environment and reinforce a connected and vibrant employment and institutional center. Uses are scaled to minimize off-site impacts and ensure compatibility with surrounding neighborhoods.

(21) NMU – Neighborhood mixed use district. The NMU district is to provide for low intensity mixed uses, including local shopping and dining destinations, residential, community amenity, and entertainment uses. It is intended for development in this district to be compatible with adjacent or nearby residential land uses. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

(22) RMU – Regional mixed use district. The RMU district is intended to provide for high intensity mixed uses, including highway-oriented commercial, residential, and hospitality uses. The uses permitted in the RMU district are not generally carried on completely within a building or structure and an expanded range of commercial uses is permitted. This district is reserved for areas adjacent to major highways and corridors.

§ 42-5. Zoning district map.

The districts aforesaid, and the boundaries of such districts, shall be as hereinafter described, and as shown upon the map attached hereto and made a part of this chapter, said map being designated as the "Zoning Map of the City of Alvarado, Texas." The map and all notations, references, and other information shown thereon shall be a part of this chapter the same as if all such matters and information were fully described herein. The original of said map shall bear the date of the passing of the ordinance from which this chapter is derived and shall be signed by the mayor and attested by the city secretary, under the seal of the city. The original map shall be kept in the office of the city secretary in the city hall, and a replica thereof shall be produced upon paper or other format in such reduced scale as will permit it being attached to this chapter.

It shall be the duty of the zoning administrator to keep the official zoning map and current copies up to date, by entering on such map any changes which the city council may from time to time approve by amendments to the zoning ordinance. A written record (logbook) shall be kept by the zoning administrator of all changes made to the zoning district map.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-6. Zoning district boundaries.

(a) Rules of interpretation. Where uncertainty exists with respect to the boundaries of the various districts, as shown on the official zoning map, the following rules shall apply:

(1) The district boundaries are either streets, alleys, or railroad right-of-way unless otherwise shown, and where the districts designated on the zoning map are bounded approximately by street or alley lines, the centerline of said street or alley shall be construed to be the boundary of such district. Where the districts designated on the zoning map are bounded approximately by railroad or utility right-of-way lines or public rights-of-way, the centerline of the railroad or utility right-of-way or the public right-of-way shall be construed to be the boundary of the district.

(2) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the districts designated on the zoning map are bounded approximately by lot lines, said lot line shall be construed to be the boundary of such districts unless said boundaries are otherwise indicated on the map.

(3) In un-subdivided property, the district boundary lines on the zoning map shall be determined by use of the scale contained on such map, unless dimensions are shown.

(4) Boundaries indicated as approximately following the city limits shall be construed as following the city limits.

(5) Boundaries indicated as following the centerlines of streams or rivers or the shoreline of lakes or ponds shall be construed as following such centerlines or shorelines as the case may be.

(6) Whenever any street, alley, or other public way is vacated by official action of the city council, or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

(7) Where physical features on the ground are at variance with information shown on the official

zoning map, or if there arises a question as to how a parcel of property is zoned and such question cannot be resolved by the application of subsections (a)(1) through (6), or if the zoning of property is invalidated by a final judgment of a court of competent jurisdiction, the property shall be considered classified as A agricultural district until rezoned.

(b) Procedure.The zoning administrator shall have the authority to make determinations of zoning district boundaries based not the above rules, subject to appeal to the board of adjustment as provided in section 42-95(c).

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-7. Newly annexed territory.

An area being annexed into the city shall ordinarily be given permanent zoning concurrently with the annexation. In the event that any territory is annexed into the city without zoning being concurrently established, the annexed territory shall be temporarily classified in the A agricultural district until permanent zoning classifications are given to the area by the city council. The procedure for establishing appropriate zoning on any annexed territory shall be the same as set forth in section 42-96 for the amendment of the zoning ordinance.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-8. Consistency with comprehensive plan.

(a) Review of zoning.As the zoning ordinance is one implementation tool for the city's comprehensive plan, the zoning ordinance shall be kept current and consistent with the goals and objectives of the comprehensive plan. Consequently, it shall be the policy of the city council that during the review of the comprehensive plan the appropriate implementation committee shall review the zoning on all undeveloped parcels of land to determine if the zoning in effect at the time is appropriate. If there are undeveloped parcels with zoning which has been in effect for at least ten years and if, in the committee's opinion, zoning is inconsistent with the comprehensive plan and no longer appropriate, a recommendation shall be made that a public hearing be called to review said zoning. Proceedings may then be initiated to amend the ordinance as specified in section 42-96.

(b) Amendment of comprehensive plan.If a rezoning of any property shall be requested which is contrary to the comprehensive plan, during the review process for such rezoning request consideration shall be given for amendment to the comprehensive plan. In the event the city council determines that the requested zoning promotes the public health, safety, morals and welfare and should be approved, the city council may require the applicant to apply for an amendment to the comprehensive plan concurrently with the request for rezoning.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-9. Rules of construction and definitions.

(a) Rules of construction.The following rules of construction shall apply to the interpretation of words used in this chapter:

(1) Terms used in the present tense include the future tense.

(2) Terms used in the singular number include the plural number.

(3) Terms in the plural number include the singular number.

(4) The terms "building" and "structure" are synonymous.

(5) The terms "lot," "plot," and "tract" are synonymous.

(6) The term "shall" is mandatory and not discretionary.

(b) Definitions. The following use descriptions, when used in this chapter, shall have the meanings ascribed to them in this section.

Abutting property means property touching or adjoining another property. Property abutting upon a street shall also be deemed to abut property on the other side of the street.

Accessory building or use is one which is customarily incidental to the principal building or principal use and:

(1) Is subordinate to and serves a principal building or principal use;

(2) Is subordinate in size, area, extent, or purpose to the principal building or principal use served;

(3) Contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and

(4) Is located on the same lot as the principal use served.

Adjacent means next to or closest to but shall not necessarily mean touching.

Air conditioning and refrigeration contractor means a place from which a person performs design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems, under terms and conditions described in the Texas Air Conditioning and Refrigeration Contractor License Law, V.T.C.A., Occupations Code chapter 1302.

Airport, landing field means a place where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers and/or freight.

All-weather hard surface means six inches of road-base with two inches of emulsion sealant or other similar design standard approved by the City Engineer after consideration of soils and dust protection to adjacent properties.

Alley means a public space or street which affords only secondary means of access to property abutting thereon.

Amusement, commercial (indoor) means an establishment providing for activities, services and instruction for the entertainment, exercise and improvement of fitness and health of customers, clients or members but not including hospitals, clinics, massage parlors or arcades. Uses would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms and/or practice areas, gymnasiums and indoor running or jogging tracks.

Amusement, commercial (outdoor) means an outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.

Antenna/microwave reflector means an apparatus constructed of solid, mesh, or perforated materials of any configuration that is used to receive and/or transmit microwave signals from a terrestrial or orbitally located transmitter or transmitter relay. The term "antenna/microwave reflector" includes but is not limited to what is commonly referred to as satellite receive-only earth stations.

Antenna, radio or television, means the arrangement of wires or metal rods used in sending and/or receiving of electromagnetic waves.

Antique shops means a retail establishment engaged in the selling of works of art, furniture or other

artifacts of an earlier period, with all sales and storage occurring inside a building.

Apartment means any building or portion thereof, which is designed, built, rented, leased or let to be occupied as a home or place of residence by three or more families living in independent dwelling units.

Arcade means an establishment in which there are located six or more coin-operated skill or pleasure machines.

Area of a lot or building site means the net area of the lot or site and shall not include portions of streets and alleys.

Assisted living facility means an establishment that:

(1) Furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment;

(2) Provides:

a. Personal care services; or

b. Administration of medication by a person licensed or otherwise authorized in this state to administer the medication;

(3) May provide assistance with or supervision of the administration of medication; and

(4) May provide skilled nursing services for the following limited purposes:

a. Coordination of resident care with outside home and community support services agencies and other health care professionals;

b. Provision or delegation of personal care services and medication administration as described by this subdivision;

c. Assessment of residents to determine the care required; and

d. For periods of time as established by department rule, delivery of temporary skilled nursing treatment for a minor illness, injury, or emergency.

Auto laundry. See *Carwash*.

Auto leasing means storage and leasing of automobiles, motorcycles, and light-load vehicles.

Auto parts sales, inside, means the use of any building or other premises for the display and sale of new or used parts for automobiles, panel trucks, vans, trailers, or recreational vehicles.

Auto parts sales, outside, means the use of any land area for the display and sale of new or used parts for automobiles, panel trucks, vans, trailers, or recreation vehicles.

Automobile and trailer sales, new, means buildings and associated open area other than a street or required automobile parking space used for the display or sale of primarily new automobiles, light trucks, and trailers, to be displayed and sold on-premises, and where no repair work is done except minor reconditioning of the automobiles and trailers to be displayed and sold on the premises, and no dismantling of automobiles or trailers for sale or keeping of used automobile and trailer parts or junk on the premises.

Automobile and trailer sales, used, means building and associated open area other than a street or required automobile parking space used for the display and sale of used automobiles, light trucks, or

trailers in operating condition and where no repair work is done except the minor adjustments of the vehicles to be displayed or sold on the premises. A used car sales area shall not be used for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.

Automobile repair, major, means general repair or reconditioning of engines and air conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under the term "automobile repair, minor," and other similar uses.

Automobile repair, minor, means minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air conditioning systems, and other similar minor services for light-load vehicles, but not including any operation named under the term "automobile repair, major," or any other similar use.

Automobile service station means a building or place arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, liquefied petroleum gases, greases, batteries, and other automobile accessories at retail direct to the on-premises motor vehicle trade; provided that, the above services shall not be construed to include major overhaul, the removal and/or rebuilding of an engine, cylinder head, oil pan, transmission, differential, radiator, springs, or axles, steam cleaning, body or frame work, painting, upholstering and replacement of glass. If the dispensing or offering for sale of auto fuel at retail is incidental, the premises shall be classified as a public garage. Service stations shall not allow automobiles which are inoperative or are being repaired to remain outside such service station for a period greater than seven days.

Automobile storage, auto storage mean the storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.

Automobile wrecking yard or junkyard means any building, structure, or open area used for the dismantling or wrecking of any type of used vehicles or the storage, sale, or dumping of a dismounted or wrecked vehicle or its parts and accessories, including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition, including the commercial salvaging, storage, and scrapping of any other goods, articles, or merchandise.

Bakery and confectionery, commercial, means a place for preparing, cooking, or baking of products primarily intended for off-premises distribution.

Bakery and confectionery, retail sales, means a place for preparing, cooking, baking and selling of products on the premises.

Bank, savings and loan, credit union means an establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

Barber school or college means a place of training for practice of barbering, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, meeting standards established in such act.

Barbershop means a place where barbering, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, is practiced, offered, or attempted to be practiced, except when such place is duly licensed as a barber school or college.

Basement means a building story which is partly underground, but having at least one-half of its

height above the average level of the adjoining ground. A basement shall not be counted as a story in computing building height.

Beauty culture school, cosmetology specialty shop means a specialized place of training, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology.

Beauty shop means a place where cosmetology, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, is practiced.

Bed and breakfast inn means a building, other than a hotel or multifamily dwelling, where lodging is provided to persons for compensation, and where facilities for food preparation are not provided in individual rooms.

Block means an area enclosed by streets and occupied by or intended for buildings; where this word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on said side.

Boarding home facility means an establishment that:

(1) Furnishes, in one or more buildings, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage; and

(2) Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide personal care services as defined by V.T.C.A., Health and Safety Code section 247.002 to those persons.

Bottling works means a manufacturing facility designed to place a product into a bottle for distribution.

Brew pub means a pub or restaurant that also brews beer on the premises exclusively for on-site sales and consumption.

Buildable width means the width of the building site left to be built upon after the required side yards are provided.

Building means any structure built for the support, shelter, and enclosure of persons, animals, chattels or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

Building, detached, means a building surrounded by yard or open space on the same building lot.

Building end means those sides of a building having the least dimension as compared to the front or rear of a building. As used in the building spacing regulations for multiple-family dwellings, the term "building end" means the narrowest side of a building regardless of whether it fronts upon a street, faces the rear of the lot or adjoins the side lot line or another building.

Building, front of, means the side of a building most nearly parallel with and adjacent to the front of the lot on which it is situated.

Building line means a line parallel or approximately parallel to the street line at a specified distance therefrom constituting the minimum distance from the street line that a building may be erected.

Building lot means a single tract of land located within a single block which (at time of filing for a building permit) is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. It shall front upon a street or approved place. Therefore, a building lot may not coincide with a lot of record. A building lot may be subsequently subdivided

into two or more building lots, and a number of building lots may be cumulated into one building lot, subject to the provisions of this chapter.

Building, main or primary, means a building in which is conducted the principal use of the lot on which it is situated.

Building materials, hardware sales means the sale of new building materials and supplies indoors with related sales for hardware, carpet, plants, electrical, and plumbing supplies all of which are oriented to the retail customer, rather than contractors or wholesale customers.

Building official means the building inspector or other person charged with the enforcement of building codes in the city.

Bus terminal means any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

Business service means establishments primarily engaged in providing services not elsewhere classified to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.

Cabinet and upholstering shop means an establishment used for the production, display, and sale of furniture and soft coverings for furniture.

Canopy means any structure of a permanent fixed nature attached to or independent of the main structure, built and designed for the purpose of shielding from the elements, persons or chattels, or a roof-like structure of a permanent nature which is supported by or projects from the wall of a structure.

Carport means a structure open on a minimum of three sides designed or used to shelter vehicles, not to exceed 24 feet on its longest dimension.

Carwash means a facility or structure used to wash motorcycles, automobiles, and light-load vehicles.

Cellar means a building story with more than one-half its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height.

Certificate of occupancy means an official certificate issued by the city indicating conformance with or approved conditional waiver from the zoning regulations and authorizing legal use of the premises for which it is issued.

Child care center means an establishment where four or more children are provided care, training, education, custody, treatment, or supervision for less than 24 hours a day. The term "child care center" shall not include overnight lodging, medical treatment, counseling, or rehabilitative services and does not apply to any school. (Also see *Registered family home*.)

Church, rectory, or place of worship means a building for regular assembly for religious worship which is used primarily for such purpose and customary accessory activities including a place of residence for ministers, priests, rabbis, teachers, or directors on the premises.

Civic center means a building or complex of buildings that houses municipal offices and services and which may include cultural, recreational, athletic, convention, and/or entertainment facilities owned and/or operated by a governmental agency.

Cleaning and dyeing, dry cleaning plant means an industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents. (Also see *Cleaning and dyeing, small plant or shop*.)

Cleaning and dyeing, small plant or shop, means a custom cleaning shop not exceeding 5,000 square feet of floor area or a pickup station. (Also see *Cleaning and dyeing, dry cleaning plant*.)

Clinic, medical or dental, means a facility or station designed and used for the examination and treatment of persons seeking medical care as outpatients who do not remain on the premises overnight.

College or university means an institution established for educational purposes offering courses of study beyond the secondary education level, but excluding trade and commercial schools.

Community center, private, means a building dedicated to social and/or recreational activities serving residents of a subdivision or development which is operated by an association or incorporated group for their use and benefit, not to be a commercial, for-profit business.

Community center, public, means a building or buildings dedicated to social and/or recreational activities, serving the city or a neighborhood and owned and operated by the city or by a nonprofit organization dedicated to promoting the health, safety, morals, or general welfare of the city.

Community home means an establishment that is:

(1) A community-based residential home operated by:

a. The state department of mental health and mental retardation;

b. A community center organized under V.T.C.A., Health and Safety Code chapter 534, subchapter A, that provides services to persons with disabilities;

c. An entity subject to the Texas Non-Profit Corporation Act (article 1396-1.01 et seq., Vernon's Texas Civil Statutes); or

d. An entity certified by the state department of human services as a provider under the medical assistance program serving persons in intermediate care facilities for persons with mental retardation; or

(2) An assisted living facility licensed under V.T.C.A., Health and Safety Code chapter 247, provided that the exterior structure retains compatibility with the surrounding residential dwellings.

Construction yard, temporary, means a storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at the completion of construction and subject to same restrictions as a field office.

Contiguous means touching or in contact.

Convenience store means a retail establishment providing for the sale of food items, nonprescription drugs, small household items, and gifts. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than six pumps are offered. Maximum size of the establishment will be no more than 2,500 square feet not including storage areas and administrative offices.

Country club, private, means land and buildings customarily containing a golf course and a clubhouse and available only to specific private membership; such a club may contain adjunct facilities such as private club, dining room, swimming pool, tennis courts, and similar recreational or service facilities.

Court means an open, unoccupied space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one side open to a street, alley, yard, or other permanent space.

Coverage means the percent of a lot or tract covered by the roof or first floor of a building.

Custom personal service shop includes such uses as tailor, shoe repair, barbershop/beauty shop, health studio, or travel consultant.

Depth of lot means the mean horizontal distance between the front and rear lot lines.

Discount, variety, or department store means a retail store offering a wide variety of merchandise in departments and exceeding 7,000 square feet of floor area.

Dormitory means a building in which housing is provided for individual students under the general supervision or regulation of an accredited college or university and as distinguished from an apartment, hotel, motel, or bed and breakfast inn. A dormitory may provide apartment units for guests, faculty, or supervisory personnel on a ratio not to exceed one such apartment unit for each 50 students for which the building is designed. Individual rooms or suites of rooms may have cooking facilities. The term "dormitory" may include facilities such as a commissary and/or snack bar, lounge, and study area, dining halls, and accessory kitchen, recreation facilities, and laundry; provided that these facilities are for the benefit and use of the occupants and their guests and not open to the general public.

Duplex means a building designed for occupancy by two families living independently of each other within separate units which have a common wall and are under one roof. (Also see *Two-family dwelling*.)

Dwelling, single-family attached, means an attached residential building, not including a HUD-code manufactured home, which contains not more than one dwelling unit per lot of record.

Dwelling, single-family detached, means a detached residential structure, including a HUD-code manufactured home, which contains not more than one dwelling unit per lot of record.

Dwelling unit means a building or portion thereof designed exclusively for residential occupancy, including one-family, two-family, and multiple-family dwellings, except for buildings designed and used as hotels, bed and breakfast inns, and motels.

Electrical substation means a subsidiary station in which electric current is transformed.

Exhibition area means an area or space either outside or within a building for the display of topic-specific goods or information.

Fairgrounds means an area where outdoor fairs, circuses, or exhibitions are held.

Family means an individual or group of two or more persons related by blood, marriage, adoption or guardianship including foster children, exchange students, and servants living together with not more than two additional persons not related by blood, marriage or adoption to the previously identified individual or group, and as a single housekeeping unit in a dwelling unit.

Farm, ranch, or orchard means an area of five acres or more which is used for growing of usual farm products and/or raising of usual farm products and animals and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law. Farm, ranch, or orchard use shall not cause a hazard to health by reason of unsanitary conditions and shall not be offensive by reason of odors, dust, fumes, noise, or vibrations or be otherwise detrimental to the public welfare.

Feed and farm supply store means an establishment for the selling of foodstuffs for animals and including implements and goods related to agricultural processes but not including farm machinery.

Field or sales office, temporary, means a building or structure, of either permanent or temporary construction, used in connection with a development or construction project for display purposes or

for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project. Permits for temporary buildings shall be issued for a period of time not to exceed 18 months. Extensions may be granted only by the city council. Upon due notice and hearing by and before the city council, any such permits granted may be revoked if the city council finds the use of the building or structure is contrary to the intent of this section or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard.

Flea market means a site where space inside or outside a building is rented to vendors on a short-term basis for the sale of merchandise. The principal sales shall include new and used household goods, personal effects, tools, artwork, small household appliances, and similar merchandise, objects or equipment in small quantities. The term "flea market" shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal services establishments, food services establishments, retail sales establishments, and auction establishments.

Floodplain means an area of land subject to inundation by a 100-year frequency flood, as shown on the floodplain map of the city. The term "floodplain" is interchangeable with the term "flood hazard area."

Floor area means the total square feet of floor space within the outside dimensions of a building including each floor level, but excluding cellars, carports, garages or porches.

Floor area ratio means the ratio of total building floor area to lot area.

Florist means an establishment displaying plants, flowers, floral supplies, and similar items.

Food store, grocery store means an establishment that displays and sells consumable goods that are not to be eaten on the premises.

Fraternal organization, lodge, or civic club means an organized group having a restricted membership and specific purpose related to the welfare of the members.

Front yard. See *Yard, front*.

Furniture and appliance repair or storage means the storage, maintenance, or rehabilitation of appliances customarily used in the home including but not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, kitchen appliances, vacuum cleaners, and hair dryers.

Furniture, appliance store, means retail stores selling goods used for furnishing the home, including but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators and other household electrical and gas appliances.

Garage, private, means a detached accessory building for the parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

Garden center (retail sales) means a location including land and buildings at which plants, trees, shrubs, horticultural supplies, and similar items are displayed for sale to the general public. All such displays shall be located behind the front yard line established in the district in which the garden center is located.

Garden (patio) home means a freestanding, detached structure used for single-family residential purposes, built in accordance with standards set out in section 42-23.

Gas metering station means a facility at which natural gas flows are regulated and recorded.

General commercial plant means an establishment other than a personal service shop for the treatment

and/or processing of products as a service on a for-profit basis including but not limited to newspaper printing, laundry plant, or cleaning and dyeing plant.

General manufacturing means manufacturing of finished products and component products or parts from the transformation, treatment, or processing of materials or substances, including basic industrial processing. Such operations must meet the performance standards, bulk controls, and other requirements in this article.

General merchandise store means retail stores which sell a number of lines of merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general stores, and other similar stores.

Golf course means an area of 20 acres or more improved with trees, greens, fairways, hazards and which may include clubhouses.

Greenhouse, noncommercial, means a building, often artificially heated and/or cooled, used as a location for cultivating plants which are used by the grower and not sold as a commercial activity.

Greenhouse or plant nursery, commercial, means a place, often including artificially heated and/or cooled buildings, where trees or plants are raised and/or sold, including related storage of equipment for landscape contracting.

Gross floor area. The gross floor area of a building shall be measured by taking outside dimensions of the building at each floor level.

Guesthouse means living quarters within a detached accessory building located on the same premises with the principal residence for use by temporary guests of the occupants of the premises. A guesthouse shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling. (see also servant's, caretaker's or guard's residence)

Heavy load vehicle (HLV) means a self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) of greater than 11,000 pounds, such as large recreational vehicles, tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean heavy load vehicle, unless specifically stated otherwise.

Height means the vertical distance of a building measured from the average established grade at the street line or from the average natural front yard ground level, whichever is higher, to:

(1) The highest point of the roof's surface if a flat surface;

(2) The deck line of mansard roofs; or

(3) The mean height level between eaves and edge for hip and gable roofs, and, in any event, excluding chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires, and parapet walls not exceeding ten feet.

If the street grade has not been officially established, the average front yard grade shall be used for a base level.

Heliport or helistop means a landing facility for rotary-wing aircraft which may include fueling or servicing facilities for such craft.

Home occupation means an occupation, profession, domestic craft, or economic enterprise which is

customarily conducted in a residential dwelling, subject to compliance with each of the following conditions:

(1) A home occupation may only be performed in a single-family residential dwelling.

(2) No person other than members of a family who reside in the dwelling shall be engaged in such home occupation.

(3) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such home occupation shall never exceed 25 percent of the total of the floor area of the residential dwelling.

(4) Not more than one non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than one square foot in area and shall be mounted on the building in which the home occupation is being conducted.

(5) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.

(6) No exterior storage of material, equipment, and/or supplies used in conjunction with the home occupation shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.

(7) No offensive noise, vibration, smoke, dust, odors, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.

(8) The home occupation shall be conducted wholly within the residential dwelling and no accessory building shall be used in conjunction therewith.

(9) No stock, goods, wares, or merchandise shall be sold or kept for sale on the premises.

(10) The only equipment to be used in the home occupation shall be that which is ordinarily used in a private home in a like amount and kind.

(11) A home occupation shall not generate additional traffic as to create a traffic hazard or disturbance to nearby residents.

Hospital, acute care, means an institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the state.

Hospital, chronic care, long-term health care facility, means an institution providing inpatient health, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease and which is licensed by the state.

Household care facility means a dwelling unit which provides residence and care to not more than nine persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial adversity; living together with not more than two supervisory personnel as a single housekeeping unit.

Household care institution means a facility which provides residence and care to ten or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster or financial adversity, living together with supervisory personnel.

Industrial park means a large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

Industrialized housing.

(1) The term "industrialized housing" means a residential structure designed for use and occupancy by one or more families, constructed in one or more modular components built at a location other than the permanent residential site, designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected or installed on a permanent foundation system.

(2) The term "industrialized housing" shall not mean or apply to:

a. Housing constructed of sectional or panelized systems not utilizing modular components; or

b. Any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

Junkyard or salvage yard means a lot upon which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. The term "junkyard" includes an automobile wrecking yard and automobile parts yard. The term "junkyard" includes secondary metal dealers. The term "junkyard" does not include such uses conducted entirely within an enclosed building.

Kennel means any lot or premises on which four or more dogs, cats, or other domestic animals more than four months of age are housed or accepted for boarding, breeding, training, selling, grooming, and/or bathing for which remuneration is received.

Laboratory, scientific or research, means facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.

Landscape screen means plant material of the evergreen variety, a minimum of six feet in height at the time of installation and planted on four-foot centers. All such landscape screens shall be permanently maintained. Adequate facilities shall be provided for permanent watering at the time of installation.

Library means any institution for the loan or display of books, tapes, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

Light load vehicle (LLV) means a self-propelled vehicle having a manufacturer's recommended gross vehicle weight not greater than 11,000 pounds, and having no more than two axles, such as, pick-up trucks, vans, recreational vehicles, campers and other similar vehicles, but not including automobiles and motorcycles.

Light manufacturing means manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Living unit means a room occupied by a family which includes cooking facilities.

Lot means a platted tract of land occupied or to be occupied by a building and its accessory buildings and having its principal frontage upon a public street or officially approved place.

Lot, corner, means a lot that has frontage upon a side street in addition to a front street.

Lot coverage means the percentage of the total area of a lot occupied by the base (first story or floor) of a building located on the lot or the area determined as the maximum cross sectional area of the building.

Lot line means the lines bounding a lot as defined herein.

Lot line, front, means that boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots either street line may be selected as the front lot line providing a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.

Lot line, rear, means that boundary of a building lot which is most distant from or is most nearly parallel to the front lot line.

Lot line, side, means that boundary of a building lot which is not a front lot line or a rear lot line.

Lot of record means any lot that is part of a subdivision the plat of which has been recorded in the office of the county clerk.

Lot or building site means land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this chapter, and having its principal frontage upon a public street or officially approved place.

Lot width means the width of a lot at the front building lines.

Main building means the building on a lot which is occupied by the primary use.

Manufactured home park means any tract of land under single ownership of not less than two acres and not more than ten acres approved for occupancy by manufactured housing and accessory structures related thereto and designed and operated in accordance with standards herein set forth or as set forth in any other ordinance of the city relating to the location, use, construction, operation, or maintenance of manufactured housing.

Manufacturing processes means uses restricted from other zoning districts but permitted in the CF and IND districts. Under this definition are manufacturing and industrial uses which do not emit dust, smoke, odor, gas, fumes, or present a possible hazard beyond the property lines of the lot or tract upon which the uses are located, and which do not generate noise or vibration at the boundary of the lot or tract which is generally perceptible in frequency or pressure above the ambient level of noise or vibration in the adjacent areas.

Masonry and glass pane includes brick, stone, rock, concrete tilt wall, lath and stucco. The term "glass pane" shall include any glass product that is approved for exterior use and installed in accordance with the city building code. In order to qualify as a finished wall it shall have a minimum thickness of seven-eighths inch of masonry. The following materials and applications shall not be allowed as finished exterior wall:

(1) Concrete masonry units (CMU);

(2) Exterior insulating finish system (EIFS) or similar applications.

Masonry-type product includes cement board siding or other such masonry products approved for exterior use and installed under the specifications contained in the city building code. In order to qualify as a finished wall it shall have a minimum thickness of seven-eighths inch of masonry. The following materials and applications shall not be allowed as finished exterior wall:

(1) Concrete masonry units (CMU);

(2) Exterior insulating finish system (EIFS) or similar applications.

Metal dealer, crafted precious, means a place of business in which a person engages in the business of

purchasing and selling crafted precious metals, including jewelry, silverware, art objects, or any other thing or object made in whole or in part from gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or its alloys, excluding coins and commemorative medallions, under terms and conditions found in V.T.C.A., Occupations Code section 1956.051 et seq.

Metal dealer, secondhand, means a place of business in which a person purchases, gathers, collects, solicits or procures scrap metal or where scrap metal is gathered together or kept for shipment, sale, or transfer, under terms and conditions found in V.T.C.A., Occupations Code chapter 1956. (Also see *Junkyard or salvage yard*.)

Microbrewery means a brewery facility established to produce beers and ales in small quantities for sale to local and regional markets.

Microdistillery means a small distillery established to produce beverage grade alcohol in relatively small quantities for on-site retail sale and consumption and for sale to local and regional markets.

Mobile food unit means a vehicle-mounted food establishment, designed to be readily moveable, typically constructed in a truck or trailer. Mobile food units may not be permanently parked in one location.

Mobile food vendor means any person who sells food products or takes food product orders from house to house or from place to place in the city, and who sells such food out of a vehicle, wagon, cart or other conveyance used in the transportation of such food on premises where there is no related business building.

Motel, motor hotel, or motor lodge means a building or group of buildings designed for and occupied as a temporary dwelling place, providing four or more room units for compensation, and where an office and register is maintained separately and apart from any of the rooms or units provided for the customers and where the operation is supervised by a person or persons in charge at all hours. The term "motel," "motor hotel," or "motor lodge" may include restaurants, club rooms, banquet halls, ballrooms and meeting rooms as accessory uses.

Multifamily residence means any building or portion thereof which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Museum or art gallery means an institution for the collection, display, and distribution of objects of art or science and which is sponsored by a public or quasi-public agency and which facility is open to the general public.

Nonconforming building or use means a building, structure or use of land lawfully occupied at the time of the effective date of the ordinance from which this chapter is derived or amendments thereto, and which does not conform to the use regulations of the district in which it is located.

Nonprofit animal shelter means a not-for-profit facility operated to provide a public service by removing unsupervised and potentially dangerous animals from the public domain and providing for the adoption or euthanizing of such animals. A nonprofit animal shelter shall not be considered a kennel.

Nonresidential district means any zoning district included in this chapter in which nonresidential uses constitute the primary permitted use classification, including AG, NC, RC, CF, IND, CBDX, and INSX.

Nursery school/kindergarten means a child care facility offering a program four hours or less per day for children who have passed their second birthday but who are under seven years old.

Occupancy means the use or intended use of the land or buildings by proprietors or tenants.

Off-street parking incidental to main use means off-street parking spaces provided in accordance with the requirements specified by this chapter and located on the lot or tract occupied by the main use or

within 200 feet of such lot or tract and located within the same zoning district as the main use or in an adjacent parking district.

Off-street parking space means an area for the temporary storage of an automobile which shall be permanently reserved for such purpose and which shall not be within or on any public street, alley or other right-of-way. (See section 42-57(d) for detailed descriptions and regulations.)

Office center means a building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.

Office, professional or general administrative, means a room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations, and associations but excluding medical offices.

Office-showroom/warehouse means an establishment with a minimum of 75 percent of its total floor area devoted to storage and warehousing not accessible to the public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

Open space means area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves, porches and plant material. Also see *Usable open space*.

Open storage means the storage of any equipment, machinery, commodities, raw, semi-finished materials, and building materials, not accessory to a residential use, which is visible from any point on the building lot line when viewed from ground level to six feet above ground level, for more than 24 hours.

Park, playground, or recreation center (private) means a privately owned park, playground, open space or building dedicated to recreational activities, maintained by a community club, property owners' association, or similar organization.

Park, playground, or recreation center (public) means an open recreation facility or park owned and operated by a public agency and available to the general public.

Parking lot or parking garage (automobile) means an area for parking light-load vehicles.

Parking lot or parking garage (truck) means an area for parking heavy-load vehicles.

Parking space means a surfaced area enclosed in the main building or accessory building, or unenclosed, having an area of not less than 180 square feet, exclusive of driveways, used for parking a vehicle, not on a public street or alley, together with a surfaced driveway connecting the area with a street, permitting free ingress and egress without encroachment on the street.

Pawnshop means an establishment where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker).

Person with a disability means a person whose ability to care for himself, perform manual tasks, learn, work, walk, see, hear, speak, or breathe is substantially limited because the person has:

(1) An orthopedic, visual, speech, or hearing impairment;

(2) Alzheimer's disease;

(3) Pre-senile dementia;

(4) Cerebral palsy;

(5) Epilepsy;

(6) Muscular dystrophy;

(7) Multiple sclerosis;

(8) Cancer;

(9) Heart disease;

(10) Diabetes;

(11) Mental retardation;

(12) Autism; or

(13) Emotional illness.

Personal service shop means an establishment primarily engaged in providing services generally involving the care of the person or his apparel including but not limited to barbershops and beauty shops, dry cleaning and laundry pick-up stations and reducing salons/health clubs.

Pet shop means a retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.

Plat means a complete and exact subdivision plan submitted to the city council which if approved shall be submitted to the county clerk.

Plumbing, heating, refrigeration, or air conditioning business means an establishment primarily engaged in the sales, service, or installation of equipment pertaining to plumbing, heating, refrigeration, or air conditioning. (Also see *Air conditioning and refrigeration contractor*.)

Plumbing service means the operation of a business which involves only retail sales and off-premises service, installation, and repair of units and fixtures. The premises shall not include a workshop for repair or fabrication of parts, fixtures, or units. Sheetmetal work of any type shall not be permitted. Storage shall be permitted for units and supplies incidental to retail sales, off-premises service and repair only. No outside storage shall be permitted. This section shall not be interpreted to allow a plumbing, heating, refrigeration, or air conditioning contractor or similar type wholesale operation.

Portable building sales means an establishment which displays and sells structures which are capable of being carried and transported to another location, not including manufactured housing.

Post office, government or private, means a local branch of the United States Postal Service or private commercial venture engaged in the distribution of mail and incidental services.

Printshop means an establishment which reproduces printed or photographic impressions including but not limited to the process of composition, binding, platemaking, microform, type casting, presswork, and printmaking.

Public or private franchised utility means a utility such as one distributing heat, chilled water, closed circuit television, or similar service and requiring a franchise to operate in the city. Such utility usually requires special facilities in residential areas or on public property such as heating, cooling, or communications.

Quick oil change facility means a business engaging in the changing of oil, oil filters, and the chassis lubrication of motor vehicles. All new oil shall be dispensed from drums and all old oil shall be kept in sumps until removed by pumper trucks. Such a facility shall not repair or replace carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.

Quick tune-up facility means a business engaging in engine adjustment and minor part replacement for motor vehicles, limited to spark plugs, condensers, spark plug wires, distributor caps, distributor points, PVC valves, air cleaners, fan belts and radiator hoses. Such a facility shall not repair or replace

carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.

Racetrack means a facility used for the racing of motor-driven vehicles and/or animals.

Racquetball facilities means courts housed in an acoustically treated building and designed for one to four persons to play racquetball, plus subsidiary uses to include office, pro shops, locker rooms, sauna, exercise rooms, waiting area, child nursery, and related uses up to a maximum of 40 percent of the total floor area.

Radio, television, or microwave communications operations (amateur) means the transmission, retransmission, or reception of radio, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

Radio, television, or microwave communications operations (commercial) means the transmission, retransmission, or reception of radio, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or financial gain.

Radio, television, or microwave towers means structures supporting antennas for transmitting or receiving any portion of the radio spectrum but excluding noncommercial antenna installations for home use of radio or television.

Railroad station means any premises for the transient parking of trains and the loading and unloading of passengers.

Railroad team track and right-of-way means a facility/place for the loading and unloading of materials on trains.

Railroad track and right-of-way includes track and undeveloped right-of-way, but does not include railroad stations, sidings, team tracks, loading facilities, dock yards, or maintenance areas.

Registered family home means a child care facility that regularly provides care in the caretaker's own residence for not more than six children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own, does not exceed 12 at any given time. (Also see *Child care center*.)

Residence means same as dwelling; when used with district, an area of residential regulations.

Residence hotel means a multi-dwelling unit extended stay lodging facility consisting of efficiency units or suites with a complete kitchen suitable for long-term occupancy. Customary hotel services, such as, linen, maid service, telephone, and upkeep of furniture shall be provided. Meeting room, club house and recreational facilities intended for the use of residents and their guests are permitted. The term "residence hotel" shall not include other dwelling units as defined in this chapter.

Residential district means any zoning district included in this chapter in which residential use constitutes the primary permitted use classification, including the SF-1, SF-2, GH, MH-1X, MH-2X, MH-3XX, DD, and MFX district classifications.

Restaurant or cafeteria, with drive-in or drive-through service, means an eating establishment where service is primarily to customers at tables and/or providing service of food or drink to customers in automobiles and/or providing facilities for the consumption of food in automobiles on or near the restaurant premises.

Restaurant or cafeteria, without drive-in or drive-through service, means an eating establishment where service is primarily to customers at tables and not providing service of food or drink to customers in automobiles or facilities for the consumption of food in automobiles on or near the restaurant premises.

Retail stores and shops means establishments offering all types of consumer goods for sale, not elsewhere classified, but excluding the display and sale in the open, outside a building, of new or used

automobiles, heavy machinery, building materials, used appliances, furniture, or salvage materials.

Retirement housing means a development providing dwelling units specifically designed for the needs of ambulatory retired persons. The following subsidiary uses shall be permitted to provide on- site goods and services for residents and their guests, but are not intended for use by the general public:

(1) Cafeteria and/or dining room.

(2) Library.

(3) Game room.

(4) Swimming pool and/or jacuzzi.

(5) Exercise room.

(6) Arts and crafts facilities.

(7) Greenhouse.

(8) Housekeeping service.

(9) Transportation service.

(10) Snack bar with a maximum of 350 square feet per 100 dwelling units.

(11) Beauty shop/barbershop with a maximum of 250 square feet per 100 dwelling units or a maximum of 450 square feet per 100 dwelling units.

(12) Convenience retail shop with maximum of 350 square feet per 100 dwelling units to provide for sale of food items, nonprescription drugs, small household items, and gifts.

Room means a building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters, but not including toilet or cooking facilities.

Sand, gravel, stone or earth sales means an establishment for the selling of sand, gravel, stone, earth or similar natural materials, for which the extraction process for such materials occurs off-premises.

School, commercial means an establishment organized to offer instruction and training in a service or art such as secretarial school, art school, cake decorating, or flower arranging, but not including manual trade schools.

School, private (primary or secondary) means an institution of learning having a curriculum equivalent to public schools but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

School, public (primary or secondary) means an institution under the sponsorship of a public agency which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of Texas but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

School, trade means an establishment organized to offer instruction and training in a trade such as welding, brick laying, machinery operation, and similar manual trades.

Scrap tire facility means a facility that stores, processes, conducts energy recovery, recycles, splits, shreds, or quarters used tires, scrap tires, or tire pieces for use or disposal as solid waste, recyclable materials, or inert fill materials. A scrap tire is a whole tire that can no longer be used for its original intended purpose. A whole used tire that can be used, reused or legally modified to be reused, for its original intended purpose is not a scrap tire. A tire piece is a particle of a scrap tire or scrap tire piece that has been split, quartered or shredded to a usable size such as two-inch minus, or other size required by an industry user or recycler.

Screening device. See *Landscape screen*.

Secondhand store, furniture or clothing, means an establishment offering for sale used merchandise, with the storage and display of such items wholly contained inside a building or structure.

Self-storage, mini-warehouse means a facility used only for storage of goods, materials, boats and operable vehicles with separate access to individual storage units or areas by persons renting the individual units or areas. This term shall not include storage of "junked vehicles."

Servant's, caretaker's, or guard's residence means an accessory building or portion of an accessory building located on the same lot or grounds with the main building, containing not more than one set of kitchen and bathroom facilities and used as living quarters for a person employed on the premises for not less than 50 percent of his actual working time, and not otherwise used or designed as a separate place of abode, provided the living area of such quarters shall not exceed 600 square feet. (see also guesthouse)

Service, retail, means an establishment engaged in the selling and/or servicing of goods where a minimum of 80 percent of the floor area is devoted to service, repair or fabrication of such goods. The service area must not be accessible to the general public. Automotive uses and rental stores are specifically excluded.

Service yard of governmental agency means an area for the servicing and storage of vehicles or other property of a governmental agency.

Setback means the minimum horizontal distance between the front wall of any projection of the building, excluding steps and unenclosed porch, and the side street.

Sexually oriented businesses:

(1) Means an adult arcade, adult bookstore, adult cabaret, adult motel, adult movie theater, adult novelty store, adult service establishment, adult theater, adult video store, escort agency, nude modeling studio, sex parlor, sexual encounter center, or other commercial enterprise, or any combination thereof:

a. A principal business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to its customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas; or

b. Whose employees or customers appear in a state of nudity.

(2) The businesses listed above shall be defined as follows:

a. Adult arcade. Any place to which the public is permitted or invited wherein coin-operated, token-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.

b. Adult bookstore. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration books, magazines, periodicals or other printed matters, or any combination thereof, which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

c. Adult cabaret. A nightclub, bar, restaurant, or similar commercial establishment

which regularly features persons who appear in a state of nudity or give live performances which are distinguished or characterized by an emphasis on the exposure of specified anatomical areas or by an emphasis on specified sexual activities.

d. Adult motel. A hotel, motel or similar commercial establishment which:

1. Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other pornographic reproductions which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or

2. Offers a sleeping room for rent for a period of time that is less than ten hours; or

3. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours.

e. Adult movie theater. A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, video reproductions, slides or other visual representations, or any combination thereof, are regularly shown which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

f. Adult novelty store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides, objects, or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or

2. Instruments, devices, or paraphernalia which are designed or manufactured for use in connection with specified sexual activities. This does not include items used for birth control or for prevention of sexually transmitted diseases.

g. Adult service establishment. A commercial establishment which offers services or sells products to customers and in which one or more of the employees or the customer appears in a state of nudity or simulated nudity.

h. Adult theater. A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

i. Adult video store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration photographs, films, motion pictures, video cassettes, video reproductions, slides or other visual representations, or any combination thereof, which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

j. Escort agency. A person who, as one of its principal business purposes, furnishes,

offers to furnish, or advertises to furnish escorts, or any combination thereof, for a fee, tip, or other consideration.

k. Nude modeling studio. Any place where a person who appears in a state of nudity or displays specified anatomical areas is provided or allowed to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.

l. Sex parlor. An establishment that is operated for the purpose of giving massages, at the establishment or on a home-call basis, that are intended to provide sexual stimulation or sexual gratification in combination with a massage.

m. Sexual encounter center. A business or commercial enterprise that offers for any form of consideration physical contact in the form of wrestling or tumbling between persons of the opposite sex, or activities between male and female persons and/or persons of the same sex, when one or more of the persons is in a state of nudity or simulated nudity.

(3) Definitions of terms used in subsection (1) of this definition shall be as follows:

a. Nudity means less than completely or opaquely covered:

1. Human genitals, pubic region, or pubic hair;

2. All portions of the female breast below a point immediately above the top of the areola continuing downward to the lowest portion of the breast;

3. Human buttock; or

4. Any combination of the above.

b. Principal means over 35 percent of either customers, volume of sales, stock in trade, display areas, or presentation time, or any combination thereof in any three-month increment period beginning from the date of issuance of a certificate of occupancy. Stock in trade shall be measured with all titles or objects available on the premises for sale or rental including those that are identical, considered a separate title or object.

c. Simulated nudity means a state of dress in which any device or covering is worn and exposed to view that simulates any part of the genitals, buttocks, anus, pubic region, or areola of the female breast.

d. Specified anatomical areas means human genitals, pubic regions, buttocks and female breast below a point immediately above the top of the areola.

e. Specified sexual activity means:

1. The fondling or other erotic touching of human genitals, pubic regions, pubic hair, perineum, buttocks, anus, or female breasts;

2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, or bestiality;

3. Masturbation, actual or simulated; or

4. Excretory functions as part of or in connection with any of the activities set forth in subsections 1 through 3. of this definition.

(4) The following activities are exempted from the definition of a sexually oriented business:

a. Any business operated by or employing licensed psychologists, licensed physical therapists, registered massage therapists, registered nurses, or licensed athletic trainers engaged in practicing such licensed professions;

b. Any business operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts;

c. Any retail establishment whose principal business is the offering of wearing apparel for sale to customers and which does not exhibit merchandise on live models; or

d. Any activity conducted or sponsored by any Texas independent school district, licensed or accredited private school, or public or private college or university.

Shopping center means a group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

Shops, office, and/or storage area of public or private utility means the pole yard, maintenance yard, and/or administrative offices of a municipality or franchised utility.

Sign means any identification, description, illustration, or device illuminated or non-illuminated which is visible to the general public and directs attention to a project, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise, or facsimile, or any emblem, painting, flag, banner, pennant, or placard designed to advertise, identify or convey information.

Site plan means a detailed line drawing, to scale, showing scale used, north arrow, date and title of project, clearly describing the project and showing the following information:

(1) Property lines, location and widths of all streets, alleys, and easements.

(2) Proper dimensions on all fundamental features such as lots, buildings, parking spaces, and landscaped areas.

(3) The location of setback lines, driveway openings, and sidewalks.

(4) All proposed buildings, freestanding sign locations, parking areas and open spaces.

(5) All required landscaping, together with a description of type of material to be used.

(6) A cross-section of any required or proposed screening.

(7) Total square footage of the development lot; total square footage of proposed structures; total footage of landscaped areas; total percentage of coverage; density of floor area ratio where applicable; height of all structures; number of parking spaces; square footage and design features of all signs; and solid waste collection facilities.

(8) Name, address and telephone number of the proponent.

Solid waste transfer station means a facility and/or premises at which solid waste is temporarily deposited prior to ultimate removal to a permanent solid waste storage site.

Stable, commercial, means a structure housing horses which are boarded or rented to the public or any stable other than a private stable, but not including a sale barn, auction, or similar trading activity.

Stable, private, means an accessory building set back from adjacent property lines a minimum distance of 100 feet and used for quartering horses, not to exceed one horse per one and one-half acre area of a farm or lot.

Stadium or playfield, public, means an athletic field or stadium owned and operated by a public agency for the general public including a baseball field, golf course, football field or stadium which may be lighted for nighttime play.

Storage or wholesale warehouse, heavy, means a building used primarily for the storage of goods and materials, containing more than 5,000 square feet of floor space.

Storage or wholesale warehouse, light, means a building used primarily for the storage of goods and materials, containing less than 5,000 square feet of floor space.

Story means the height between the successive floors of a building from the top floor to the roof. The standard height for a story is 11 feet, six inches.

Street means a way for vehicular traffic and other public uses, whether designated a street, highway, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

Street line means a dividing line between a lot, tract or parcel of land and a contiguous street; the right-of-way.

Street, local or residential, means those streets that are used primarily for access to abutting properties.

Street, major, means streets used primarily for fast or heavy traffic as designated in the thoroughfare plan.

Street, secondary or collector, means those streets which carry traffic from minor streets to major system of arterial streets and highways, including the principal entrance streets of a residential development or business park and those streets for circulation within such a development as designated on the thoroughfare plan.

Structural alterations means any change in the supporting member of a building, such as a bearing wall, column, beams, or girders.

Structure. Same as "building."

Swimming pool, commercial, means a swimming pool with accessory facilities, not part of the municipal or public recreational system and not a private swim club, but where the facilities are available to the general public for a fee.

Swimming pool, private, means a swimming pool constructed for the exclusive use of the residents of a single-family, two-family or multifamily dwelling and located within the required rear or permitted side yards.

Tattoo parlor/body piercing studio means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

(1) Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin;

(2) Creating of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Teen club shall include teen night clubs, teen dance clubs or any entertainment establishment where the intended occupancy is in excess of 70 percent minors between 13 and 19 years of age unaccompanied by an adult parent or guardian.

Telephone exchange means a switching or transmitting station owned by a public utility but not including business offices, storage, or repair shops or yards.

Tennis court, private, means a surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas, except as may be otherwise provided or restricted by the specific use permit.

Theater, outdoor, means an open lot with its appurtenant facilities devoted primarily to the showing of motion picture or theatrical productions on a paid admission basis to patrons seated in automobiles.

Tobacco sales means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the sale of tobacco products.

Townhouse or row dwelling means one of a series of not less than three nor more than ten attached one-family dwellings under common roof with common exterior wall, and separated from one another by single partition walls without openings from basement to roof. No townhouse dwelling unit is to be constructed above another townhouse dwelling unit.

Trailer rental means the display and offering for rent of trailers designed to be towed by passenger cars or other prime movers.

Travel trailer, manufactured housing, display and sales, means the offering for sale or display of travel trailers or manufactured housing, on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis. This use shall also allow the sale or display of major recreational vehicles, boat trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles, but excluding pick-up shells not designed or used for camping purposes), motorized dwellings, tent trailers, house trailers, and utility trailers.

Travel trailer park means any tract of land under single ownership, two acres or more, where commercial accommodation is provided for temporary lodging in travel trailers and/or other recreational vehicles and not permanent residency.

Truck and bus leasing means the rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.

Truck and bus repair means an establishment providing major and minor automobile repair services to heavy load vehicles.

Truck or motor freight terminal means a building or area in which freight brought by motor truck is assembled and/or stored for shipping by motor truck.

Truck sales means buildings and associated open area other than a street or required automobile parking space used for the display or sale of primarily new heavy load vehicles to be displayed and sold on-premises, and where no repair work is done except minor reconditioning of the vehicles to be displayed and sold on the premises, and no dismantling of vehicles for sale or keeping of used vehicle parts or junk on the premises.

Two-family dwelling means a building designed for occupancy by two families living independently of each other within separate units which have a common wall and are under one roof. (see also Duplex)

Usable open space means an open area which is designed and intended to be used for outdoor living and/or recreation. An area of common usable open space shall have a slope not exceeding ten percent, shall have no dimension of less than ten feet, and may include landscaping, walks, water features and decorative objects. The term "usable open space" shall not include rooftops, accessory buildings, parking areas, driveways, turnaround areas, or right-of-way or easement for streets or alleys.

Variance means an adjustment in the application of the specific regulations of this chapter to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

Vendor, stationary means a vendor who sets up a temporary building, vehicle, trailer, or other mobile unit on private property to engage in the sale of food items, merchandise or services.

Vertically mixed use commercial and residential means a building designed for ground floor commercial uses and upper floor residential units.

Washateria means a building or place where clothes and linens are washed and thoroughly dried by the use of not exceeding three employees and four automatic single-family machines and where the operation of washing and/or drying and/or mangle machines is done exclusively by the customer on a self-service basis, and where the fuel and power for the heating of water and drying shall be smokeless and odorless.

Wholesale means the sale of goods, merchandise, services and/or commodities for resale by the purchaser and does not offer retail sales to the general public.

Yard means an open space, other than a court, on the lot in which a building is situated and which is not obstructed from a point 40 inches above the general ground level of the graded lot to the sky, except as provided for roof overhangs and similar special architectural features and plant material.

Yard, front, means an open, unoccupied space on a lot facing a street extending across the front of a lot between the side lot lines and from the main building to the front lot or street line with the minimum horizontal distance between the street line and the main building line as specified for the district in which it is located.

Yard, rear, means an open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line.

Yard, side, means an open, unoccupied space or spaces on one side or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear yard. Any lot line not the rear line or front line shall be deemed a side line.

Zero lot line house means a residence allowed to have little or no side yard on one side, where the wall on that side has no doors, windows, or other openings and which otherwise qualifies for a one-hour fire rating as defined in the building code.

Zoning district map means the official certified map upon which the boundaries of the various zoning districts are drawn.

Zoning administrator means the official designated by the city manager to administer and enforce this chapter, or his designee.

§ 42-10. Classification of new and unlisted uses.

(a) Classification of new and unlisted uses.It is recognized that new types of land uses will develop and forms of land use not anticipated may seek to locate in the city. The zoning administrator shall review any request for approval of a use that is not specifically listed as a permitted use in any zoning district. If in the determination of the zoning administrator the use is substantially similar in nature and impact to a listed use, the zoning administrator may make a determination, under his authority to render interpretations of the provisions of this chapter, of the district or districts where such use is appropriate to locate. The determination of the zoning administrator is subject to review by the board of adjustment in accordance with the provisions of section 42-95.

(b) Determination of classification by planning and zoning commission.If the zoning administrator determines that such new or unlisted use is not substantially similar in nature and impact to a listed use, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

(1) The zoning administrator shall refer the question concerning any new or unlisted use to the planning and zoning commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves

dwelling activity, sales, processing, type of product, storage, and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated, and the general requirements for public utilities such as water and sanitary sewer. Notice of the request for interpretation shall be given in the manner provided for zoning text amendments in order for the ultimate determination of classification to be considered as a text amendment.

(2) The planning and zoning commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts, and determine the zoning district or districts within which such use should be permitted.

(3) The planning and zoning commission shall transmit its findings and recommendations to the city council as to the classification proposed for any new or unlisted use. The city council may, by ordinance, approve the recommendation of the commission or make such determination concerning the classification of such use as is determined appropriate.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-11. through § 42-19. (Reserved)

§ 42-20. A Agricultural district.

(a) Purpose. The A district is intended to apply to land situated on the fringe of an urban area which is currently used for agricultural purposes, and which may become an urban area in the future. Therefore, the agricultural activities conducted in the A district should not be detrimental to urban land uses and the intensity of use permitted in this district is intended to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made.

(b) Permitted uses and parking regulations. In the A agricultural district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory buildings and structures clearly incidental to agricultural operations, including but not limited to barns, stables, equipment sheds, granaries, private garages, pump houses, and servant's quarters not for rent, provided that the total area of buildings and structures shall be limited to ten percent of the gross land area of the tract.	1 space per employee to be occupying the building
Carport, private	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Farm, ranch, or orchard	1 space per employee
Garage, private	0 spaces
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Home occupation	0 spaces

Use	Parking Regulations
Kennel	1 space per 200 square feet of floor area
Local utility distribution lines	0 spaces
Nonprofit animal shelter	1 space per 200 square feet of floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Riding academy or other equestrian related activities	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Sewage pumping station	0 spaces
Single-family dwellings on building lots of two acres or more in areas where said dwellings can be adequately served by city utilities or septic tanks located on the building lot provided	2 enclosed spaces per unit, must be attached to the main structure
Stable, private	1 space per employee
Swimming pool, private	0 spaces
Telephone exchange	1 space per employee
Telephone line	0 spaces
Temporary metal buildings of less than 600 square feet which are used for tool and supply storage	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces

(c) Development requirements.

Minimum lot area:	5 acres[1]
Minimum lot width at front building line:	100 linear feet
Minimum lot depth, average:	120 linear feet
Front setback:	50 linear feet
Side setback:	8/10/15 linear feet[2]

Rear setback:	50 linear feet
Maximum ground coverage:	10% of lot area
Maximum density per acre:	0.50 DU
Height:	45 linear feet

[1] Single-family dwellings require building lots of two acres or more.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

(d) Specific uses. The following specific uses are allowed in the A district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Community home	1 space per employee, plus 1 space for each 6 beds
Electric power generating plant	1 space per employee
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Feedlot, livestock	1 space per employee
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Guest house	1 space per unit

Use	Parking Regulations
Hatchery	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Heliport or helistop	1 space if located on the ground
Landfill	1 space per employee
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2000 square feet of floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Racetrack	1 space for every 4 seats or bench seating
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Radio, TV or microwave operation, commercial. (See further regulations in section 42-55(i).)	1 space per employee
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area
Shops, office and/or storage area of public or private utility	1 space per employee
Solid waste transfer station	1 space per employee
Water treatment plant	1 space per employee

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-21. SF-1 Single-family residential district.

(a) Purpose. The SF-1 district is the most restrictive of residential zones and should be applied in areas of larger lots, more contemporary subdivision design and layout, and for areas that are designed solely for residential uses. This zoning classification should be applied in areas of the city to conserve neighborhood character and value of buildings. This district can be appropriately located in proximity to multifamily residential areas and certain neighborhood local retail and office uses.

(b) Permitted uses and parking regulations. In the SF-1 single-family residential district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	7,500 square feet[1]
Minimum lot width:	60 linear feet

Minimum lot depth:	125 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	4.0 DU
Height:	35 linear feet

[1] A lot of less than 7,500 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific uses are allowed in the SF-1 district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
Home occupation	0 spaces
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee

Use	Parking Regulations
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(5) (Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-22. SF-2 Single-family residential district.

(a) Purpose. The SF-2 district is not as restrictive as the SF-1 district. This district is to be applied in areas where smaller residential lots are appropriate and in areas of transition between nonresidential uses and the SF-1 single-family residential district. This district also functions as a buffer or transition between major streets and the SF-1 district.

(b) Permitted uses and parking regulations. In the SF-2 single-family residential district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces

Use	Parking Regulations
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	45/55[5]
Maximum density per acre:	6.00 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific uses are allowed in the SF-2 district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee

Use	Parking Regulations
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee
Zero lot line house	2 enclosed spaces per unit

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential

structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-23. GH Garden home district.

(a) Purpose. The GH district provides for the construction of detached single-family homes on zero lot line lots. In all other respects, the GH district is intended to provide the same benefits and atmosphere as other single-family districts. This district can be appropriately located in proximity to multifamily residential areas and certain neighborhood local retail and office uses.

(b) Permitted uses and parking regulations.

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required

Use	Parking Regulations
Railroad track and right-of-way	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	2,800 square feet[1]
Minimum lot width:	25 linear feet on residential streets and 35 linear feet on collector and major streets
Minimum lot depth:	120 linear feet
Minimum front yard:	15 linear feet[2]
Minimum side yard:	0 linear feet[3]
Minimum rear yard:	5 linear feet[4]
Maximum ground coverage:	45/65[5]
Maximum density per acre:	12 DU
Height:	35 linear feet

[1] A lot of less than 2,800 square feet may be used for a garden home or other single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The minimum front yard shall be 15 feet, provided that in no case shall a garage or carport fronting onto a street be less than 20 feet from the property line adjacent to the street. The front yard setback may be staggered, varied, or reduced to a minimum setback of ten feet for lots facing cul-de-sac or loop streets not exceeding 400 feet in length, with the approval of a site plan or subdivision plat. Under this provision the maximum setback shall be 25 feet. A minimum lot depth of 65 feet, as measured from front building line to rear lot line, shall be maintained.

[3] The minimum side yard shall be zero feet except that there shall be at least ten feet of separation between structures. When garden (patio) homes are constructed with a zero side yard, five feet on the lot adjacent to the zero setback shall be dedicated as an access/maintenance easement for the zero setback garden home. There shall be a minimum side yard setback of 20 feet from any property line adjacent to a street. Side yard setbacks and access/maintenance easements shall be shown on the subdivision plat.

[4] The minimum rear yard shall be five feet for a single-story structure and 15 feet for any two-story structure. If access is from an alley, the minimum setback will be 20 feet for garages or carports. A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required for each application for the development of a garden home in the GH district.

(e) Specific uses. The following specific uses are allowed in the GH district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit

Use	Parking Regulations
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains,
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(f) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious

material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction regulations shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(g) Common area maintenance. To ensure the long-term maintenance of common land and facilities in garden home developments, the following shall be required:

(1) Plats and site plans shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas and other commonly owned facilities. No such instrument shall be acceptable until approved by the city attorney as to legal form and effect. A homeowners' association (HOA) is the most widely accepted technique for managing commonly owned property. Such association shall provide proof of incorporation prior to issuance of a construction permit.

(2) The HOA or other similar management entity shall be organized as a nonprofit corporation with automatic membership in the management entity when property is purchased. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Included in the maintenance covenants shall be procedures for changing them at stated intervals. Deeds shall also reference the rights and responsibilities of property owners to the management entity. The management entity shall also be responsible for liability insurance, local taxes, and the maintenance of all commonly held facilities through the use of a pro rata formula for all property owners.

(h) Usable open space requirements. Each parcel of land developed under garden home standards shall provide usable open space totaling 15 percent of the area of the parcel. Such open space shall have a maximum slope of ten percent and shall be exclusive of street and alley rights-of-way and/or easements, individually platted lots without open space easements, private yards and patios. The 15 percent shall be computed on the percentage of total platted area in a garden home subdivision, excluding right-of-way for major and secondary streets (as described in the current comprehensive plan). At the time of site plan and/or subdivision plat approval, the city council may give full or partial credit for open areas that exceed the maximum slope or which are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.

(i) Additional landscaping. In addition to any required landscaping for common areas, the front yard and parkway areas shall be landscaped and permanently maintained.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-24. MH-1X Manufactured home park district (X).

(a) Purpose. The MH-1X district is established to allow for the development of quality manufactured home park developments which create lots or units of land under single ownership where the

individual lots or units of land are rented or leased for the placement of a single manufactured home. This district provides adequate space and restrictions for the placement of manufactured housing in the city where adequate streets and other community facilities are available for present and future needs. The MH-1X district is established to provide housing densities compatible with single-family neighborhoods and to promote the most desirable use of land; to promote stability of development; to preserve the value of the land and improvements; and to protect the city's tax base. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-1X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any MH-1X zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. In the MH-1X district, no building or land shall be used and no building shall be hereafter erected or placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	5,000 square feet[1]
Minimum lot width:	40 linear feet
Minimum lot depth:	125 linear feet
Minimum front yard:	5/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet (25 feet street side)[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 5,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required for each application for the development of a manufactured home park in the MH-1X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district.

(f) Specific uses. The following specific uses are allowed in the MH-1X district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home park district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community

Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and must be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-25. MH-2X Manufactured home subdivision district (X).

(a) Purpose. The MH-2X district is intended to provide for quality manufactured home subdivision development containing most of the characteristics and atmosphere of a standard single-family residential subdivision. The development is designed in a similar manner as a single-family residential subdivision with lots being platted for separate ownership. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-2X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any MH-2X zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. In the MH-2X, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	1 space per employee to be occupying the carport
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided

Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required prior to a manufactured home subdivision development in the MH-2X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district or use.

(f) Specific uses. The following specific uses are allowed in the MH-2X district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit

Use	Parking Regulations
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Travel trailer park	1 space per unit
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home subdivision district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and will be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-26. MH-3X Manufactured home subdivision district (X).

(a) Purpose. The MH-3X district is intended to provide for quality manufactured home subdivision development containing most of the characteristics and atmosphere of a standard single-family residential subdivision. The development is designed in a similar manner as a single-family residential subdivision with lots being platted for separate ownership. The MH-3X district allows more flexible design standards than the MH-2X district. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-3X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any MH-3X zoned property may also be considered for rezoning to a non-legacy district, not marked with an “x” in the district name.

(b) Permitted uses and parking regulations .In the MH-3X manufactured housing district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	1 space per employee to be occupying the carport
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	12 linear feet
Minimum side yard:	8/10 linear feet[2]
Minimum rear yard:	10 linear feet
Maximum ground coverage:	40/50[3]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a street.

[3] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required prior to a manufactured home subdivision development in the MH-3X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district.

(f) Specific uses. The following specific uses are allowed in the MH-3X district when authorized under the provisions of section 42-45:

Use	**Parking Regulations**
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee

Use	Parking Regulations
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Travel trailer park	1 space per unit
Water storage, elevated	0 spaces
Water storage, ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home subdivision district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and must be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-27. DD Duplex district.

(a) Purpose. The DD district is designed to promote stable, quality residential development. This district is the most restrictive of the multifamily districts and is intended for two-family use. This district is intended for zones of transition from the single-family zones to higher density multifamily or nonresidential zones.

(b) Permitted uses and parking regulations. In the DD district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	7,500 square feet[1]
Minimum lot width:	60 linear feet

Minimum lot depth:	125 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	50/60[5]
Maximum density per acre:	8.0 DU
Height:	35 feet

[1] A lot of less than 7,500 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific exception uses are allowed in the DD district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

Use	Parking Regulations
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Townhouse or row dwelling	2 spaces per unit, 1 covered
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other materials shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-28. MFX Multifamily residential district (X).

(a) Purpose. The MFX district allows medium to high density multifamily development. This district is intended to be a buffer or transition zone from major streets and nonresidential uses to lower density residential zones. Density in this district does not ordinarily exceed 15 units per gross acre but can reach a maximum of 25 units per gross acre if special fire protection requirements are observed. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MFX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any MFX zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. In the MFX district, no building or land shall be used and

no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, attached or detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Townhouse or row dwelling	2 spaces per unit, 1 covered
Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	10,000 square feet or 1,500 square feet per DU, whichever is greater[1]
Minimum lot width:	For multifamily, townhouse and zero lot line lots, 20 linear feet per ground floor unit plus the side yard setback. For all other permitted uses, 60 linear feet.
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/25 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	60/65[5]
Maximum density:	15.0/25.0 dwelling units per acre[7]
Height:	45 feet[6]

[1] Minimum lot size for townhouses shall be 3,000 square feet per dwelling unit. Minimum lot size for all other permitted uses shall be 10,000 square feet or 1,500 square feet per dwelling unit, whichever is greater.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a street. If a side yard is adjacent to a single-family residential district, there shall be a 25-foot setback and a 60-foot setback from the adjacent property line for buildings in excess of one story in height. If more than one building is located on the same lot, there shall be a ten-foot separation between buildings without openings (windows) and a 15-foot separation between buildings with openings.

[4] If a rear yard is adjacent to a single-family residential district, there shall be a 25-foot setback and a 60-foot setback from the adjacent property line for buildings in excess of one story in height. If more than one building is located on the same lot, there shall be a ten-foot separation between buildings without openings (windows) and a 15-foot separation between buildings with openings.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

[6] The height of any multifamily building sited on a lot adjacent to an area zoned or used for single-family dwellings or where single-family dwellings of one story in height exist shall be limited to one story for a distance of 60 feet from the single-family district boundary or the lot on which the single- family dwelling is located.

[7] The first number in the column is the maximum density for a multifamily development fronting a residential street; the second number in the column is the maximum density for a multifamily development fronting a collector or major street.

(d) Specific uses. The following specific uses are allowed in the MFX district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)

Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Dormitory	1 space for each 2 beds
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds

Use	Parking Regulations
Household care facility	1 space per employee
Household care institution	1 space per employee
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(e) Additional parking requirements. At least 20 percent of the parking required to be provided shall be designated visitor parking only. A minimum of 50 percent of the required parking spaces of a multifamily development shall be either an attached enclosed garage or a detached multi-car covered parking structure. Detached covered parking shall function unobtrusively and shall be compatible with the main buildings of the multifamily development in terms of materials design, style and color. Detached covered parking structures, if used, shall be located near the building served. No detached covered parking structure shall accommodate more than ten parking spaces or be located closer than ten feet to another parking structure. When garages are used within dwellings, one-car garages shall be a minimum of ten feet wide and 20 feet long.

(f) Leasing office/clubhouse required. A leasing office shall be constructed with each multifamily development. A clubhouse, which shall be available to all residents of the development, with a minimum of 2,500 square feet in size shall be provided for any multifamily development of 200 units or less; a minimum of 3,500 square feet in size for 201 to 350 units; and 4,000 square feet for 351 or more units.

(g) General landscaping and screening provisions.

(1) A standard ten-foot-wide landscaped screening buffer meeting the requirements of section 42-58(f) shall be constructed around the entire perimeter of the multifamily lot or premises. Not less than one tree shall be planted and maintained for each 25 linear feet or portion thereof the landscaped buffer strip. Each tree used in landscaped open space buffer strips shall be not less than six feet in height upon planting and shall have a caliper of not less than two inches measured 12 inches from the ground.

(2) Border fencing of wood or masonry of not less than six feet in height shall be installed by the owner, builder or developer at the time of construction of any multifamily complex, along the property line on any perimeter not abutting a public street or right-of-way. This screening shall be maintained throughout the existence of the multifamily complex by the owner of the complex.

(h) Refuse facilities. Every dwelling unit in a multifamily complex shall be located within 250 feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. There shall be available at all times at least six cubic yards of refuse container per 30 multifamily dwelling units. For complexes with less than 30 units, no less than four cubic yards of refuse container shall be provided. Each refuse facility shall be screened from view on three sides from persons standing at ground level on the site or immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six feet nor more than eight feet in height or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies.

(i) Special fire protection requirements.

(1) For multifamily densities of greater than 15 units per acre, each building in the development shall contain an automatic sprinkler system to be installed at the time of construction, and thereafter operated in accordance with currently applicable fire safety codes.

(2) In addition, each unit in any multistory design, regardless of density, shall be provided with a minimum of two points of entry and exit with each providing separate access to places of safety in the event of fire or other emergency.

(j) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the MFX district shall have at least 75 percent of the exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the MFX district shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the MFX district shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane.

(k) Courts and open space requirements.

(1) Courts. Where an apartment building is erected so as to create inner courts, the faces of all opposite walls in such courts shall be a minimum distance of 30 feet apart and no balcony or canopy shall extend into such court area for a distance greater than five feet.

(2) Usable open space. Each lot or parcel of land which is used for multifamily residences shall provide on the same lot or parcel of land usable open space in accordance with the table below:

a. Usable open space requirements are as follows:

Number of Bedrooms or Sleeping Rooms	Square Feet
One or less	600
Each additional bedroom over one	300

b. In those instances where a parcel of land has been zoned for multifamily use with a specific use permit or planned development classification and the permitted densities do not conform exactly with those permitted in the MFX district, usable open space shall be provided in accordance with that required for the multifamily zoning district which most closely approximates the density permitted under the SUP or PD.

c. In meeting this requirement, a credit of three square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within ten feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings. Tennis courts are specifically excluded from this increased credit allowance. At the time of site plan approval, the city council may allow a credit not to exceed ten percent of the total required usable open space for adjacent and immediately accessible public parks. The combined credit for areas calculated at a three-to-one basis and for public parks shall not exceed 50 percent of the total usable open space for an individual lot or parcel of land.

d. At the time of site plan approval, the city council may give full or partial credit for open areas that exceed the maximum slope, if it is determined that such areas are environmentally significant and that their preservation would enhance the development.

(l) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the MFX district.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-29. NC Neighborhood commercial district.

(a) Purpose. The NC district is a low intensity commercial category providing a uniform set of standards for office facilities, neighborhood-type retail shopping facilities and general commercial activities of a service character. The NC district is established to accommodate the daily and frequent needs of the community at a neighborhood scale. It is intended that properties in this zoning district be served by appropriate streets and be of such size that all parking and traffic maneuvering can take place on the commercial site.

(b) Permitted uses and parking regulations. In the NC district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Automobile service station (no garage or automobile repair facilities)	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store of not greater than 20,000 square feet floor space	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store with floor space not greater than 20,000 square feet	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Garage, private	1 space per employee to be occupying the garage
Gas metering station	1 space per employee
General merchandise	1 space per 200 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces

Use	Parking Regulations
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Personal service shop	1 space per 200 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Racquetball facilities	4 spaces for each court
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

Use	Parking Regulations
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Tanning salon	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, ground	0 spaces

(c) District restrictions. The following restrictions shall apply to uses in the NC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to the NC district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of eight feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Drive-in type establishments.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and shall be maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading of materials or products shall be permitted in the required front yard.

(e) Development requirements.

Minimum lot area:	2,500 square feet
Minimum lot width:	50 feet
Minimum lot depth:	50 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet, shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	NA
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Specific uses. The following specific uses are allowed in the NC district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto laundry	1 space per 200 square feet of floor space

Use	Parking Regulations
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Carwash	1 space per employee
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Feed and farm supply (inside sales/ storage)	1 space per 300 square feet of gross floor area
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garden center (retail sales)	1 space per 200 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee

Use	Parking Regulations
Hospital (acute care)	1 space for every 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Kennel (no outside pens)	1 space per 200 square feet of floor area
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Pet shop	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Secondhand store, furniture/clothing	1 space per 200 square feet of gross floor area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage treatment plant	1 space per employee

Use	Parking Regulations
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water storage, elevated	0 spaces
Water treatment plant	1 space per employee

(g) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the NC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the NC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-30. RC Regional commercial district.

Purpose. The RC district is intended to allow the development of areas that provide a greater number and mix of retail and commercial uses. The uses permitted in the RC district are still intended to be generally carried on completely within a building or structure, but some outside areas and an expanded range of service and repair uses could be permitted. This district is reserved for areas of adequate size and location so that its broad range of high intensity land uses will not cause or create nuisances to adjoining zoning districts.

(a) Permitted uses and parking regulations. In the RC district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (indoor or outdoor sales)	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Auto laundry	1 space per 200 square feet of floor space
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boat sales and storage	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Child care center	1 space per ten pupils/clients (design capacity)
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area

Use	Parking Regulations
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Feed and farm supply (inside sales/storage)	1 space per 300 square feet of gross floor area
Feed and farm supply (outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Pet shop	1 space per 300 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area

Use	Parking Regulations
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Shops, office and/or storage area of public or private utility	1 space per employee
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Tanning salon	1 space per 200 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Taxidermist	1 space per 200 square feet of gross floor area
Teen club	1 space for every 1,000 square feet of floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces

Use	Parking Regulations
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(b) District restrictions. The following restrictions shall apply to uses in the RC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(d) Specific uses. The following specific uses are allowed in the RC district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Brew pub	1 space per 100 square feet of gross floor area
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Electric power generating plant	1 space per employee
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Microbrewery	1 space per 200 square feet of floor area
Microdistillery	1 space per 200 square feet of floor area
Newspaper printing	1 space per 300 square feet of gross floor area
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Print shop	1 space per 300 square feet of gross floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Self storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area

Use	Parking Regulations
Solid waste transfer station	1 space per employee
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Theater (outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (no outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area

(e) Development requirements.

Minimum lot area:	2,500 square feet
Minimum lot width:	50 feet
Minimum lot depth:	50 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet, shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	NA
Height:	55 linear feet [2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] No building shall exceed 55 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Screening devices. In the event that the RC district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the RC district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the RC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the RC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-31. CF Commerce flex district.

(a) Purpose. The CF district permits and regulates those uses of the land that cause the manufacturing, assembly, processing, storage, distribution, sale or repair of materials, goods, parts, products, equipment, machinery, and other such operations incidental to industrial uses. This district is intended to allow certain storage, wholesale and industrial uses such as the fabrication of materials and specialized manufacturing and research institutions. Clean and quiet flex-space development that takes advantage of convenient access to Highways I-35 and US 67 is highly encouraged. All uses in the CF district must be compatible with surrounding uses so as not to adversely affect the use, development or enjoyment of surrounding properties.

(b) Permitted uses and parking regulations. In the CF district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Advertising displays manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Amusement, commercial (outdoor)	1 space for every 1,000 square feet of gross floor area
Apparel and other products assembled from finished textiles	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Arts, crafts store (outdoor sales)	1 space for every 200 square feet of floor area or
Auto laundry	1 space per 200 square feet of floor space
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Auto paint and body shop	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto parts sales (inside or outside)	1 space for every 200 square feet of floor area
Auto repair, major	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto storage	1 space per employee, plus 1 space per vehicle to be stored
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Boat sales and storage	1 space per 300 square feet of gross floor area
Boats, building or repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bookbinding, except hand binding	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bottling works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bowling alley	6 spaces for each lane
Brooms or brushes, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials (inside or outside storage)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials, hardware (inside or outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cameras or other photographic equipment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Carpet manufacturing or cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Ceramics, stone, glass, marble or porcelain products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
Cleaning and dyeing; dry cleaning plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Contractor's shop and storage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Cosmetic manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Dance hall	1 space per 100 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical appliances, supplies, and machinery, assembly or manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Electronic products, assembly	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Farm, ranch, or orchard	1 space per employee
Feed and farm supply (inside or outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee

Use	Parking Regulation
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Fur good manufacturing (not including tanning and dyeing)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture and upholstery manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General commercial plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
General manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Golf course	Minimum of 30 spaces

Use	Parking Regulations
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Hatchery	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Household appliance products assembly and manufacturing from prefabricated parts	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ice production, dry or natural	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Industrial park	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Jute, hemp, sisal or oakum products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laboratory, scientific or research	1 space per 300 square feet of gross floor area
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Laundry plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Light manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Mattress manufacturing or renovation	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal dealer, secondhand	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Mobile food vendor	0 spaces
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Newspaper printing	1 space per 300 square feet of gross floor area
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Orthopedic or medical appliance manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Portable building sales	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Sexually oriented business	1 space per 200 square feet of gross floor area
Shops, office and/or storage area of public or private utility	1 space per employee

Use	Parking Regulations
Sporting and athletic equipment manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Telephone exchange	1 space per employee
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Telephone line	0 spaces
Theater (indoor or outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with or without outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Tools or hardware manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Toys and novelty products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Trailer rental	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated

Use	Parking Regulation
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee
Window shade, awnings, venetian blind manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first 15 feet of the required front yard setback, measured from the property line shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of the building (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(d) Specific uses. The following specific uses are allowed in the CF district when authorized by the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto wrecking yard or junkyard	1 space for every 1,000 square feet of floor area
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Brick, tile, pottery or terra-cotta manufacturing, other than handcraft	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Coal, coke or wood yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Concrete, asphalt batching plant (permanent)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area
Dairy products processing, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drugs or pharmaceutical products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Dyestuff manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electric power generating plant	1 space per employee
Electronic products, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Factory outlet retail or wholesale store on same premises as manufacturing company	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/ storage (outside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Florist	1 space per 300 square feet of gross floor area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Mill (grain, flour, food products)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Oil field service	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Oilcloth or linoleum manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Paint, oil, shellac, turpentine or varnish manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Petroleum products, sales (wholesale)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Plastic products manufacturing (not including processing of raw materials)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Racetrack	1 space for every 4 seats or bench seating
Railroad freight terminals, railroad switching and classification yards, repair shops and roundhouses	1 space per employee
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Self-storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Sewage treatment plant	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area

Use	Parking Regulations
Solid waste transfer station	1 space per employee
Solid waste transfer station	1 space per employee
Storage/wholesale warehouse, heavy	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
Taxidermist	1 space per 200 square feet of gross floor area
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vendor, stationary	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area

(e) Development requirements.

Minimum lot area:	4,000 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	A 25-foot front yard is required except that a front yard of not less than 50 feet shall be provided upon that portion of a lot abutting a residential or commercial use or district (other than industrial).
Minimum side yard:	No side yard is required except that a side yard or a side street yard of not less than 25 feet in width shall be provided on the side of the lot abutting a residential or commercial use or district (other than industrial).
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 50 feet in depth shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	NA
Height:	45 linear feet[1]

[1] No building shall exceed 45 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Screening devices. In the event that the CF district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry wall shall be constructed on the nonresidential property adjacent to the common property line with any residential use or district. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the manufacturing/industrial use by the owner of the property.

(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in this district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(h) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the CF district.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2023-0016 adopted 7/17/2023; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-32. IND Industrial district.

(a) Purpose. The IND district is designed to accommodate most industrial uses and is the most intensive zoning classification within the city. This district is intended for those uses that without proper regulation would manifest clear negative impacts on surrounding land uses and as such must be sited to avoid environmental degradation.

(b) Permitted uses and parking regulations. In the IND district, no building or land shall be used and no building shall be hereafter erected or placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Acetylene gas manufacturing or storage	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Acid manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Advertising displays manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Alcohol manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ammonia, bleach or chlorine manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Apparel and other products assembled from finished textiles	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Arsenal	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Asphalt manufacturing or refining	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Auto paint and body shop	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto storage	1 space per employee, plus 1 space per vehicle to be stored
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Bag cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Blast furnace	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Boats, building or repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Boiler works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bookbinding, except hand binding	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Bottling works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Brick, tile, pottery or terra-cotta manufacturing, other than handcraft	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Brooms or brushes, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials (inside or outside storage)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cameras or other photographic equipment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carpet manufacturing or cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Celluloid manufacturing or treatment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cement, lime, gypsum or plaster of Paris manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ceramics, stone, glass, marble or porcelain products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
Cleaning and dyeing; dry cleaning plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Coal, coke or wood yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Contractor's shop and storage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Cosmetic manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cotton seed oil manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dairy products processing, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dance hall	1 space per 100 square feet of gross floor area
Disinfectant manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Distillation of bones, coal or wood	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Drugs or pharmaceutical products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dyestuff manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electric power generating plant	1 space per employee
Electrical appliances, supplies, and machinery, assembly or manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electrical substation	1 space per employee

Use	Parking Regulations
Electrical transmission line	0 spaces
Electronic products, assembly	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electronic products, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Emery cloth and sandpaper manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/storage (inside or outside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Farm, ranch, or orchard	1 space per employee
Fat rendering	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Feed and farm supply (inside or outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Fish smoking and curing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Food store; grocery store	1 space per 300 square feet of gross floor area
Forge plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Foundry (iron, steel, brass or copper)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fur good manufacturing (not including tanning and dyeing)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture and upholstery manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Gas manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Gas metering station	1 space per employee

Use	Parking Regulations
General commercial plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
General manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glue or gelatin manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Golf course	Minimum of 30 spaces
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Heliport or helistop	1 space if located on the ground
Household appliance products assembly and manufacturing from prefabricated parts	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ice production, dry or natural	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Industrial park	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Jute, hemp, sisal or oakum products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Laboratory, scientific or research	1 space per 300 square feet of gross floor area
Laundry plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Light manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Mattress manufacturing or renovation	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Meat processing/locker plant/frozen food products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal dealer, secondhand	1 space per 300 square feet of gross floor area
Metal fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Mill (grain, flour, food products)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mobile food vendor	0 spaces
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Newspaper printing	1 space per 300 square feet of gross floor area
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil field service	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Oilcloth or linoleum manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ore reduction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Orthopedic or medical appliance manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Paint, oil, shellac, turpentine or varnish manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Paper products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Petroleum products, bulk quantities	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Petroleum products, sales (wholesale)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Plastic products manufacturing (not including processing of raw materials)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Post office, government and private	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee

Use	Parking Regulations
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
Scrap metal sales and storage	1 space for each 2 employees or 1 space per 1,000 square feet of gross floor area, whichever is greater
Scrap tire facility	1 space per employee
Service yards of government agency	1 space per employee
Sewage pumping station	0 spaces
Shops, office and/or storage area of public or private utility	1 space per employee
Solid waste transfer station	1 space per employee
Sporting and athletic equipment manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Steel fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Storage/wholesale warehouse, light or heavy	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Tire recapping, vulcanizing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Tire retreading and recapping	1 space per employee
Tools or hardware manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Toys and novelty products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Transit station or turnaround	1 space per intended user
Truck and bus repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces

Use	Parking Regulations
Water treatment plant	1 space per employee
Window shade, awnings, venetian blind manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Yeast manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Except as provided below, every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yard. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) No loading or storage of material or products shall be permitted in the required front yard.

(3) All uses permitted in the IND district must meet the following performance standards and any appropriate city ordinances:

a. Smoke. No operation shall be conducted unless it conforms to the standards established by any applicable state and federal health rules and regulations pertaining to smoke emission;

b. Particulate matter. No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to emission of particulate matter;

c. Dust, odor, gas, fumes, glare, or vibration. No emission of these matters shall result in a concentration at or beyond the property line which is detrimental to the public health, safety or general welfare or which causes injury or damage to property; said emissions shall in all cases conform to the standards established by applicable state and federal health rules and regulations pertaining to said emissions;

d. Radiation hazards and electrical disturbances. No operation shall be conducted unless it

conforms to the standards established by applicable state and federal health rules and regulations pertaining to radiation control;

e. Noise. No operation shall be conducted in a manner so that any noise produced is objectionable due to intermittence, beat frequency, or shrillness. Sound levels of noise at the property line shall not exceed 75 dB(A) permitted for a maximum of 15 minutes in any one hour; said operation shall in all cases conform to the standards established by applicable state and federal health rules and regulations and to other city ordinances pertaining to noise; and

f. Water pollution. No water pollution shall be emitted by manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the appropriate state and national health and environmental protection agencies prior to issuance of a certificate of occupancy. The applicant shall have the burden of establishing that said safeguards are acceptable to said agency.

(4) The first 15 feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(d) Specific uses. The following specific uses are allowed in the IND district when authorized by the board of adjustment under the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Auto parts sales (outside)	1 space for every 1,000 square feet of floor area
Auto repair, major or minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto wrecking yard or junkyard	1 space for every 1,000 square feet of floor area
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Chemical manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Concrete, asphalt batching plant (permanent)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cotton gin	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Creosote treatment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Explosive or fireworks manufacturing or storage	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fertilizer manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fiberglass manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Garbage, offal or dead animal reduction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Grain elevator	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Herbicide manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Insect poison manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Junkyard or salvage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Livestock feed yards	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mines and quarries	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Portable building sales	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Self-storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area
Tire dealer (with or without outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vendor, stationary	1 space per 200 square feet of gross floor area
Wrecking yard (junkyard or salvage yard)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(e) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the IND district.

(f) Development requirements.

Minimum lot area:	4,000 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet

Minimum front yard:	A 25-foot front yard is required except that a front yard of not less than 50 feet shall be provided upon that portion of a lot abutting a residential or commercial use or district (other than industrial).
Minimum side yard:	No side yard is required except that a side yard or a side street yard of not less than 50 feet in width shall be provided on the side of the lot abutting a residential or commercial use or district (other than industrial).
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 50 feet in depth shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	NA
Height:	45 linear feet

(g) Screening devices. In the event that the IND district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the manufacturing/industrial use by the owner of the property.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the IND district shall have at least 75 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the IND district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the IND district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2023-0016 adopted 7/17/2023; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-33. CBDX Central business district (X).

(a) Purpose. The CBDX district is established to accommodate the unique characteristic of the historical center of the city and to ensure that future development in the CBDX district is compatible with maintaining the economic and historic integrity of the area. The Central Business District (X) is designed to provide an area for shopping, dining, working, residing, and entertainment which will remain active during evenings and weekends as well as standard work hours. Historically, the retail and cultural core of the city, the CBDX district includes the central downtown area of the city, extending from Patton Street to Atchley Street and from Spears Street

to Sparks Street. The CBDX is projected as a mixed-use district that will including residential, retail and commercial uses as set forth in this section. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any CBDX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any CBDX zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. The CBDX allows commercial, retail and residential-above- retail/commercial uses. Where a residential use occurs above a retail or commercial use, the facade of the building should differentiate between the two uses with architectural features, e.g., different window designs, contrasting exterior surfaces, harmonizing colors or other subtle distinctions. The minimum area for a residential unit that is located over a commercial/retail/office use shall be 650 square feet. In the CBDX business district, no buildings or land shall be used or undertaken, and no buildings shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barbershop	1 space per 200 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bowling alley	6 spaces for each lane
Building materials, hardware sales (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Building materials, hardware sales (outside and inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Custom personal service shop	1 space per 200 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Florist	1 space per 300 square feet of gross floor area

Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Mobile food vendor	0 spaces
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces

(c) Site plan required.A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the CBDX district.

(d) Dimensional standards.

Minimum lot area:	1600'
Minimum lot width:	20'
Minimum lot depth:	80'
Minimum front yard:	Setback averaging[1]
Minimum side yard for interior unit:	0'
Minimum side yard not abutting street:	5'
Minimum side yard abutting residential street:	10'
Minimum side yard abutting collector or major street:	15'
Minimum rear yard setback adjacent to DT boundary properties:	10'
Max imperious coverage:	90%
Max density/acre:	8 DU/A
Max height:	45'

Notes:

[1]The proposed building shall be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face. On a corner lot, the range of setbacks is measured on the basis of the three closest lots along the block face.

(e) Specific uses. The following specific uses are allowed in the CBDX district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Arcade	1 space for every 200 square feet of floor area
Arts, crafts store (outdoor sales)	1 space for every 200 square feet of floor area or
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.

Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Dance hall	1 space per 100 square feet of gross floor area
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Food store; grocery store	1 space per 300 square feet of gross floor area
Forge plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Foundry (iron, steel, brass or copper)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

(f) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the CBDX district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the CBDX district

shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the CBDX district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(g) Signs. Projection signs may be erected in the CBDX in accordance with the requirements of this subsection. The horizontal portion of any projecting sign shall not be more than six feet in length measured from the building face and shall not be closer than two feet from the back of the curb line. The height of a projection sign shall not exceed four feet and shall be an integral part of the architectural design of the attached building. The vertical clearance of a projection sign shall be as shown below:

Vertical Clearance	Maximum Projection
7 feet or less	3 inches
7 - 8 feet	12 inches
8 feet or more	4 inches

Signs on commercial buildings should fit within existing features of the building's facade and not detract from or hide significant architectural details of the building. Sign styles common between the 1880's and 1950's are appropriate for the CBDX.

(h) Architectural guidelines.

(1) New development sites within the CBDX shall not be permitted unless integrated with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.

(2) Buildings within the CBDX shall be oriented toward the streets and pedestrian traffic in order to create a cohesive, pedestrian-oriented development plan. Building fronts and sidewalks may also be maintained for outdoor uses such as cafes, restaurant seating, street side seating, etc. Parking areas may be located in the front or rear of buildings to improve the overall appearance of the development from the street.

(3) New development/renovation in the CBDX may incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the state environment, e.g., tan, ochre, beige and terra-cotta.

(4) A high quality durable base material, such as terra-cotta, natural stone, cast stone, clay fired tile, or other approved masonry material, is suggested for building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the facade of the building.

(i) Design. A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the CBDX:

(1) Overhangs.

(2) Cornices.

(3) String courses.

(4) Peaked roof forms.

(5) Arches.

(6) Lintels.

(7) Pilasters.

(8) Rustication.

(9) Canopies.

(10) Awnings or porticos.

(11) Outdoor patios.

(j) Pedestrian circulation requirements. Each lot within the CBDX must provide on-site pedestrian facilities or public plazas or spaces that encourage pedestrian traffic on and to adjacent properties.

(k) Street furnishings and lighting. Private new developments and expansions to existing developments within the CBDX shall coordinate the selection and installation of street furniture and lighting in accordance with the standards approved by the city for the public areas adjacent to streets, in order to maintain design continuity.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2022-004, sec. 1, adopted 3/21/2022; Ordinance 2024-0018 adopted 9/16/2024)

§ 42-34. INSX Institutional district (X).

Purpose. The INSX district is an overlay zone that is intended to provide for uses of a generally noncommercial institutional and/or group quarters character. Such uses typically involve densities or arrangements which are not permitted by right in low and medium density residential areas but which often have residential characteristics or have symbiotic relationships with residential neighborhoods. The INSX district is approved as a prefix on other zoning districts to allow in appropriate circumstances for institutional type uses that are typically regulated by state or federal law. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any INSX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any INSX zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(a) Permitted uses and parking regulations. When a zoning district is overlayed with the INSX institutional prefix, buildings or land may be used for the following uses, in addition to those uses allowed in the underlying zoning district:

(b)

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Assisted living facility	1 space per employee to be occupying the building
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.

College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Dormitory	1 space for each 2 beds
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Garage, private	1 space per employee to be occupying the garage
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Mobile food vendor	0 spaces
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Retirement housing	1 space for each 6 beds per unit
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Sewage pumping station	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(c) Specific uses. The following specific uses are allowed in the INSX district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Gas metering station	1 space per employee
Heliport or helistop	1 space if located on the ground
Household care facility	1 space per employee
Household care institution	1 space per employee
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee

Racetrack	1 space for every 4 seats or bench seating
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Vendor, stationary	1 space per 200 square feet of gross floor area

(d) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the INSX district.

(e) Development requirements.

Minimum lot area:	None
Minimum lot width:	60 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	Footnote [sic] 13/10/15 linear feet[2]
Minimum rear yard:	Footnote [sic] 18
Maximum ground coverage:	None
Maximum density per acre:	NA
Height:	35 linear feet

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

(f) Development criteria. Unless otherwise specifically provided in this section, every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

(1) Off-street parking of motor vehicles in operable condition;

(2) Off-street loading; and

(3) Permitted display of merchandise for sale to the public.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-35. PD Planned development district.

(a) Purpose. The PD district is intended to permit flexibility and encourage a more creative, efficient, and aesthetically desirable design and placement of buildings, open spaces and circulation patterns, and to best utilize special site features such as topography, size and shape. It is intended that the flexibility permitted by this zoning category extends to discretionary approval, in conjunction with development plan review, not limited to, but including such requirements as those relating to parking, building setbacks, square footage of buildings and structures, protective screening, sign placement, and other specifications in order to achieve the purposes and objectives stated in conformance with good planning practices. The PD district allows for combining and mixing of uses allowed in various zoning districts with appropriate regulations to govern the development of specific sites. The PD district may be a prefix to other zoning districts or a separate zoning district approved for a particular development.

(b) Base zoning. PD districts shall have base zoning, of one or more straight zoning district(s) of this article, that correspond with the concept plan, development standards, and other potential exhibits and studies.

(c) Permitted uses. The uses to be permitted in any PD district shall be consistent with the uses permitted in the base zoning district(s) as specified, unless otherwise enumerated in the PD district's development standards. The city council may approve any use or combination of uses in a PD district that are proposed to be developed under development controlled conditions designed to assure quality development and meet the purposes and requirements of this section. In reviewing an application for a PD district, the planning and zoning commission shall consider the nature and described performance of the proposed use and shall transmit its findings and recommendations to the city council.

(d) Development standards.

(1) Development standards for each separate PD district shall be set forth in the ordinance granting the PD district and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, 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 may deem appropriate.

(2) When a PD district is approved as a prefix to another zoning district, the particular district to which uses specified in the PD are most similar shall be stated in the granting ordinance. All PD applications shall list all requested variances from the standard requirements set forth throughout this chapter.

(3) The ordinance granting a PD district shall include a statement as to the purpose and intent of the PD granted therein. A specific list of deviations in each district and a general statement citing the reason for the PD request.

(4) The PD district shall conform to all other sections of this chapter, unless specifically exempted in the granting ordinance.

(e) Design. PD districts shall provide design and standards consistent with the following:

(1) Where development is adjacent to or has floodplains and/or large easements included, they shall be activated with a minimum eight-foot wide trail, a minimum of one trailhead, and off-spots spaced at a minimum of every quarter mile.

(2) PD districts shall include activated open spaces or parks that provide a park or activated open space within a quarter mile of each proposed dwelling unit. Golf courses, parks, and public open space areas near the PD district can assist in meeting the quarter mile walk shed requirement. Low-impact passive uses shall be permitted to meet the quarter mile walk shed requirement and include conservation of open land in its natural state (for

example, woodland, fallow field, or meadow), neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, and similar low-impact passive recreational uses. Active recreation uses shall also be permitted (and are encouraged) to meet the requirement and include recreational playing fields, playgrounds, pickleball courts, neighborhood pools, and clubhouse structures. Each activated open space or park shall include, at minimum the following:

a. One shaded bench, water fountain, trash receptacle, and a path that connects to a public sidewalk;

b. For developments 10 acres or larger, a minimum of one playground to include play or recreation equipment shall be provided each half mile.

c. Areas consistent with or similar to the following shall not be utilized to meet the quarter mile walk shed requirement:

Land areas reserved for the exclusive use and benefit of an individual owner or tenant;

Public or private street right-of-way, parkways, alleys, driveways, parking or loading areas;

Religious institutions or private school sites; or

Street medians or islands.

d. The maximum amount of activated amenity used to meet the quarter mile walk shed requirement for stormwater detention or retention purposes shall not exceed twenty-five [percent] (25%) of the activated amenity area. If the activated amenity area contains a retention pond, the pond shall include at least one (1) aeration device, such as a fountain, waterfall or underwater device.

e. Activated amenity areas adjacent to street rights-of-way shall be a minimum depth of twenty five (25) feet and shall be landscaped to include the retention or planting of one (1) three inch (3") caliper tree per each fifty (50) feet of street frontage, which may be clustered or distributed within the activated amenity area.

(f) Conceptual and development plans. In establishing a PD district, the city council shall approve as part of the granting ordinance appropriate plans and standards for each PD district. During the review and public hearing process, the city council shall require a conceptual plan and a development plan (or detailed site plan).

(1) Conceptual plan. This plan shall be submitted by the applicant. The plan shall show the applicant's intent for the use of the land within the proposed planned development district in a graphic manner and shall be supported by written documentation of proposals and standards for development.

a. A conceptual plan for residential land use shall show general use, streets, and preliminary plotting arrangements. For residential development which does not propose platted lots, the conceptual plan shall set forth the size, type, and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and other pertinent development data.

b. A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the city council, may include but is not limited to the types of use, topography, and boundary of the PD area, physical features of the site, existing streets, alleys, and easements, location of future public facilities, building heights and locations, parking ratios, and other information to

adequately describe the proposed development and to provide data for approval which is to be used in drafting the final development plan.

c. After approval of a conceptual plan by the city council, changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, building height, or coverage of the site and which do not decrease the off-street parking ratio, reduce the yards provided at the boundary of the site, or significantly alter the landscape plans as indicated on the approved conceptual plan may be authorized by the zoning administrator. If an agreement cannot be reached regarding whether or not a detail site plan conforms to the original concept plan, the city council shall determine the conformity.

(2) Development plan or detailed site plan. This plan shall set forth the final plans for development of the planned development district and shall conform to the data presented and approved on the conceptual plan. Approval of the development plan shall be the basis for issuance of a building permit. The development plan may be submitted for the total area of the PD or for any section or part as approved on the conceptual plan. The development plan must be approved by the city council after a recommendation of the planning and zoning commission. A public hearing on approval of the development plan shall be required at the council level, unless such a hearing is waived pursuant to section 42-56 at the time of conceptual plan approval in the original granting ordinance. The development plan shall include:

a. A site inventory analysis including a scale drawing showing existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood-prone areas.

b. A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of not more than five feet.

c. A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.

d. A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.

e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the building official or his designated representative.

(3) Procedure for establishment. The procedure for establishing a PD district shall follow the procedure for zoning amendments as set forth in section 42-96. This procedure is expanded as follows for approval of conceptual and development plans.

a. An application for a PD district shall be made to the planning and zoning commission in the same manner as an application for a zoning change. The application shall include and be accompanied by a conceptual plan, development standards, parks and amenity exhibit, and all other applicable exhibits/plans.

b. Separate public hearings shall be held by the planning and zoning commission and city council for the approval of the conceptual plan and the development plan, or any section of the development plan, unless such requirement is waived by the city council upon a determination that a single public hearing is adequate. A single public hearing is adequate when:

1. The applicant submits adequate data with the request for the PD district to fulfill the requirements for both plans; or

2. Information on the concept plan is sufficient to determine the appropriate use of the land and the detail site plan will not deviate substantially from it; and

3. The requirement is waived at the time the granting ordinance is approved. If the requirement is waived, the conditions shall be specifically stated in the granting ordinance.

c. The ordinance establishing the planned development district shall not be approved until the conceptual plan is approved. The conceptual plan shall become a part of the granting ordinance.

d. The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the planning and zoning commission and city council for the initial and subsequent sections will be required.

e. An initial development plan shall be submitted for approval within six months from the approval of the PD ordinance. If the development plan is not submitted within six months, the conceptual plan is subject to reapproval by the city council. If the entire project is not completed within two years, the city council may review the original conceptual plan to ensure its continued validity.

f. Regardless of whether the public hearing is waived for the development plan, approval by the city council is still required.

(g) Written report may be required. When a PD is being considered, a written report may be requested of the applicant discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic. Written comments from the applicable public school district and from private utilities may be submitted to the city council.

(h) Planned developments to be recorded. All PD districts approved in accordance with the provisions of this chapter shall be referenced on the zoning map, and a list of such PD districts, together with the category of uses permitted therein, shall be maintained in an appendix attached to the zoning ordinance from which this division is derived.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-36. FN Floodplain and nature district.

(a) Purpose. The FN district is intended to manage land use within identified flood hazard areas in a manner that protects public safety, preserves natural floodplain functions, and minimizes flood-related damages.

(b) Permitted uses and parking regulations. In the FN zoning district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Bridle, bicycle or nature trail	0 spaces required

Electrical substation	1 space per employee
~~Farm, ranch, or orchard, but excluding the construction of barns or other outbuildings~~	~~1 space per employee~~
Local utilities (all types, including those requiring specific use permits)	1 space per employee
Parks, playgrounds, public golf courses (no structures), and other recreational areas	1 space per acre plus a minimum of 30 spaces for golf courses
Private open space as a part of a planned residential development	0 spaces required
Structures, installations and facilities for flood control purposes	1 space per employee

(c) Development requirements.

Minimum lot area:	4,000 square feet
Minimum lot width:	50 feet
Minimum lot depth:	80 feet
Minimum front yard:	20 feet
Minimum side yard:	10 feet
Minimum rear yard:	10 feet
Maximum ground coverage:	30 percent
Maximum density per acre:	None
Height:	20 feet

(1) (Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-37. TH Townhome Residential district.

(a) Purpose. The TH district is established to provide adequate space for medium density, single-family attached type residential development, on lots of not less than 1,600 square feet.

(b) Primary uses allowed. In the TH district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this section, except for one or more of the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (allowed only on a temporary basis in a new subdivision composed of no less than 100 lots, to cease upon completion and dedication of the streets)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces

Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 spaces per unit
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(b.1) Development requirements.

Minimum lot area:	1,600 square feet
Minimum lot width:	20 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	15/25 linear feet[1]
Minimum side yard:	0/5/10/15 linear feet[2]
Minimum rear yard:	10/25 linear feet[3]
Maximum ground coverage:	60
Height:	35 vertical feet

[1] The first number in the column is the required setback for a front yard abutting a residential street;the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] The first number in the column is the required setback for a side yard for an interior unit, the second number is the required setback for a side yard not abutting a street; the third number is the required setback for a side yard abutting a residential street; the fourth number is the required setback for a side yard abutting a collector or major street.

[3] A one-story wing or extension may be built to within 10 feet of the rear lot line.

(c) Special construction requirements.

(1) All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products, and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(3) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(d) Landscaping. Landscaping shall be in compliance with section 42-834.

(e) Parking. Parking shall be in compliance with Article III—Stopping, Standing and Parking.
(Ordinance 2016-010, sec. 1, adopted 5/16/2016)

§ 42-38. DT Downtown overlay district.

(a) Purpose. The downtown overlay district is established to safeguard the core of downtown Alvarado and ensure that any new development is compatible with existing development and also reflects a historic character, is functional, and has organized design. The overlay district is intended to provide a framework for the thoughtful consideration of development and redevelopment, while preserving the downtown area's unique assets and character. Any regulations not mentioned within the overlay district shall default to the underlying zoning district. When there is a conflict, the most restrictive regulations shall apply.

(b) Permitted uses and parking regulations. Within the overlay district encompassing the core of downtown Alvarado, the use and development of buildings and land shall adhere to standards contained herein. No buildings or land shall be used, and no buildings shall be erected, placed, reconstructed, altered, or enlarged, unless otherwise provided herein. Permitted uses include those as specified in the permitted uses and parking requirements table below. Minimum residential unit sizes shall be controlled only by the building code (outside any dimensional standards for lots and structures for any use contained herein). All buildings within the overlay district must harmonize with the downtown character through thoughtful design and architectural features that integrate development harmoniously. In cases where regulations from the underlying zoning districts conflict, the most restrictive requirement shall apply to ensure consistency and preserve the cohesive character of the area. Any land use within the below table that requires a specific use permit (S) shall only be permitted under the provisions of articles III and V of Alvarado's zoning ordinance, as applicable; except that the specific use permit application fee shall be waived for such requests within the downtown overlay district.

Use	Downtown Overlay	Minimum Parking Spaces Required
Accessory building to main use	S	
Amusement, commercial (indoor or outdoor)	S	None
Antique shop	P	None
Arcade	S	None
Arts, crafts store (inside sales)	P	None
Arts, crafts store (outdoor sales)	S	None
Assisted living facility		
Auto laundry		
Auto parts sales (inside)		
Auto repair, minor		
Automobile and trailer sales area, new or used		

Automobile service station (no garage or automobile repair facilities)	S	None
Bakery and confectionary, commercial	S	None
Bakery and confectionary, retail sales	P	None
Bank, savings and loan, credit union	S	None
Bar, tavern, nightclub	S	None
Barber school or college		
Barbershop	P	None
Beauty culture school; cosmetology spec. shop		
Beauty shop	P	None
Bed and breakfast inn	S	None
Boarding home facility	S	None
Boat sales and storage		
Bowling alley	S	None
Use	**Downtown Overlay**	**Minimum Parking Spaces Required**
Building materials, hardware (inside storage)	S	None
Building materials, hardware (outside storage)		
Business service	P	None
Cabinet and upholstery shop		
Candle manufacturing	S	None
Carport	P	None
Carwash		
Cemetery or mausoleum	S	None
Child-care center	S	None
Church, rectory, place of worship	P	None
Civic center	P	None
Cleaning and dyeing, small shop		
Clinic, medical or dental	S	None
College or university		
Community center, private	S	None
Community center, public	S	None
Community home	S	None
Concrete, asphalt batching plant (allowed only on a temporary basis in a new subdivision composed of no less than 100 lots, to cease upon completion and dedication of the streets)		
Concrete, asphalt batching plant (temporary)		

Construction yard (temporary)		
Convenience store	S	None
Country club (private)		
Custom personal service shop	P	None
Dance hall	S	None
Discount, variety, or department store of not greater than 20,000 square feet floor space	S	None
Dormitory		
Drapery, needlework, or weaving shop	P	None
Electrical substation	S	None
Electrical transmission line	S	None
Exhibition area	S	None

Use	Downtown Overlay	Minimum Parking Spaces Required
Fairgrounds	S	None
Farm, ranch, or orchard		
Feed and farm supply (inside sales/storage)		
Field or sales office, temporary	S	None
Florist	P	None
Food store; grocery store with floor space not greater than 20,000 square feet	S	None
Forge plant		
Foundry (iron, steel, brass or copper)		
Fraternal organization, lodge		
Fraternal organization, lodge or civic club		
Furniture, appliance store	S	None
Garage, private		
Garden center (retail sales)	S	None
Gas metering station	S	None
General merchandise indoor auction		
General merchandise store	P	None
Glass products		
Golf course		
Golf driving range		
Greenhouse or plant nursery, commercial		
Greenhouse or plant nursery, noncommercial		
Guest house	S	None
Gymnastic or dance studio	S	None
Handcraft shop	P	None
Health club; gymnasium	S	None
Heliport or helistop		
Home occupation	P	None
Hospital (acute care)		
Hospital (chronic care); long-term health care facility		
Hotel, motel, motor hotel, or motor lodge	S	None
Household care facility		

Use	Downtown Overlay	Minimum Parking Spaces Required
Household care institution		
Kennel (no outside pens)		
Laboratory, medical or dental		
Laundry and cleaning, commercial		
Library	P	None
Local utility distribution lines	P	None
Medical supplies, sales and service		
Metal dealer, crafted precious	S	None
Metal fabrication		
Mobile food vendor	S	None
Mortuary or funeral home		
Motorcycle sales and service		
Museum or art gallery	P	None
Musical instrument manufacturing		
Nonprofit animal shelter		
Nursery school, kindergarten	S	None
Office center	S	None
Office, professional or general administrative	S	None
Office-showroom/warehouse		
Oil, gas, other mineral extraction		
Park, playground or recreation center (private)	S	None
Park, playground or recreation center (public)	S	None
Parking lot or parking garage, automobile	S	None
Personal service shop	S	None
Pet shop		
Pharmacy		
Post office, government and private		
Print shop	S	None
Prison, jail or place of incarceration		
Private open space as a part of a planned residential development	P	None

Use	Downtown Overlay	Minimum Parking Spaces Required
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	S	None
Racetrack		
Racquetball facilities		
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i))	S	None
Railroad track and right-of-way	S	None
Registered family home	S	None
Residence hotel		
Restaurant or cafeteria, with drive-in or drive-through service		
Restaurant or cafeteria, without drive-in or drive-through service	P	None
Retirement housing	S	None
Rodeo arena and grounds		
School, commercial		
School, private (primary and/or secondary)		
School, public (primary and/or secondary)		
School, trade	S	None
School, trade or commercial	S	None
Second hand store, furniture/clothing	S	None
Servant's, caretaker's or guard's residence	S	None
Service yards of government agency	S	None
Service, retail	S	None
Sewage pumping station	S	None
Sewage treatment plant		
Shooting range, target range		
Shopping center	S	None
Single-family dwelling, attached		
Single-family dwelling, detached	S	None
Stadium or playfield		
Studio (photographer, musician, artist)	P	None

Use	Downtown Overlay	Minimum Parking Spaces Required
Studio for radio and television		
Swimming pool, commercial	S	None
Swimming pool, private	S	None
Tanning salon		
Tattoo parlor/body piercing studio	S	None
Taxidermist		
Telephone exchange		
Telephone line	P	None
Theater (indoor)	S	None
Tire dealer (with outside storage)		
Tobacco sales		
Tool rental shop		
Townhouse or row dwelling	S	None
Transit station or turnaround	S	None
Two-family dwelling	S	None
Vendor, stationary	S	None
Veterinarian clinic (no outside pens)		
Washateria		
Water pumping station or well	S	None
Water storage, elevated	S	None
Water storage, ground		
Water treatment plant	S	None
Zero lot line house		

(c) Shipping, Conex, and cargo containers. Shipping containers, Conex boxes, cargo containers, and like containers are limited to three days within any 30-day period throughout the downtown overlay district.

(d) Dimensional standards.

Minimum lot area:	1600'
Minimum lot width:	20'
Minimum lot depth:	80'
Minimum front yard:	Setback averaging[1]

Minimum side yard for interior unit:	0'
Minimum side yard not abutting street:	5'
Minimum side yard abutting residential street:	10'
Minimum side yard abutting collector or major street:	15'
Minimum rear yard setback adjacent to overlay boundary properties:	10'
Minimum rear yard setback adjacent to overlay boundary properties:	25'
Max imperious coverage:	90%
Max density/acre:	8 DU/A
Max height:	45'

Notes:

[1] The proposed building shall be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face. On a corner lot, the range of setbacks is measured on the basis of the three closest lots along the block face.

(e) Masonry requirements.

(1) Masonry shall mean and include that form of construction defined below and composed of brick, stone, granite, marble, stucco (three-step hard coat), and exterior insulation finish systems (EIFS).

(2) All single-story buildings hereafter constructed or placed in the overlay district shall have at least 75% of their front exterior wall surface constructed of masonry and/or glass pane.

(3) All buildings having more than a single-story hereafter constructed or placed in the overlay district shall have at least 50% of their front exterior wall surface constructed of masonry and/ or glass pane.

(4) All additions hereafter constructed to buildings in the overlay district shall have at least 50% of their front exterior wall surface, if any, constructed of masonry and/or glass pane.

(f) Architectural guidelines.

(1) New development sites, signage, and other structural elements within the overlay district shall not be permitted unless architecturally consistent with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.

(2) Buildings within the overlay district shall be oriented toward the street in order to create a cohesive, pedestrian-oriented development plan. Front building facades and sidewalks may be utilized for outdoor uses such as cafes, restaurant seating, street-side seating, etc., provided these uses do not obstruct pedestrian movement or disrupt the streetscape's aesthetic continuity. Parking areas shall be located primarily in the rear of buildings to preserve the visual integrity of the streetscape and minimize disruptions to the pedestrian environment.

(3) New development/renovation in the overlay district shall incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the natural environment, e.g., tan, ochre, beige, and terra cotta.

(4) A high quality durable base material, such as terra cotta, natural stone, cast stone, clay fired tile, or other approved masonry material is suggested for front building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the front facade of the building.

(g) Design. A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the overlay district:

(1) Overhangs.

(2) Cornices.

(3) String courses.

(4) Peaked roof forms.

(5) Arches.

(6) Lintels.

(7) Pilasters.

(8) Rustication.

(9) Canopies.

(10) Awnings or porticos.

(11) Outdoor patios.

(h) Window transparency. The following transparency standards apply to building facades to ensure visibility and engagement at the street level:

(1) Transparency percentages refer to the area of clear, unobstructed glass that allows views into the building interior.

(2) Reflective, mirrored, or opaque treatments that obstruct visibility shall not qualify as transparent.

(3) The remaining window area may be used for signage, decorative elements, or illustrative graphics, provided they do not obstruct transparency minimums.

Level	Minimum Transparency Requirement
Floor 1	65%
Floor 2	30%

(i) Signage. The types of signage listed in the table below shall be permitted within the overlay district,

provided all applicable requirements of this section are met.

(1) Any permanent signage not explicitly listed herein shall be prohibited within the overlay district.

(2) All permitted signage shall comply with the size, placement, design, and operational standards established by this section.

(3) Any sign authorized by this section is allowed to contain a noncommercial message in place of any other authorized message.

Sign Regulation/Sign Type	Permit Required	Maximum Gross Surface Area (sq. ft.)	Sign Height	Number of Signs	Setback	Spacing of Signs
Wall	Yes	25% of wall	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total	—	—
Ground	Yes	Off-premises 150'; on-premises 300'	Off-premises 20' On-premises 25' 10' from bottom of sign to ground. [sic] On-premises signs on property with 1-35 or Hwy 67 frontage 70'	One for each premises, or for each street frontage	10' (any portion of the sign)	100' separation from adjacent ground sign on each premises. Minimum of 50' on adjacent premises
Wall—Residential	Yes	1'	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total.	—	—
Canopy, marquee or projection	Yes	50% of canopy, marquee or projection	—	One for each premises, or for each street frontage	—	—
Window	No	See window transparency standard listed in (g) above	—	—	—	—

Monument	Yes	Off-premises 150'; on-premises 300'	8 feet	One for each premises (multitenant sites see § 30-12)	10' (any portion of the sign)	No restrictions
Nameplate	No	5 sf in SF-1, -2, -3, MH-1X, MH-2X, MFX, DD10 sf in NC, RC, CF, IND	10' from top of roof, not to exceed a total distance of 40' from ground	One for each premises, or for each street frontage	—	—
Roof	Yes	200 sf in NC, RC, CBDX, CF, IND	10' from top of roof, not to exceed a total distance of 40' from ground	One for each main structure	—	—

(Ordinance 2025-0005 adopted 2/17/2025)

§ 42-39. NMU Neighborhood Mixed Use district

(a) Purpose. The NMU district is to provide for low intensity mixed uses, including local shopping and dining destinations, residential, community amenity, and entertainment uses. It is intended for development in this district to be compatible with adjacent or nearby residential land uses. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

(b) Permitted uses and parking regulations. In the NMU district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Automobile service station (no garage or automobile repair facilities)	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store of not greater than 20,000 square feet floor space	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee

Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store with floor space not greater than 20,000 square feet	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Garage, private	1 space per employee to be occupying the garage
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.

Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Personal service shop	1 space per 200 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Racquetball facilities	4 spaces for each court
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Sewage pumping station	0 spaces

Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Tanning salon	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Vertically mixed-use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, ground	0 spaces

(c) District restrictions. The following restrictions shall apply to uses in the NMU district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to the NMU district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of eight feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:
   a. Off-street parking of motor vehicles in operable condition;
   b. Off-street loading;
   c. Permitted display of merchandise for sale to the public; and
   d. Drive-in type establishments.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and shall be maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading of materials or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(e) Development requirements.

Minimum lot area:	4,000 square feet
Minimum lot width:	50 feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	20 du/ac
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Specific uses. The following specific uses are allowed in the NMU district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto laundry	1 space per 200 square feet of floor space
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area

Carwash	1 space per employee
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Feed and farm supply (inside sales/ storage)	1 space per 300 square feet of gross floor area
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garden center (retail sales)	1 space per 200 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Hospital (acute care)	1 space for every 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Kennel (no outside pens)	1 space per 200 square feet of floor area
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area

Pet shop	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage treatment plant	1 space per employee
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Vendor, stationary	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water storage, elevated	0 spaces
Water treatment plant	1 space per employee

(g) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, MFX, or TH, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be

maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the NMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the NMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-40. RMU Regional Mixed Use district

(a) Purpose. The RMU district is intended to provide for high intensity mixed uses, including highway-oriented commercial, residential, and hospitality uses. The uses permitted in the RMU district are not generally carried on completely within a building or structure and an expanded range of commercial uses is permitted. This district is reserved for areas adjacent to major highways and corridors.

(b) Permitted uses and parking regulations. In the RMU district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (indoor or outdoor sales)	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Auto laundry	1 space per 200 square feet of floor space
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area

Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boat sales and storage	1 space per 300 square feet of gross floor area
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Child care center	1 space per ten pupils/clients (design capacity)
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.

Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Feed and farm supply (inside sales/storage)	1 space per 300 square feet of gross floor area
Feed and farm supply (outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area

Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.

Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Pet shop	1 space per 300 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel

Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Shops, office and/or storage area of public or private utility	1 space per employee
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Tanning salon	1 space per 200 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Teen club	1 space for every 1,000 square feet of floor area
Telephone exchange	1 space per employee

Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vertically mixed-use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(c) District restrictions. The following restrictions shall apply to uses in the RC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(e) Specific uses. The following specific uses are allowed in the RMU district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Brew pub	1 space per 100 square feet of gross floor area
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Electric power generating plant	1 space per employee
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet

Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Microbrewery	1 space per 200 square feet of floor area
Microdistillery	1 space per 200 square feet of floor area
Newspaper printing	1 space per 300 square feet of gross floor area
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Print shop	1 space per 300 square feet of gross floor area
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Self storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Solid waste transfer station	1 space per employee
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Theater (outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (no outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area

Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area

(f) Development requirements.

Minimum lot area:	4,000 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	45 du/ac
Height	55 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] No building shall exceed 55 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(g) Screening devices. In the event that the RC district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the RMU district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the RMU district

shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the RMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-41. INN Innovation district

(a) Purpose. The INN district is intended to promote research, education, technology development, and emerging business creation by providing flexible, campus-style land use opportunities. Development within this district should foster a high-quality built environment and reinforce a connected and vibrant employment and institutional center. Uses are scaled to minimize off-site impacts and ensure compatibility with surrounding neighborhoods.

(b) Permitted uses and parking regulations. In the INN district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Uses	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Dormitory	1 space for each 2 beds
Garage, private	1 space per employee to be occupying the garage
General merchandise store	1 space per 200 square feet of gross floor

	area
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Mobile food vendor	0 spaces
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Two-family dwelling	2 spaces per unit, 1 covered
Vertically mixed-use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Zero lot line house	2 enclosed spaces per unit, must be attached to the main structure

(c) District restrictions. The following restrictions shall apply to uses in the INN district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) Loading docks must be screened and oriented to interior drives; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(5) Any development or phase of development containing residential units shall include a commercial component consisting of a minimum of ten percent of the total gross floor area of the development.

(d) Development requirements.

Minimum lot area:	2,500 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	80 percent

Maximum density per acre:	8 du/ac
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(e) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(f) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, MFX, or TH, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the INN district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the INN district shall have at least 50 percent

of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-42. through § 42-44 (Reserved)

§ 42-45. Additional regulations for special uses.

(a) Generally. The following uses, where permitted in the various zoning districts, shall be operated only in accordance with the requirements set forth below.

(b) Child care centers.

(1) No portion of a child care center site may be located within 300 feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive or highly combustible materials.

(2) Child care centers shall be located adjacent to a street having a pavement width of 27 feet or greater.

(3) Site plan approval by the planning and zoning commission and city council shall be required for all child care center sites, whether or not a specific use permit is required.

(4) Child care centers located within any single-family or two-family residential district shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum district requirements and must be platted in a configuration which can be converted into standard lots for residential development.

(5) All child care centers shall comply with the following standards:

a. All vehicular entrances and exits shall be clearly visible from the street.

b. All passenger loading and unloading areas shall be located so as to avoid safety hazards from vehicular traffic and adequate walkways shall be provided.

c. Outdoor play areas shall be provided at a rate of 65 square feet per child based on maximum design capacity of the center. This requirement may be waived by the planning and zoning commission if the child care is provided for less than four hours per day for an individual person.

d. In residential districts, a maximum of one-half of the required outdoor play space may be provided off-site. When off-premises outdoor play area is utilized, it must be located within 100 feet of the child care facility premises and safely accessible without crossing, at-grade, any major or secondary street.

e. No child care center shall be part of a one-family or two-family dwelling.

(c) Construction yards, field offices, and other temporary buildings. Temporary permits for construction yards and field offices shall be issued for a period of time not to exceed 18 months. Extensions may be granted by the city council. Upon due notice and hearing before the city council, any such permit may be revoked if the city council finds the use is contrary to the intent of this chapter or results in noise, traffic, or other conditions considered to be a nuisance or hazard.

(d) Residence hotels. Residence hotels shall be designed to allow for their potential conversion to multifamily residences and as such shall comply with all minimum standards set forth in section 42-28. Residence hotels constructed in the MFX, NC, RC, DT, NMU, and RMU districts shall comply with the MFX, NC, RC, DT, NMU, and RMU district

requirements. Open space shall be provided in sufficient quantity and locations to allow for required additional parking should the residence hotel convert to multifamily residences.

(e) Automobile service stations. Gasoline pump islands at automobile service stations and convenience stores may not be located nearer than 18 feet to the front property line. An unenclosed canopy for a gasoline pump island may extend beyond the front building line but shall not be closer than ten feet to the property line.

(f) Swimming pools. It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly, or commercially owned or operated.

(1) No swimming pool shall be constructed or used until a swimming pool building permit has been issued therefor. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and state health department regulations.

(2) A swimming pool may be constructed and operated when:

a. The pool is not located in any required front yard or side yard abutting a street;

b. A wall or fence, not less than four feet in height, with self-enclosing and self-latching gates at all entrances, completely encloses either the pool area or the surrounding yard area;

c. All lighting of the pool is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible from adjacent properties;

d. No broadcasting system is used for the purpose of advertising the operation of the pool or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the pool and the safety of swimmers;

e. The swimming pool is no closer than eight feet from any property line for all public and commercially owned pools; and

f. For private residential pools, the swimming pool is no closer than:

1. Three feet from any property line, and

2. Five feet from the main building.

(g) Teen clubs. In order to provide a safe and secure environment, at least one uniformed security officer or off-duty police officer for every 100 occupants shall be working in the club during all hours of operation of a teen club; provided, however, the first security officer or off-duty police officer shall not be required until the building occupancy reaches 50.

(h) Regulation of sexually oriented businesses.

(1) No sexually oriented business shall be allowed within 1,000 feet of:

a. A church, rectory or place of worship;

b. A public or private elementary or secondary school;

c. A boundary of a residential district;

d. A public park;

e. A child care center;

f. The property line of a lot devoted to a residential use; or

g. Another sexually oriented business.

(2) For the purpose of subsections (h)(1)a. through f., measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in subsections (h)(1)a. through f.. For the purpose of subsection (h)(1)g., the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

(3) No sexually oriented business shall be operated in any building or structure containing another sexually oriented business.

(4) No sexually oriented business shall begin operations until the applicant thereof provides proof of compliance with V.T.C.A., Local Government Code section 243.0075.

(5) Any sexually oriented business that is in violation of subsection (h)(1) or any other location requirement of any other city ordinance, that was legally operating on the effective date of adoption or amendment of such ordinance or regulation, shall be deemed a nonconforming use, except if two or more sexually oriented businesses are within 1,000 feet of each other, or are located in the same building or structure, and otherwise in a permissible location, the sexually oriented business that was first established and continually operating as a sexually oriented business at a particular location (regardless of which business was first located in the city), even if operating under a different name, ownership, or selling different sexually oriented merchandise or services, is the conforming use and the later-established business is nonconforming. The provisions of this subsection shall also apply to legally operating sexually oriented businesses made nonconforming by annexation into the city limits.

(6) Any sexually oriented business that is lawfully operating within the city as a conforming use on or after March 16, 2015 shall not be rendered a nonconforming use by the subsequent location of a protected use listed in subsection (h)(1) within 1,000 feet of the sexually oriented business.

(7) Nothing in this section shall be construed to limit the amortization of a nonconforming sexually oriented businesses pursuant to the procedures set forth in this chapter.

(8) A nonconforming sexually oriented business shall not be increased, enlarged, extended or altered except that the use may be changed to a use other than a sexually oriented business to the extent allowed by this chapter. A person commits an offense if he increases, enlarges, extends or alters, or causes to be increased, enlarged, extended or altered a nonconforming sexually oriented business.

(i) Mobile food vendors.

(1) Vehicle requirements.

a. All mobile food units shall be readily identifiable by business name, printed in bold letters

not less than three inches in height, not less than one and one-half inches in width, permanently affixed, and prominently displayed upon at least two sides of the unit.

b. All mobile food units shall maintain a current state motor vehicle inspection sticker and a current Texas motor vehicle license plate registration sticker.

c. All mobile food units must be readily moveable (capable of moving immediately upon the request of the code enforcement officer).

d. Mobile food vendors who only sell prepackaged goods on their mobile food units shall not remain parked in one location for longer than three hours. No time restriction shall apply for mobile food vendors who prepare food on their mobile food unit.

(2) Restroom access and trash receptacles. Mobile food vendors who prepare food on their mobile food unit shall:

a. Provide one or more trash receptacles for disposal of waste from customers, and shall provide for the disposal of such waste; and

b. Provide access to restroom facilities for customers within 300 feet of the mobile food unit.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-46. through § 42-54. (Reserved)

§ 42-55. Supplementary district regulations.

(a) Generally. To the extent applicable, the regulations set forth in this section shall supplement the general regulations set forth in the various zoning districts, and to the extent there is a conflict between such general regulations and these supplementary district regulations, these supplementary district regulations shall supersede them.

(b) Calculation of setbacks.

(1) Front yards. The front yard setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than 30 inches above the average grade of the yard.

a. On corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless shown specifically otherwise on a final plat.

b. Where a building line has been established by a plat approved by the city council or by ordinance and such line requires a greater or lesser front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat provided no such building line shall be less than 20 feet, except as approved under a planned development. The board of adjustment may grant a variance to the required front yard as in other case.

c. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.

d. Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

e. On any corner lot for which front and side yards are required, no wall, fence, structure, sign, tree, or other planting or sloped terrace or embankment may be maintained higher than three feet above the street grade so as to cause danger or hazard to traffic by obstructing the view of the intersection from a point 30 feet back from the right-of-way corner. Visual clearance shall be provided in all zoning districts so that no fence, wall, vegetation, architectural screen, earth mounding, or landscaping obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection.

f. Where a future right-of-way line has been established on a plat for future widening or opening of a street upon which a lot abuts, the front or side yard shall be measured from the future right-of-way line.

(2) Side yards. Every part of a required side yard shall be open and unobstructed except for:

a. Accessory buildings and swimming pools as permitted herein;

b. The ordinary projections of window sills, belt courses, cornices, and other architectural features not more than 12 inches into the required side yard; and

c. Roof eaves projecting not more than 36 inches into the required side yard. Balconies shall not project into the required side yard.

When a non-residentially zoned lot or tract abuts upon a residentially zoned lot or tract, a minimum side yard of ten feet shall be provided on the nonresidential property. An opaque wood fence or masonry wall having a minimum height of six feet above the average grade of the residential property shall be constructed on nonresidential property adjacent to the common side or rear property line.

(3) Rear yards. The required rear yard shall be open and unobstructed by any object that is greater than 30 inches in height above the average grade of the yard, except for accessory buildings as permitted herein. Eaves, covered porches, and roof extensions without structural support in the rear yard may extend into the rear yard a distance not to exceed four feet. Balconies shall not project into the required rear yard.

(c) Exceptions to yard regulations. Chimneys shall be permitted to encroach 30 inches into any required yard in residential zoning districts.

(d) Exceptions to height regulations. The general height limitations contained in the various zoning district height and area regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(e) Exceptions to lot width regulations. This chapter shall not prohibit the use of a lot that has less width than required in the applicable zoning district if such lot was a lot of record and in separate ownership at the time of adoption of this chapter.

(f) Structure to have access. Every building hereafter erected, placed, reconstructed, altered or enlarged shall be on a lot adjacent to a public street, or with access to any approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

(g) Accessory buildings.

(1) Permanent accessory buildings, residential. Permanent accessory buildings which are placed on a permanent foundation shall be allowed in residential zoning districts subject to the following regulations:

a. Accessory buildings shall not exceed one story in height and must be located behind the primary structure.

b. Setbacks:

1. Front yard: Must be located behind the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Minimum of five feet.

c. No separate accessory building shall be erected within six feet of any other building.

d. No accessory building shall be used as a place of habitation or for commercial purposes.

e. The total floor area of the accessory building on one lot shall not exceed 30 percent of the floor area of the main building on the lot, except that this requirement shall not limit the floor area of an accessory building to less than 200 square feet.

f. Accessory buildings shall not occupy more than 50 percent of the rear yard.

g. An accessory building that exceeds 200 square feet must meet the masonry requirement of the primary structure.

h. An accessory building may be constructed as part of the main building, in which case the regulations controlling the primary structure shall apply.

i. No accessory building will be permitted without a primary structure being located on the same premises.

j. No such building shall be located within or encroach upon any utility or drainage easement.

k. No accessory building shall be placed or constructed on a lot until construction of the principal building has commenced, and no accessory building shall be occupied until the principal building is completed and is being used or occupied.

(2) Temporary and portable type accessory buildings, residential. Temporary and portable accessory buildings which are not placed on a permanent foundation shall be allowed in any residential district subject to the following regulations:

a. Accessory buildings shall not exceed 12 feet in height and must be located behind the primary structure.

b. Setbacks:

1. Front yard: Must be located behind the primary structure and may not be located with the front yard or side yard adjacent to a street.

2. Side yard: Minimum of five feet.

3. Rear yard: Minimum of five feet.

c. Maximum floor area of 200 square feet.

d. Two per lot. Total area of accessory buildings shall not exceed 50 percent of the area behind the rear building face.

e. No separate accessory building shall be erected within six feet of any other building.

f. Construction material. Each accessory building must have an exterior finish of materials similar to the principal building on the lot on which it is located. A portable building less than 120 square feet may be of metal commercial kit construction and must be properly secured to prevent overturning, utilizing a method acceptable to the building official.

g. No accessory building will be permitted without a primary structure being located on the premises.

(3) Residential detached garage and carport regulations. In all residential districts, detached garages shall not exceed 25 feet in height and must be located behind the primary structure:

a. Setbacks:

1. Front yard: Must be located behind the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Minimum of five feet.

b. No separate detached garage shall be erected within six feet of any other building.

c. No detached garage or carport shall be used as a place of habitation or for commercial purposes.

d. The total floor area of the detached garage on one lot shall not exceed 30 percent of the floor area of the main building on the lot, except that this requirement shall not limit the floor area of an accessory building to less than 600 square feet.

e. A detached garage shall not occupy more than 50 percent of the rear yard.

f. A detached garage that exceeds 600 square feet must meet the masonry requirement of the primary structure. This requirement does not apply to lots greater than one-half acre.

g. No detached garage or carportis permitted without a primary structure being located on the same premises.

h. A detached garage shall provide space for not more than one motor vehicle for each 3,000 square feet of lot area.

(4) Permanent accessory buildings, nonresidential.The following accessory building and use regulations apply only to property in a nonresidential zoning district.

a. The height of accessory buildings shall be the same as the primary structure.

b. Setbacks:

1. Front yard: Same as the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Same as the primary structure.

c. No separate accessory building shall be erected within six feet of any other building.

d. An accessory building shall meet the masonry requirements of the primary structure.

e. No accessory building will be permitted without a primary structure being located on the same premises.

f. No permanent accessory building shall be located within or encroach upon any utility or drainage easement.

g. The building may be used for any permitted accessory use allowed in the district in which the accessory building is located.

(5) Nonresidential temporary and portable type accessory buildings.Temporary and portable accessory buildings which are not placed on a permanent foundation shall be allowed in any nonresidential district as follows:

a. Construction purposes only.In all nonresidential zoning districts, a temporary building shall be permitted for construction purposes only, provided the building shall be removed upon completion or abandonment of construction work or removed upon request of the city manager.

b. Permit required.Permits shall be issued for temporary buildings on construction sites for a period of six months only, with a renewal clause for a similar period.

(h) Performance standards.The following are maximum accepted levels of noise, vibration, smoke, particulate matter, and toxic and noxious matter allowable for all uses. To the extent these levels conflict with the levels of performance set forth in a specific zoning district, the more stringent

level shall apply. These levels shall be shown on the performance standards report submitted with the required site plan unless the submission of all or part of the report is waived by the zoning administrator, based upon his determination that the proposed use will not produce the listed effects.

(1) Noise.The day-night average sound level at the property line shall not exceed 75 decibels, unless the property line abuts property zoned for residential uses where the maximum day-night average sound level shall not exceed 65 decibels. The day-night average sound level (LDN) is the 24-hour average sound level, in decibels, obtained after addition of ten sound decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

(2) Vibration.At the point of measurement taken on the property line of the source property which has the highest reading, the sound pressure level or impact level of any operation or plant shall not exceed the decibel limits for the octave bands designated in column I below, unless the point of measurement is located on a property line which is also the boundary line of a residential district in which case the limits set forth in column II shall apply.

Frequency (cycles/second)	Column I Displacement (in.)	Column II* Displacement (in.)
0 to 10	.0022	.0008
11 to 20	.0016	.0005
21 to 30	.0010	.0002
31 and Over	.0005	.0001

*Steady state—Vibrations, for the purpose of this chapter, which are continuous or, if in discrete pulses, are more frequent than 60 per minute. Impact vibrations, that is, discrete pulses which do not exceed 60 pulses per minute, shall not cause in excess of twice the displacement stipulated.

(3) Smoke, particulate matter and visible emissions.Smoke or visible emissions emitted from any vent, stack, chimney, skylight, or window shall not exceed an opacity of 20 percent averaged over a five-minute period. Any emission of air pollutant must be in accordance with the requirements of the state. Emissions shall not exceed any of the following net ground level concentrations:

a. One hundred micrograms per cubic meter of air sampled averaged over any five consecutive hours.

b. Two hundred micrograms per cubic meter of air sampled, averaged over any three consecutive hours.

c. Four hundred micrograms per cubic meter of air sampled, averaged over any one hour.

(4) Toxic and noxious matter.The handling processing, storage and disposal of hazardous, toxic, or noxious materials shall be in accordance with applicable state and federal laws and regulations. In addition, the city council may establish additional performance standards, including setbacks, berms, and buffers, for the siting of facilities which handle, treat, store, or dispose of potentially hazardous or dangerous materials.

(5) Odor.No operation shall permit odors to be released which are detectable at the property line and which offensively affect the sense of smell.

(6) Glare.All artificial light sources shall be shielded so as to prevent direct rays of light from

crossing a zoning district boundary line.

(7) Effluent.If the proposed use is to emit sanitary sewage effluent containing industrial wastes or other effluent into the city's sanitary sewer system which is considered by the city engineer to be unusual to or be damaging to the sanitary sewer system, a description of methods of pretreatment of the effluent must accompany the development site plan.

(8) Additional standards.The city council may establish additional performance standards to protect neighboring areas and land uses from potential uses which may be hazards and nuisances.

(i) Transmitting and receiving antennas and antenna facilities.

(1) Purpose.The purpose of these regulations is to establish general guidelines for the siting of antennas and antenna facilities, including telecommunications antennas and towers, and to:

a. Protect residential areas and land uses from potential adverse impacts of antennas and antenna facilities;

b. Encourage the location of antenna facilities in nonresidential areas;

c. Minimize the total number of antenna facilities throughout the community;

d. Strongly encourage co-location on both new and existing antenna facility sites as a primary option rather than construction of additional single-use facilities;

e. Encourage the users of antenna facilities to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

f. Encourage users of antenna facilities to configure them in a way that minimizes the adverse visual impact of the facility through careful design, siting, landscape screening, and innovative camouflaging techniques;

g. Enhance the ability of the providers of telecommunication services to provide such services to the community quickly, effectively, and efficiently;

h. Consider the public health and safety of antenna facilities; and

i. Avoid potential damage to adjacent properties from facility failure through engineering and careful siting of facilities. In furtherance of these purposes, the city shall give due consideration to the city comprehensive land use plan, zoning map, existing land uses, and environmentally sensitive areas in considering sites for the location of antenna facilities.

(2) Amateur radio equipment and TV antennas (including ham radio and CB equipment but not including commercial uses) shall be permitted as a special exception within residential zoning districts in accordance with the following regulations:

a. Antenna facilities may be building attached, monopoles, or lattice towers;

b. Only one antenna facility per lot of record;

c. An antenna that is attached to a building shall not extend more than ten feet above the building on which it is mounted;

d. An antenna facility shall be limited to having the number and size of antenna attached to it that are allowed by the antenna facility manufacturer's designs and specifications for maximum wind load requirements;

e. Setbacks:

1. Antennas and antenna facilities shall not be permitted in front or side yards. Guy wires are not permitted in front yards. Guy wires are permitted in required side and rear yards;

2. Setback for antenna facilities shall be the same as is required for accessory buildings in residential districts;

f. Separation. There will be no minimum or maximum separation requirements for antenna facilities from other structures on the same lot of record;

g. Antenna facilities shall not be permitted in any easement;

h. Lights. No auxiliary or outdoor lighting shall be allowed on antenna facilities located on residentially zoned property except such lights or lighting as may be required by the Federal Aviation Administration or the Federal Communications Commission;

i. A building permit must be obtained prior to the construction and/or installation of an antenna facility except TV antennas;

j. No part of an antenna, antenna facility or any attachment thereto may extend beyond the property line of the owner of such antenna or antenna facility.

(3) Satellite receive-only antennas.

a. Satellite receive-only antennas are permitted as an accessory use as follows:

1. Less than one meter in diameter: in any zoning district;

2. Less than two meters in diameter: in a nonresidential district;

b. A special exception is required for:

1. A satellite receive-only antenna which exceeds one meter in diameter to be located in a residential zoning district;

2. A satellite receive-only antenna which exceeds two meters in diameter to be located in a nonresidential zoning district except governmental antennas; and

3. Any non-governmental independently supported commercial antenna facility.

(4) Commercial radio, television and microwave towers.

a. No commercial radio, television, or microwave tower shall be located within a distance equal to at least the height of such tower from any residential structure or from any residential district. Such distance shall be measured as the shortest possible distance in a straight line from the closest point of the tower to the closest point of such area or residence.

b. No commercial radio, television, or microwave reflector antenna support structure shall be closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the structure above two stories. Such distance shall be measured as the shortest possible distance in a straight line from the structure to the closest point of such area or residence.

c. The location of commercial radio, television, or microwave reflectors, antennas, or support structures and associated foundations and any support structures and associated foundations and any support wires shall be prohibited within any required front or side yard.

d. All commercial communication operations or radio, television, or microwave reflectors, antennas, or structures shall be prohibited in residential districts.

e. All commercial signs, flags, lights and attachments other than those required for communications operations, structural stability, or as required by the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) shall be prohibited.

(5) Telecommunications antennas and towers. Telecommunications antennas and towers shall be permitted as a special exception in accordance with the provisions in section 42-95(h).

(j) Outdoor display. The outside display or sale of goods, products, or inventory is not permitted within the nonresidential zoning districts except as set forth herein or as specifically authorized in each district.

(1) NC and RC commercial districts.

a. Outside display or sale of goods, products, or inventory shall be permitted only on the sidewalk adjacent to the building; provided such goods, products or inventory shall not extend more than ten feet from the building and shall not be more than five feet in height; and provided further, that there shall be at least five feet in width of unobstructed sidewalk remaining.

b. The restrictions in subsection (j)(1)a. shall not be construed to prohibit the following, provided the sidewalk clearances as stated in subsection (j)(1)a. are met:

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.

5. "Sidewalk sales" for periods not exceeding five days in each month.

c. The accessory seasonal display of plant and related landscape materials such as fertilizer, peat moss, and ornamental landscape items by a permitted retail use may be displayed upon approval by the zoning administrator only under the following conditions:

1. The plants and related materials shall be located on an all-weather hard surface.

2. All of the plants and related materials shall be located behind the front and side building lines.

3. The storage area for display of plants and related materials shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements in this subsection (j) are met.

4. The storage area for display of plants shall not occupy more than five percent of the total lot area.

d. The restrictions in subsection (j)(1)a. shall be construed to prohibit the storage and display of rental trailers and trucks except in districts where such uses are indicated as permitted uses.

(2) CF and IND districts not abutting residential district. In districts CF and IND that do not abut a

residential district, the following regulations shall apply:

a. Outdoor display shall not be located in any required parking/loading space.

b. If display is located within the required front yard setback, the stacking height of merchandise/inventory shall not exceed five feet nor shall merchandise/inventory be located within the public open space easement or visibility triangle of a corner lot.

c. The restrictions in subsection (j)(2)b. shall not be construed to prohibit the following, provided the height restrictions as stated in subsection (j)(2)b. are met.

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.

(3) CF and IND districts abutting residential district.In districts CF and IND that abut a residential district, the following regulations shall apply:

a. Outdoor display shall not be located in any required parking/loading space.

b. Any property line of the nonresidential district adjacent to a residential district shall be screened from view with a screening device as defined in this chapter.

c. No stacking of outdoor displays shall exceed the height of the required screening device.

d. If display is located within the required front yard setback, the stacking height of merchandise/inventory shall not exceed five feet nor shall merchandise/inventory be located within the public open space easement or visibility triangle on a corner lot.

e. A ten-foot landscaped buffer strip shall be installed adjacent to the screening device. Said landscaped buffer strip shall consist of dense evergreen shrubs, each shrub being from no less than a five-gallon container, capable of growing a minimum of six feet in height within two years of planting. A combination of evergreen shrubs and trees accomplishing the same effect as stated above may be used.

f. The prohibition in subsection (j)(3)d. shall not apply to:

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage display and sale of newspapers in newspaper racks.

(4) In the CBDX, the following regulations shall apply:

a. No less than fifty percent (50%) of all outdoor display and outdoor storage must be located on a paved concrete surface.

(k) Sand, gravel, stone or earth sales.No sand, gravel, stone, earth or similar natural materials (materials) shall be stored or displayed for sale without such materials being placed in or upon

a bunker, bin, or other man-made impervious surface. The materials may not be placed for sale or stored upon any unimproved surface.

(l) Garage sales.

(1) Definition.A garage sale is the sale of items normally accumulated by a household.

(2) Permits and conditions of sales.

a. No person or business shall conduct a garage sale without a city-issued garage sale permit. A garage sale permit fee as adopted by resolution of the city council from time to time shall be paid to the city at the time application is made. The permit applicant must be at least 18 years of age, present a state-issued form of identification and provide a valid mailing address when obtaining a garage sale permit.

b. No more than three garage sales shall be permitted for the same residence during any 12-month period. The duration of the garage sale shall not exceed three consecutive days.

c. Garage sales are to be held on a lot that has a physical structure such as a home or business with a city utility account.

d. No items shall be purchased for a garage sale for the purpose of resale.

e. Signs advertising the garage sale shall comply with the sign code of the city.

f. If a garage sale permit was purchased and the majority of the scheduled dates for the sale are affected by rain or other inclement weather, as determined by the city manager, a rain-out permit may be issued at no cost provided the applicant notifies the city the next business day following the expiration of the garage sale permit. A rain-out permit shall authorize the continuation of the garage sale for the number of days the sale was disrupted by inclement weather, as determined by the city manager. The new permit must be issued within 30 days of the date of issuance of the original permit. If the permit was issued for two or three days and the rain or inclement weather affects only one day during the permit period, a rain-out permit shall not be issued.

(m) Parking of major recreational vehicles in street or public right-of-way.In all residential districts, major recreational vehicles may be parked on a street for the express purpose of being loaded or unloaded only. Such vehicles shall not be parked in any street or public right-of-way for a period exceeding 24 hours.

(n) Parking of vehicles for the purpose of sale.No vehicle shall be parked on any property within the city for the principal purpose of displaying such vehicle for sale except:

(1) On a property that is zoned and licensed for vehicle sales; or

(2) On residentially zoned property not more than one vehicle may be displayed for sale at any time if such vehicle is owned by a resident on the residential premises. There shall be a rebuttable presumption that a vehicle is parked for the principal purpose of displaying said vehicle for sale if it is parked in such a location with a "for sale" sign or other indication that the vehicle is for sale.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2022-0020, sec. 1, adopted 11/21/2022; Ordinance 2024-0018 adopted 9/16/2024)

§ 42-56. Site plans.

(a) Generally.Whenever a site plan is required by this chapter, the site plan must conform to the requirements of this section.

(b) Administrative site plans.Site plans may be approved administratively by the zoning administrator unless approval is required under subsection 42-56(c). An aggrieved party may appeal the decision of the zoning administrator to the board of adjustment in accordance with the provisions of this chapter.

(c) City council approval.The following site plans must be acted upon by the city council after recommendation by the planning and zoning commission:

(1) A site plan submitted in conjunction with an application for a specific use permit in any zoning district (public hearing required);

(2) A site plan submitted in conjunction with an application for a zoning change to GH, MH-1X, MH-2X, MH-3X, MFX, CF, IND, CBDX, or I.

Changes in any site plan approved by the city council shall be processed the same as the original approval of the site plan, unless a determination is made by the zoning administrator that a proposed change of detail does not alter the basic relationship of the proposed development to adjacent property, and does not alter the uses permitted or increase the density, floor-area ratio, height ratio, or reduce the yards provided at the boundary of the site as indicated on the approved site plan. Such changes may be authorized by the zoning administrator. An aggrieved party may appeal the decision of the zoning administrator to the zoning board of adjustment in accordance with the provisions of this chapter.

(d) Site plan review.The purpose of site plan review is:

(1) To insure compliance with the zoning ordinance, while allowing for design flexibility;

(2) To assist in the orderly and harmonious development of the city;

(3) To protect adjacent uses from obstructions to light, air, and visibility;

(4) To provide protection from fire;

(5) To avoid undue concentrations of population and overcrowding of land; and

(6) To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.

(e) Notice and hearing.The following notice and hearing requirements shall apply to site plans requiring city council approval:

(1) Owners of record of property within 200 feet of the property under consideration will be notified of site plan consideration by the planning and zoning commission.

(2) The zoning administrator shall have at least one sign erected on the property for which site plan consideration of the planning and zoning commission has been requested. The sign shall have total area of at least four square feet and shall be located adjacent to streets, if possible. Such sign shall be erected on or before the first date of the first notice to property owners and shall be removed immediately after final action by the city council, or when the applicant withdraws the request, whichever comes first. The sign shall contain a notice of hearing on a site plan and the telephone number of the public official from whom dates of public hearing may be obtained. The erection or continued maintenance of signs shall not be deemed a condition precedent to the

review or approval of any site plan or the holding of any public hearing.

(3) Hearings held by the city council for consideration of site plans for specific use permits shall be conducted in accordance with the provisions of state law and section 42-96. An approved site plan for a specific use permit shall become part of the amending ordinance.

(4) A separate notice and hearing shall not be required for site plan approval in connection with a zoning change or other action requiring notice and a hearing.

(f) Form and content.The site plan shall contain the information listed below, as determined applicable by the zoning administrator. Any or all of the required features may be incorporated on a single drawing, if such drawing is clear and capable of evaluation by the planning and zoning commission, the city council, and the officers required to enforce and interpret this chapter.

(1) A scale drawing on a minimum sheet size of 18 inches by 24 inches is required, showing any proposed public or private street(s) and alley(s); building site(s) or building lot(s); any area(s) proposed for dedication, or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes; the points of ingress and egress from existing public streets and an accurate survey of the boundary of tract, as well as a ledger size (11 inches by 17 inches) for file purposes.

(2) Topography with contour interval of not less than two-foot intervals.

(3) Where multiple types of land use are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be required.

(4) Where building(s) are proposed, a site plan showing the location of each building and the minimum distance between building(s), and between building(s) and the property lines, street lines and/or alley lines, shall be submitted.

(5) The square footage of each proposed building on the site.

(6) Front, side, and rear building elevations of all proposed structures.

(7) The height of the building(s) and type of construction materials.

(8) A plan indicating the arrangement and provision of off-street parking, off-street loading, and points of entry from adjoining streets.

(9) Landscape plan.

(10) Fire lanes as designated by the fire department.

(11) The location of all fire hydrants.

(12) A table showing land area, building area, parking area and a ratio of building area and land area, and a ratio of building/parking area and land area.

(13) The location of all outside facilities for waste disposal.

(14) The type, location, height, and orientation of all external illumination facilities.

(15) The location, size, height, and orientation of all proposed signs.

(16) The 100-year floodplain and floodway limit locations and showing the floodplain map number and date.

(17) A drainage plan shall be made a part of the site plan for development projects influenced by or containing major drainageways or containing flood-prone areas as determined by the city

engineer.

(18) A performance standards report if deemed necessary by the zoning administrator because of the characteristics of the activities to be conducted on the site.

(19) All pedestrian walks, malls, and open area(s) for use by tenants or the public; the types of surfacing of such paving or turfing to be used at all locations on the site.

(20) Scale, north arrow, date of site plan preparation, and name(s) and address(es) of those responsible for the preparation of the site plan.

(21) Title block, name of owner/applicant, developer, land planner, and/or other relevant participant.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-57. Parking regulations.

(a) General provisions. In all zoning districts there shall be provided, in connection with appropriate allowable use, off-street vehicle parking space in connection with the following requirements. In any case where specific requirements result in a fraction of a parking space the next larger whole number of spaces shall be required.

(b) Certificate of occupancy. All land uses must provide paved parking areas at the time of the issuance of the certificate of occupancy. In situations that demonstrate unique and unusual circumstances, as determined by the zoning administrator, an administrative, one time extension may be given for an additional six-month period.

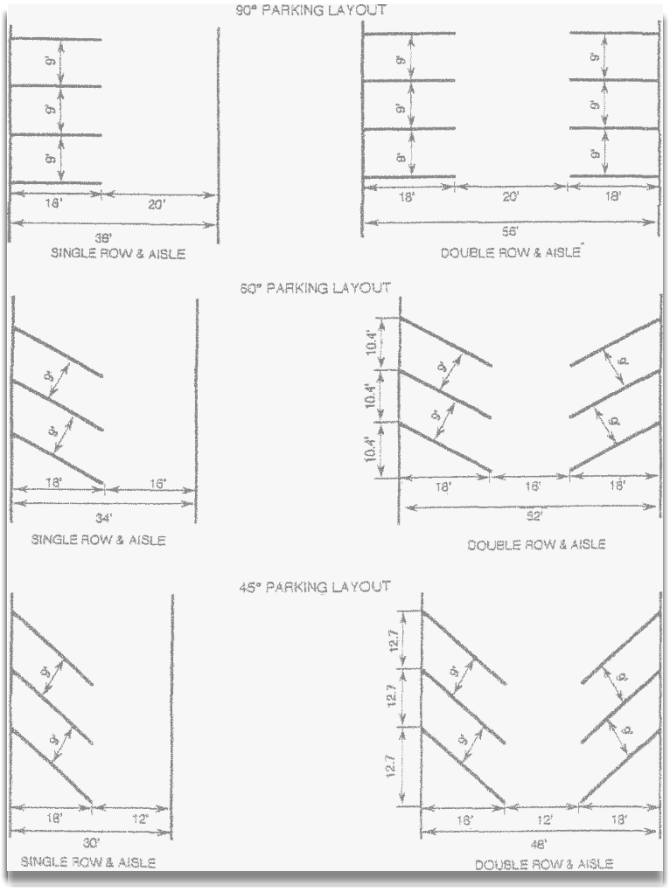
(c) Off-street parking. Shall mean all areas dedicated to parking and maneuvering that are located on- site. Off-street parking will not be permitted in any street right-of-way.

(d) Requirements for off-street parking spaces. For the purpose of this section, an off-street parking space shall be a minimum of nine feet in width and 18 feet in length as set forth below (see figure 57-1, which is incorporated in and made a part of this chapter).

Type and Angle	Length (ft.)	Width (ft.)
Single row 90 degree	18	38 including drive lane
Two rows 90 degree	18	56 including drive lane
Single row 60	18	34 including drive lane
Two rows 60	18	52 including drive lane
Single row 45	18	30 including drive lane
Two rows 45	18	48 including drive lane
Single parallel to aisle	20	9

(See also figure 57-1, which is incorporated in and made a part of this chapter.)

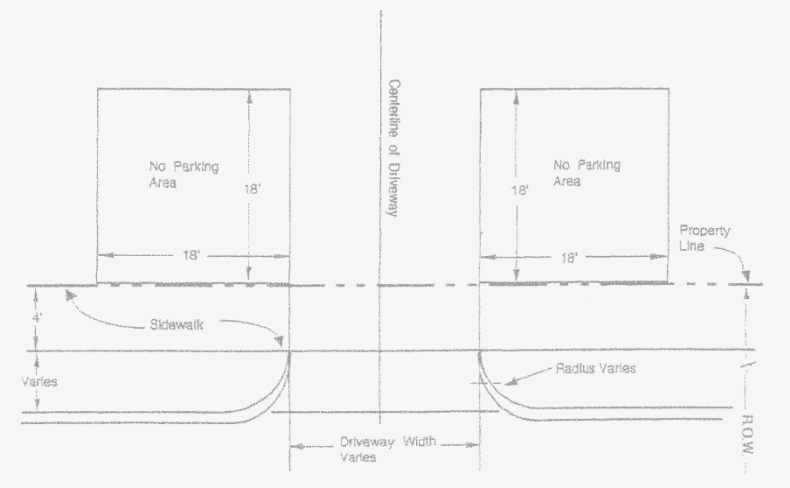
FIGURE 57-1 PARKING LOT LAYOUT



(e) Entrances, exits, and internal circulation in nonresidential districts. In nonresidential districts, when driveways are less than 20 feet in width, separate marked entrances and exits shall be provided so that traffic shall flow in one direction only. Entrances and exits to an alley may be provided if prior approval is obtained in writing from the city. When more than one aisle is provided, adequate internal circulation shall be provided between the aisles to allow movement between the aisles without using public right-of-way.

(f) Non-parking areas and maneuvering space. No parking shall be allowed in nonresidential districts within an area measuring 18 feet square with one side of the square along a property line and a second side of the square along the width limit of a drive approach in any district. The above noted 18-foot square area of no parking shall be behind the property line and adjacent to the throat of a driveway. The requirements of this subsection are depicted on figure 57-2, which is incorporated in and made a part of this chapter. Maneuvering space shall be completely off the right-of-way of a public street, place or court.

FIGURE 57-2



(g) General parking surfaces. In all zoning districts, parking areas, vehicle maneuvering areas, loading areas, driveways and approaches for all uses, including one- and two-family dwellings, shall be a paved surface, unless otherwise specified in this chapter. All parking requirements applying to a stated unit of measurement shall be understood to include a parking space for each unit or fraction thereof.

(h) Change in use. In nonresidential zoning districts, when the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this section for the new use.

(i) Parking areas that utilize rights-of-way. In nonresidential districts, parking areas which would require the use of public rights-of-way for maneuvering shall not be acceptable for the furnishing of required off-street parking spaces other than for one- and two-family dwellings. Parking parallel to the curb on a public street shall not be substituted for off-street requirements. Parking is limited to private property; the use of rights-of-way area between the property line and the back of the curb is contrary to this chapter.

(j) Loading and unloading requirements. In nonresidential districts, all business uses shall provide and maintain, in addition to other parking requirements, off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a public alley or private service drive to facilitate the movement of traffic on the public street. The loading and unloading zone must be distinct from the drive lane. No portion of the drive lane shall be included as part of the loading and unloading zone. Such space shall consist of a minimum area of ten feet by 25 feet and be provided as follows:

Gross Floor Space (sq. ft.)	Loading or Unloading Berths
25,000 feet or less	1
25,001 to 84,000	2
84,001 to 156,000	3
156,001 to 236,000	4
Each 100,000 additional	1 additional

(k) Handicapped parking spaces.In each parking facility in districts MFX, NC, RC, CF, IND, CBDX, and I, a portion of the total parking shall be specifically designed, located, and reserved for vehicles licensed by the state for use by the handicapped. These spaces will be provided according to the following schedule:

Total Spaces in Lot	Minimum No. of Handicapped Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
Over 501	2% of total

Each parking space designated for use by the handicapped shall consist of a rectangular area not less than 13 feet wide by 18 feet long, with a vertical clearance of 7.5 feet, shall be located in an area not exceeding two percent slope, and shall be located near and convenient to a level or ramped entrance accessible to handicapped persons. Parking spaces for the handicapped shall be signed in accordance with state law and restricted for use by the handicapped only.

(l) Landscaping of parking lots. It is the purpose of this section to require incorporation of landscaping into the design and construction of parking areas while maintaining standards necessary for safe parking and maneuvering space. Within parking lots, landscaping shall be provided as follows:

(1) New trees from the approved tree list contained in section 42-58(g).

(2) Unless otherwise approved by the zoning administrator, trees planted to satisfy parking lot landscape requirements shall be chosen from the species specified by section 42-58(g).

(3) Existing, on-site trees of any species that are of six inches minimum caliper, measured 12 inches above grade may be counted towards landscaping requirements established for parking lots.

(4) An irrigation system must be provided with all landscape plans. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(5) Landscaping adjacent to public rights-of-way.

a. A ten-foot landscaped strip shall be provided adjacent to all public and private rights-of-way on lots with an area greater than one acre, but less than five acres.

b. A twenty-foot landscaped strip shall be provided adjacent to all public and private rights-of- way on lots with an area greater than five acres.

c. Within landscaped strips adjacent to rights-of-way, landscaping shall be required as follows:

1. One canopy tree or two ornamental trees, at a minimum three-inch caliper, for each 60 linear feet of frontage.

2. An average density of one five-gallon evergreen shrub for each five linear feet of frontage; provided, however, that any landscaping materials that will be located within ten feet of any public right-of-way shall not, at ultimate growth, exceed 30 inches in height above street grade unless otherwise permitted by the city. Shrubs may be grouped to provide variety in design.

3. A landscaped berm may be provided in lieu of required shrubs. The berm must be an average height of three feet, but in no case less than 18 inches, above the average grade of the street and parking lot curbs, and must be planted with evergreen groundcover and/or shrubs to provide full plant coverage of the berm surface area. A variation in height of the berm is encouraged. Shrubs may be grouped to provide variety in design. The combined height of the berm and ultimate height of plant materials shall not exceed 30 inches in height from street grade in any area that is within ten feet of a public right-of-way.

(6) Parking lot interior.

a. Developments with an area less than five acres shall be designed with a maximum of 20 parking spaces between landscape islands. Parking aisles of 20 or more spaces in length shall terminate in landscape islands.

b. Developments with an area five acres or greater shall provide one landscaped island at least 162 square feet in area for each 12 parking spaces.

c. Landscape islands are required at the terminus of every parking row.

d. Within parking lot interiors, landscaping shall be provided as follows:

1. One canopy tree or one ornamental tree at a minimum three inches in caliper per landscape island.

2. Grass, evergreen groundcover or shrubs to a maximum ultimate height of 30 inches from parking lot grade, of a type that will provide full coverage of the landscape island shall be provided. Planted area shall be exclusive of the area within 18-inch radius from each required tree.

3. Areas that are not covered with live plant materials shall be permanently maintained with natural mulch materials such as hard wood, pine bark, or other typical mulch materials.

(7) Exception: accessible parking. The design and location of accessible parking spaces shall comply with the State of Texas Architectural Barriers Act. A landscape island may be omitted at an aisle termination for the purpose of providing required access to accessible parking spaces.

(8) Landscape material which is located within the interior of a parking lot shall not create a visibility obstruction. A visibility obstruction within a parking lot is defined as landscaping between 24 inches in height and seven feet in height. No shrubs shall exceed 24 inches in height. Tree canopies shall be at least seven feet in height.

(9) For large existing trees located in the parking area, which are being retained and incorporated into the landscaping plan, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.

(10) For each landscaped island of at least ten feet by 20 feet located within a parking lot, credit for four parking spaces will be provided. Credit for parking spaces cannot reduce the overall parking requirement by more than ten percent or to less than ten total spaces.

(11) Curbing or other protective devices or barriers shall be installed to protect landscaped areas from vehicular encroachment.

(m) Safety standards for off-street parking.

(1) Safety barriers, protective bumpers or curbing shall be provided to prevent encroachment onto abutting public or private property.

(2) Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.

(3) Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.

(4) Lighting. Lights provided to illuminate any parking facility or paved area shall, to the maximum extent feasible, be designed to reflect away from any residential use, and shall not cause glare to traffic on a public roadway.

(5) Fencing and screening. A parking lot in any nonresidential district which abuts residentially zoned property shall have a wall or privacy fence not less than six feet in height located for the length of the common property line. However, such a fence shall not be required within the front or exterior setback area of the nonresidential use.

(6) Noise. Areas used for primary circulation, for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound reduction.

(7) Maintenance. All parking and loading facilities shall be maintained to assure desirability and usefulness of the facility. Such facilities shall be maintained free of refuse, debris, or other accumulated matter and shall at all times be available for the off-street parking or loading use for which they are required or intended.

(8) Drainage. All parking facilities shall be graded and provided with permanent storm drainage facilities, meeting the construction specifications set by the city engineer.

(n) Existing buildings. Nothing in this section shall require the furnishing of additional parking spaces for existing buildings which are not enlarged or changed to a new use.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-58. Landscaping and screening standards.

(a) Purpose.

(1) It is the purpose of this section to establish certain regulations pertaining to landscaping within

the city. These regulations provide standards and criteria for new landscaping and the retention of existing trees, which are intended to:

a. Promote the value of property, enhance the welfare, and improve the physical appearance of the city and protect the character and stability of residential, commercial, institutional and industrial areas within the city;

b. Reduce the negative effects of glare, noise, erosion and sedimentation caused by expanses of impervious and unvegetated surfaces within the urban environment; and

c. Preserve and improve the natural and urban environment by recognizing that the use of landscaping elements and retention of existing trees can contribute to the processes of air purification, oxygen regeneration, groundwater recharge, abatement of noise, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the city.

(2) This section establishes landscaping requirements only in zoning districts DT, NC, RC, CF, IND, CBDX, INSX, NMU, RMU,and INN and for all specific uses that specify that the requirements of this section be met.

(3) Single-family, manufactured home subdivision and two-family residential uses shall be required to conform to the requirements of subsection 42-58(i).

(4) Developments within the MFX and MH-1X zoning districts shall be required to comply with the landscaping requirements set forth in section 42-58(j).

(5) Nonresidential uses located within the SF-1, SF-2, GH, DD, MFX, MH-1X, MH-2X, MH-3X, and TH zoning districts, which consist of principal structures, parking areas, and signage, shall be required to comply with the requirements contained in this section.

(6) Parking lot landscaping shall be provided as specified by Table 1, Summary of Landscape Requirements for Nonresidential Uses.

(b) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Artificial plants means a manufactured or assembled representation of live plant material constructed from man-made material for the purpose of closely resembling live plant material and to be used as a substitute to live plant material.

Caliper means the diameter of the trunk of a tree measured 12 inches above the ground.

Canopy tree means a perennial woody plant single or multiple trunk, contributing to the uppermost spreading branch layer of a forest and may be commonly referred to as a shade tree.

Development means the changing of the existing topography in order to promote the construction of structures or infrastructure to accommodate any improvements necessary to erect facilities for dwelling or commercial or industrial uses resulting in developed property.

Grasses means thin and broad-bladed surface material typically planted from seed, sprigs, or plugs with the intention of providing a uniform and aesthetic groundcover very close to the surface of the ground.

Groundcover means and consists of low-growing, dense-spreading plants typically planted from containers.

Hydromulch means a planting process by which seed, water, fertilizer, fiber mulch, and sometimes lime are blended together in a tank and applied onto a prepared lawn area. This process is also known as hydraulic mulch seed, hydromulching, and hydroseeding.

Irrigation system means a method of conveyance and application of water to live plant material for the purpose of maintaining said plant material in a live and healthy condition.

Landscaping means the planting, arranging, cultivating, and maintenance of live plant material in such a manner that said material is aesthetically pleasing and contributes to the overall design of a development site.

Landscape area means and consists of an area included in and around a development site that has been planned to complement the development site with natural grass, groundcover, trees, or other natural plant materials.

Shrubs consists of plants that grow vertically in a multi-branched growth pattern from the ground level to heights usually not to exceed six feet. These plants may be sculpted and trimmed to present aesthetic shapes and forms.

Sod means grass and the part of the soil beneath it held together by its roots or another piece of thin material.

(Ordinance 2005-009, sec. 40.2, adopted 3/21/2005; Ordinance 2018-010, sec. 1, adopted 5/21/2018)

(c) Events requiring compliance. Land uses not previously subject to landscaping requirements shall be required to comply with this section upon issuance of a building permit satisfying either of the following conditions:

(1) Remodeling, alterations or additions for which a site plan is required under the terms of this zoning chapter; or

(2) Remodeling or alterations taking place within a 12-month period the total value of which exceeds 25 percent of the valuation of property improvements (excluding land value) as shown on the current county tax rolls.

(d) Landscaping. Landscape installation is required as follows:

(1) Landscaping of 20 percent of the total lot shall be required, unless credits are obtained by additional plantings as set forth in subsection 42-58(g). Landscaping which includes the planting of new and the retention of existing shrubs, trees, and flowering plants in excess of the minimum standards established in this section may not reduce the landscape requirement to less than ten percent of the total lot area;

(2) Where the construction is to be a single-phase or multi-phase development, only the area being constructed in the current phase shall be required to comply with the landscape regulations. However, each phase will be required to meet the landscaping requirements as it is being developed;

(3) The use of native and adapted, drought-tolerant plants is encouraged to meet requirements of this section;

(4) Artificial plants or artificial turf are expressly prohibited;

(5) An irrigation system must be provided with all landscape plans for nonresidential development. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation;

(6) The term "ornamental tree" shall be defined as a single- or multi-trunk tree with a maximum height of approximately 30 feet and maximum crown diameter of approximately 30 feet, and a minimum height of approximately 20 feet and minimum crown diameter of approximately 15 feet;

(7) Grass, groundcover, trees, shrubs, flowering and non-flowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

a. Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required

landscape area.

b. The credits listed in subsection 42-58(g) shall be used to calculate the area occupied by a tree or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited towards area reduction requirements set forth in subsection 42-58(g).

(8) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited unless approved by the Zoning Administrator after consultation with the City Engineer.

(e) Landscaping plan required.

(1) The landscape plan may be prepared by the applicant or his designee. The landscape design is not required to be prepared by a registered or certified professional. Any required irrigation system must be designed in accordance with the standards of the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(2) The landscape plan may be submitted as a part of the site plan or as a separate submittal. However, a landscape plan meeting the requirements of this section shall be provided and approved prior to the issuance of a building permit.

(3) The landscape plan shall contain the following information:

a. Scale of drawing;

b. Location of all trees to be preserved. The method of preservation during the construction phase of development shall be approved by the zoning administrator;

c. Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features;

d. Species of all plant material to be used;

e. Size of all plant material to be used;

f. Spacing of plant material where appropriate;

g. Layout and description of irrigation, sprinkler or water system, including placement of water sources;

h. Description of a plan that will be implemented to maintain the landscaping and other landscape features shown on the landscape plan; and

i. Persons responsible for the preparation of the landscape plan.

(f) Location criteria.

(1) Not less than 40 percent of the total landscaping shall be located in the designated front yard.

(2) .

(3) All landscape material shall comply with visibility requirements of the city regulations including the subdivision ordinance and this chapter.

(g) Credits for landscape area reduction. Required landscape area may be reduced to less than the 20 percent specified by subsection 42-58(d). As provided below, the application of credits shall not

reduce the required landscape area to less than ten percent of the total lot area. Reduction of area may be achieved by planting additional trees, shrubs, and flowering plants. Area reduction credits may be granted for additional enhancements in the following manner:

(1) Three-inch caliper tree, planted or saved: 200 sq. ft.

(2) Six-inch tree caliper, planted or saved: 400 sq. ft.

(3) One shrub, less than five gallons: ten sq. ft.

(4) One shrub, five gallons or greater: 25 sq. ft.

(5) For each one square foot of drought tolerant area: two sq. ft.

a. Total landscaping on a lot shall not be reduced through credits by more than 50 percent of the landscaped area required.

b. Drought tolerant area and methodology shall be clearly located and detailed on the site plan.

c. Area reduction credit, based on tree size, shall be granted for all saved trees regardless of species.

d. Unless otherwise approved by the zoning administrator, area reduction credit for newly planted trees shall only be granted for installation of the following species:

Afghan pine

Bald cypress

Bigtooth maple

Bur oak

Caddo maple

Canopy trees

Chinese pistache

Crape myrtle

Dogwood

Eastern red cedar

Eve's necklace

Flowering crabapple

Forest pansy redbud

Lacebark elm

Little gem magnolia

Japanese maple

Mexican plum

Oklahoma redbud

Ornamental pear

Ornamental trees

Osage orange

Pecan

Shumard oak

Southern live oak

Southern magnolia

Texas red oak

Western soapberry

(h) Installation and maintenance.

(1) All required landscaped area shall be permanently landscaped with living plant material, and shall have either have an irrigation system installed or shall be accessible to a hose bib, faucet, or other water source on the same lot or tract. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements.

(2) Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.

(3) All plant materials shall be maintained in a healthy, neat and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.

(4) Plant materials which die shall be replaced with plant materials of similar variety size within 90 days, with a one-time extension not exceeding 90 days being provided upon approval of the zoning administrator.

(i) Landscaping for single-family, manufactured home subdivision and two-family residential uses. The landscaping requirements set forth in this subsection shall apply to SF-1, SF-2, GH, DD, MH-2X, MH-3X, and TH residential districts.

(1) Lots shall have a minimum landscaping requirement of one canopy tree located in any required front yard.

(2) Required canopy trees shall be a minimum of three caliper inches.

(3) Existing trees of equal or greater size within the front yard area may be counted toward this requirement.

(4) In cases when the applicant can show that required trees cannot reasonably be placed on the lot due to size, configuration or amenities, the zoning administrator may reduce the required number of trees to a number that can reasonably be accommodated on the subject lot.

(5) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited.

(j) Landscaping in MFX and MH-1X districts. The following minimum requirements shall be observed for development located within the MFX and MH-1X districts.

(1) Landscape buffer of 20 feet will be required along any property line abutting a SF-1, SF-2, GH, MH-2X, MH-3X or DD residential district.

(2) Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and buffer areas. Open space shall not include areas covered by structures, parking areas, driveways, and internal streets.

(3) Landscaping consisting of the planting of new or retention of existing shrubs, trees, and flowering plants shall be placed in the yard facing any public roadway.

(4) Method of irrigation must be indicated on the site plan.

(5) All landscaping shall be permanently maintained. Should any plant material used in any landscaping required under this chapter die, the owner of the property shall have 90 days after notification from the city to obtain and install a suitable replacement plant material. Landscaped areas shall be kept fee of trash, litter, weeds and other material or plants not a part of the landscaping.

(6) An irrigation system must be provided with all landscape plans in the MFX and MH-1X districts. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(k) Certificate of occupancy.

(1) All landscaping shall be completed and installed in accordance with the approved landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the zoning administrator.

(2) If landscaping requirements have not been satisfied within the 90-day period from when the certificate of occupancy is issued, the property owner shall be considered in violation of this chapter.

(l) Nonconforming uses and lots. All uses that were in existence at the time of the adoption of this section, which do not meet the landscape requirements, will be considered nonconforming. These nonconforming uses/lots will be subject to the following.

(1) When the owners of properties that do not comply with the landscape requirements of this section are required to provide landscaping, the minimum standards in this subsection shall apply.

(2) A minimum of ten percent of total lot area must be devoted to landscaping. Grass, groundcover, trees, shrubs, flowering and non-flowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

a. Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

b. The credits listed in subsection 42-58(g) shall be used to calculate the area occupied by a tree or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited toward area reduction requirements set forth in subsection 42-58(g).

(m) Modification of landscape requirements. The zoning administrator may approve minor variations in the location of required landscape materials due to unusual topographic constraints, setting requirements, preservation of existing stands of native trees or similar conditions, or to maintain consistency of established front yard setbacks. These minor changes may vary the location of required landscape materials, but may not reduce the amount of required landscape area or the required amount of landscape materials. The landscape plan shall be submitted to the zoning administrator and shall specify the modifications requested and present a justification for such modifications.

(n) Relief from landscaping requirements. The planning and zoning commission and city council may, upon completion of the following, grant relief from landscaping requirements in situations where the individual circumstances, such as the presence of existing facilities or unusual topography, limit the applicant's ability to comply with the landscaping requirements:

(1) Application for relief from landscaping requirements may be made by any property owner, or other person having a proprietary interest in the property for which relief is requested.

(2) Applications shall be made in writing and shall specify the property conditions or considerations that make the requested relief necessary.

(3) Applications shall include a proposed landscape plan, drawn to scale, illustrating the area available for landscaping and specifying proposed plantings by size, type and location. The proposed plan shall indicate the means by which irrigation will be provided and provide a phasing schedule for completion of the plan.

(4) Applications shall be accompanied by an application fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(5) Applications shall be presented to the planning and zoning commission. Applications for relief shall not require a public hearing. The planning and zoning commission, after considering a proposed plan, may recommend that it be approved as presented, approved with modification, or denied.

(6) Following consideration by the planning and zoning commission, a proposed landscape plan shall be forwarded to the city council with the commission's recommendation. The city council shall act to approve a plan, as presented, approve it with modifications, or deny the application.

(7) City council's action regarding a proposed landscape plan shall be documented as follows:

a. If approved, the zoning administrator shall sign two copies of the approved plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

b. If approved with modification, the applicant shall amend the plan to reflect the required modifications. The applicant shall return two copies of the amended plan to the city within 14 calendar days of the city council's action to approve the plan with modifications. The zoning administrator shall sign two copies of the amended plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

c. If disapproved, the zoning administrator shall sign two copies of the plan that have been marked as being disapproved. A letter prepared by the zoning administrator, stating the reasons for disapproval, shall be attached to each signed plan. One copy of the plan shall be returned to the applicant. The second copy shall be retained as permanent record by the

city.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-59. Fences.

(a) No fence or hedge shall exceed four feet in height in the required front yard in any district.

(b) No fence shall exceed eight feet in height, except as otherwise provided in this chapter.

(c) Fences shall be constructed of customary urban fencing materials and shall be aesthetically consistent with buildings and fences in the area.

(d) Notwithstanding any other provision of this section, where subdivisions are platted so that the rear yards of residentially zoned lots, including but not limited to SF-1, SF-2, GH, DD, MH-1X, MH-2X, MH-3X, MFX, TH, and residential PD, are adjacent and back to a dedicated roadway, the developer shall provide, at his sole expense, a brick or decorative solid masonry wall with a minimum height of six feet located on the street right-of-way line.

(1) When a brick or masonry wall is erected adjacent to a dedicated roadway, the color of the wall shall be uniform and/or compatible on both sides of a street between two intersecting streets. When walls are built in sections, the color shall be as closely similar as possible, but shall in no case be incompatible.

(2) All brick and masonry screening walls shall be placed on an engineered concrete footing, with provision for drainage under the wall. Masonry or brick columns shall be expressed at a minimum of 30 feet on centers and should typically be taller than the remainder of the wall. The exterior of all sides of each wall shall be finished with the same material and shall be similar in appearance. Developers are encouraged to create offsets in brick or decorative masonry walls to provide visual variety. At development and subdivision entry features, all walls and raised planter beds shall be of brick or decorative masonry construction.

(3) Developers are encouraged to create offsets in brick or masonry walls to provide visual variety.

(e) No fence shall impede the visibility of or from any point of ingress or egress to any parking lot or driveway or any intersection of a street or highway.

(f) On any corner lot for which front and side yards are required, no wall or fence shall cause danger or hazard to traffic by obstructing the view of the intersection from a point 30 feet back from the right-of-way corner. Visual clearance shall be provided in all zoning districts so that no fence or wall obstructs the vision of a motor vehicle driver approaching any street, alley or driveway intersection.

(g) Prohibited materials.Electrical fences or electrical attachments of any type designed to administer a shock, shall not be constructed within the legal limits of the city. Permanent barbed wire and razor wire fences of any type or dimension shall not be constructed within the legal limits of the city. Vee arms or base and arms with barbed wire not to exceed three strands will be permitted in all districts except SF-1, SF-2, GH, DD, MH-1X, MH-2X, MH-3X, MFX, or any residential planned development and said attachments shall be considered as part of the fence in determining the height of the fence and shall not protrude over property lines. The lowest strand of barbed wire shall be a minimum of six feet above ground level.

(h) Temporary fences.Temporary fencing for the purpose of protecting or securing of construction sites shall be allowed and must be removed at the completion of the project.

(i) Inspection.When a fence is completed it must be inspected. The office of the building official shall be notified upon completion of the fence. The building official will issue a card of acceptance if the fence complies with the provisions of this chapter or it will be rejected. All fences constructed under the provisions of this chapter shall be maintained so as to comply with the requirements of this chapter at all times.

(j) Existing fences.Any fence constructed prior to enactment or amendment of this chapter will not be restricted by this chapter. Any fence constructed at any time on property not within the city, but annexed by the city at a later date will not be restricted by this chapter. Any fence reconstruction, modifications, enlargements, extensions, alterations or any construction other than maintenance of the fence as it existed at the time of enactment or amendment of this chapter or annexation of property containing the fence shall be regulated by this chapter.

(k) Emergency ingress and egress required.In order to allow ingress/egress of emergency and maintenance personnel and equipment, at least one self-closing and self-latching gate or opening not less than three feet in width shall be required with each fence or wall that is adjacent to or running parallel with a public right-of-way, alley, drainage, utility or access easement. One such opening is required for each lot or in cases when the lot frontage is greater than 200 feet, an opening or gate shall be located not more than 200 feet from another opening on the same property. Double frontage lots shall be required to have an opening only on the street used as the frontage for the property.

(l) Property owners' responsibility.The construction of a fence or wall on the property line shall not negate the owners' responsibility to maintain and keep the following specified areas free and clear of debris and high weeds:

(1) The area between the fence and the extension of the property line to the back of curb or edge of pavement.

(2) The area between the fence and the property line or between parallel fences.

(m) Maintenance of fences.The owner or any person who has a fence shall be responsible for maintaining the fence in a neat and functional condition.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-60. through § 42-69. (Reserved)

ARTICLE V SPECIFIC USES PERMITS

§ 42-70. Purpose.

The purpose of the specific use permitting procedure is to allow for review of uses which would not be appropriate generally or without certain restrictions throughout a zoning district, but which, if controlled as to the number, area, location or relation to the neighborhood, would promote the health, safety, and welfare of the community. The procedure is intended to allow broad public review and evaluation of the proposed development and to ensure adequate mitigation of potentially unfavorable impacts.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-71. Submission and approval requirements and procedure.

(a) A property owner may petition the city for a specific use of property, as authorized by the zoning district in which the property is located. An application for a specific use permit shall be submitted to the zoning administrator, along with any applicable fee. The application shall include a site plan meeting the requirements of section 42-56, and showing the general arrangements of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and locations of buildings; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; visual screening such as walls, landscaping, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of 200 feet.

(b) The same notice, hearing and approval requirements as for changes and amendments to a zoning district classification shall apply to approval of a specific use permit; provided, however, that the approval of a specific use permit shall not be considered a change in zoning.

(c) The zoning administrator shall review the application and submit a report to the planning and zoning commission. This report shall be made available to the applicant prior to the public hearing. After proper notice and a public hearing, the planning and zoning commission shall make a recommendation to the city council regarding any application for a specific use permit. The planning and zoning commission may require information, operating data, and expert evaluation concerning the location, function and characteristics of any building or use proposed.

(d) The city council may approve a specific use by adoption of an ordinance. The ordinance shall set forth any limitations or conditions which the city council may place upon the specific use. Only those specific uses authorized in the district in which the property is located may be approved.

(e) The planning and zoning commission and the city council shall review the application against the review and evaluation criteria set forth below and approve, conditionally approve, or deny the specific use application.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-72. Review and evaluation criteria.

The specific use application shall be reviewed and evaluated using the following criteria:

(1) Conformance with applicable regulations and standards in this zoning chapter.

(2) Compatibility with existing or permitted uses on abutting sites in terms of building height, bulk, scale, setbacks, open spaces, landscaping and site development, and access and circulation features.

(3) Potentially unfavorable effects or impacts on existing or permitted uses on adjacent properties, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

(4) Location, lighting, and type of signs and relation of signs to traffic control and adverse effect on adjacent properties.

(5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

(6) The city council shall authorize issuance of a specific use permit only after determining that the proposed use or uses are harmonious with buildings and uses of adjacent property in the vicinity of the premises under consideration and that adequate provisions have been made for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, height of structures, and compatibility of buildings.

(7) No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the permit, as attached to the site plan drawing and approved by the city council.

(8) When the city council approves a specific use permit, the zoning map shall be amended according to its legend to indicate that the property is subject to the specific use permit.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-73. Lapse of approval and modifications.

(a) A specific use permit shall be valid for one year from the date of approval unless prior to such expiration date a building permit is issued and construction is commenced or the actual use, if not requiring a building permit, is commenced. The expiration date may be extended by the city council upon application. An inspection of the property granted a specific use permit shall be performed one year after such grant to determine whether the use has been commenced and whether all conditions of the permit have been complied with.

(b) Approval of a specific use permit automatically expires upon any of the following:

(1) A change in use on the property; or

(2) A relocation of the use.

The city council may grant a continuance of the specific use upon application.

(c) Minor modifications to a specific use permit may be made if the zoning administrator determines that such modifications will not change the intent and effect of the approval by the city council.

(d) A specific use permit for a stationary vendor, as defined in subsection 42-9(b), shall be subject to the following additional conditions:

(1) The permit shall be limited to a period of one year unless additional time is allowed by the city council.

(2) The applicant must show that the applicant has the written permission of the property owner to engage in the vending activities.

(3) Any temporary structures associated with the use must comply with the city's building code and must be removed within two days after the specific use permit expires.

(4) Food vendors must comply with conditions established by the health officer.

(5) The applicant must hold a valid sales and use tax permit from the state.

Exception: A specific use permit is not required for a stationary vendor to make sales at a special event if the city has issued a permit for the special event and the permit holder has authorized the stationary vendor to make sales at the special event.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-74. through § 42-79. (Reserved)

ARTICLE VI NONCONFORMING USES, LOTS AND STRUCTURES

§ 42-80. Purpose and intent.

Within the districts established by this chapter, there may exist buildings or uses of land and buildings (nonconforming uses) which were lawful before this chapter was passed or amended, but which would be prohibited, regulated or restricted under the terms of this chapter or future amendments. Such nonconforming uses may be continued although they do not conform with the provisions of this chapter, subject to the limitations and conditions set forth in this section. However, such nonconforming uses are declared by this chapter to be incompatible with permitted uses in the districts involved. With due regard for the property rights of the persons affected when considered in light of the public welfare, the character of the area surrounding the nonconforming use and the conservation and preservation of surrounding properties and their values, it is the declared purpose of this chapter that nonconforming uses be eliminated and be required to conform to the regulations prescribed in this chapter.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-81. Continuation of use.

(a) Nonconforming uses or structures. Any use or structure that existed as a nonconforming or previously conforming use or structure under applicable zoning regulations prior to adoption of this chapter shall be permitted to continue as a nonconforming use or structure, subject to the provisions of this section.

(b) Exemptions to nonconforming regulations. Any use that does not conform to the provisions of this chapter that require the use to have a specific use permit, but which existed as a conforming use without a specific use permit under applicable zoning regulations prior to the adoption of this chapter, shall be permitted to continue as a nonconforming use. In the event such a use is replaced by or changed to a use conforming to the provisions of this chapter, the nonconforming use shall be considered void and only uses conforming to this chapter will be permitted thereafter. The burden of proof that the exemption provided by this section exists shall rest on the property owner.

(c) Illegal use or structures. By adoption of this chapter, no presently illegal use or structure shall be deemed to have been legalized unless such use or structure falls within a district where the actual use and structure conform to the provisions of this chapter.

(d) Building on nonconforming lots of record. In any zoning district, buildings may be erected on any single lot of record, provided there is access to such buildings from a street and the lot is in the same ownership as recorded on the effective date of the ordinance from which this chapter is derived. This provision shall apply even though the lot fails to meet the minimum requirements for area, width, or depth for the district in which it is located; however, all other requirements shall still apply. All buildings constructed on nonconforming lots of record shall meet all development regulations in the district unless proper variances are granted by the board of adjustment. No building shall be constructed on multiple lots. Whenever construction is desired on multiple lots, the property owner shall replat the property into a single lot.

(e) Nonconforming buildings. Repairs and alterations may be made to a nonconforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is brought into conformity with the provisions of this chapter.

(f) Nonconforming use of buildings. A nonconforming use of a building shall not be increased or

enlarged and no occupancy of additional buildings or land by a nonconforming use shall be permitted except that a nonconforming use of a building may be extended throughout any parts of the building which were manifestly arranged or designed for such use and which were owned or leased by the owner of the nonconforming use on the effective date of the ordinance from which this chapter is derived, provided no structural alterations, except those required by law or ordinance, are made, and provided further that no additional dwelling units shall be added where the nonconforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located. The board of adjustment shall have the authority to permit an extension of a building which is nonconforming as to uses not to exceed 25 percent of the existing floor area, subject to the development regulations applicable in the zoning district.

(g) Nonconforming use of land. Unless otherwise provided in this section, a nonconforming use of land may not be expanded, extended or moved in whole or in part, beyond the area of land actually being occupied by the use at the time it becomes nonconforming, except to provide off-street loading or off-street parking space facilities. Notwithstanding the above, the board of adjustment may permit an expansion of a nonconforming use of land on a lot of record not to exceed 25 percent of the existing area of the land actually being occupied by the nonconforming use, subject to the development regulations applicable in the zoning district.

(h) Legacy District. Notwithstanding anything to the contrary herein, any use or structure that exists in a legacy district, those districts marked with an "x" in the district name as of the adoption of Ordinance No.___ on ___ , shall be considered a legal use or structure and shall not be considered a nonconforming use or structure. Such use or structure may be expanded, extended, or moved in accordance with the applicable legacy district regulations as a legal use or structure.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-82. Discontinuance or abandonment.

(a) Defined. A nonconforming use, when discontinued or abandoned, shall not be resumed and any further use shall be in conformity with the provisions of this chapter. Discontinuance or abandonment shall be defined as follows:

(1) When land used for a nonconforming use shall cease to be used in a bona fide manner for the nonconforming use for six consecutive calendar months.

(2) When a building designed or arranged for a nonconforming use shall cease to be used in a bona fide manner as a nonconforming use for a period of six consecutive calendar months.

(3) When a building designed or arranged for a conforming use shall cease to be used in a bona fide manner as a nonconforming use for a period of six consecutive calendar months.

(4) When land or a building used only on a seasonal basis is not used in a bona fide manner as a nonconforming use during such season.

(b) Presumption. There shall be a rebuttable presumption that the property owner intended to discontinue or abandon the nonconforming use if such use ceases for the above time periods.

(c) Deemed to have occurred. Discontinuance or abandonment shall be conclusively deemed to have occurred irrespective of the intent of the property owner if the nonconforming use was dilapidated, substandard, or was not maintained in a suitable condition for occupancy during the above time periods.

(d) Hardship. Upon evidence of hardship, the board of adjustment shall have the power to extend the time limits in subsection (a), not to exceed one year.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-83. Destruction of nonconforming use.

(a) Destruction. If a nonconforming building is destroyed by fire, the elements, or otherwise, it may not be reconstructed or rebuilt except to conform with the provisions of this chapter unless the destruction amount is less than 50 percent of its fair market value at the time of destruction. If a conforming building occupied by a nonconforming use is destroyed by fire, the elements, or otherwise, it may be reconstructed in conformity with the provisions of this chapter; provided, however, if the destruction amount is more than 50 percent of its fair market value at the time of destruction, the nonconforming use may not continue in the building.

(b) Destruction greater than 50 percent. If the destruction is greater than 50 percent and less than total, the board of adjustment may, after a public hearing, authorize repair, taking into consideration the property owner's circumstances and the effect on surrounding properties.

(c) Destruction less than 50 percent. Upon submission by the owner of sufficient evidence to prove that the destruction of a nonconforming building amounts to less than 50 percent of the fair market value of the entire nonconforming use and that the destroyed building or structure constituted an integral part of the nonconforming use without which the nonconforming use cannot be profitably operated, the board of adjustment may permit the reconstruction of such destroyed building or buildings under conditions which reasonably allow the owner to recoup his original investment.

(d) Single-family residences. Notwithstanding anything herein to the contrary, a single-family residence which is destroyed shall be permitted to be reconstructed without board of adjustment approval regardless of the extent of destruction provided that the construction complies with all current building codes and is commenced within six months of the date of destruction. The failure of the owner to start such reconstruction within six months shall forfeit the owner's right to restore or reconstruct the dwelling except in conformance with this chapter.

(e) Time limit for reconstruction. If the owner of a nonconforming use fails to begin reconstruction of the destroyed building (when permitted to do so by the terms of this chapter) within six months of the date of destruction or approval by the board of adjustment, the nonconforming building or use shall be deemed to be discontinued or abandoned as provided in section 42-82.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-84. Expedited compliance.

It is the policy of the city to allow the continuance of nonconforming uses but not to encourage their survival. It is recognized that a nonconforming use shall be permitted to continue for the life of the investment made by the original builder or operator. No improvements or structural alterations that extend the life or expand the degree of noncompliance shall be permitted as a general rule. Under certain conditions the continued existence of a nonconforming use may create such a degree of incompatibility with surrounding land uses and with the intent of the city's short range, medium range and long range comprehensive planning that a requirement for expedited compliance with the zoning district regulations is necessary in the public interest. A decision of this nature may affect vested property rights of the property owner and, therefore, the following procedural requirements shall apply.

(1) Determination of need for expedited compliance.Any city officer, board, commission or the city council may request that the board of adjustment establish a zoning compliance date for a nonconforming use. Upon receiving such a request, the board shall determine whether there is a public necessity for expedited compliance with the zoning regulations. The board will schedule a public hearing in conformance with the notice and procedural requirements established by this chapter and the rules of the board. The following factors must be considered by the board in determining the public necessity for expedited compliance:

a. The character of the surrounding neighborhood.

b. The degree of incompatibility of the nonconforming use to the zoning district in which it is located.

c. The effect of the nonconforming use on the surrounding area and the effect of its cessation on that area.

(2) Hearing requirements.

a. Notice of the public hearing shall be given to the owner of the affected property and all surrounding property owners within 200 feet of the subject property as prescribed for other cases heard by the board of adjustment. All interested citizens, individuals and organizations will be given the opportunity to appear before the board and present evidence that they deem relevant and appropriate for the board to consider in determining the need for the establishment of a compliance date for the specific nonconforming use.

b. At the conclusion of the public hearing the board shall make a finding as to whether or not there is a need for expedited compliance with the zoning ordinance and shall determine whether or not it is appropriate to set a date certain for the use or activity to come into compliance with the current requirements of the ordinance. If the board determines that there is no need for expedited compliance, it shall provide written notice to the party who requested the hearing that the board has found that expedited compliance is not necessary at the present time. No further action shall be taken by the board and the nonconforming use shall retain its existing status. Any party who disagrees with this determination by the board shall have the right to appeal such decision to state district court in the same manner as any other decision of the board may be presented for judicial review. Review is by writ of certiorari and shall be presented in the manner set forth in V.T.C.A., Local Government Code, section 211.011.

(3) Expedited compliance—Procedure for determining amortization value.

a. If the board determines that expedited compliance is necessary and appropriate in the public interest, it shall commence the proceedings necessary to establish the value of the nonconforming use and a reasonable amortization period for that use. The board shall initially establish a time for hearing evidence on the various value and income issues necessary to comply with the amortization process. The board shall give the various parties to an amortization case sufficient time to conduct discovery and to prepare evidence of value, depreciation and income. To the extent deemed reasonable, the board shall establish a hearing date within 60 days following the determination of a need for expedited compliance. If a party believes more time is necessary to prepare for the hearing, a request for continuance of the hearing may be made to the chairman of the board who shall have the authority to grant a reasonable extension of time.

b. The parties may exchange written discovery requests and take, as appropriate, depositions of potential witnesses. Discovery disputes will be presented to the chairman of the board for resolution. The hearing to determine value and income matters relating to amortization shall be subject to the same notice requirements as those established for the expedited compliance hearing. The purpose of the second hearing shall be to determine the value of the interest taken, if any, and whether the owner has had a reasonable opportunity to recoup that value; and a reasonable compliance date. The value is determined in the following manner:

1. The board first determines the date upon which the nonconforming use came into existence

and/or operation.

2. The purpose of amortization value determination is to fully recognize the investment the owner made at the time that the use was legally permitted. A determination is made, based on the presentment of evidence, of the initial investment made by the original owner in the construction and establishment of the nonconforming use. Land value is not a factor as the property owner or his successor will retain ownership and the right to use the land for a legal use. The board should consider any evidence establishing the amount of the investment made in the establishment of the nonconforming use prior to the point in time at which it became nonconforming. Any improvement, addition, expansion or change made after the date of its nonconformity shall not be considered by the board, as it was made by the owner with knowledge of the limited life expectancy and use of the property. Initial investment value shall not be given to items that may be transported to a new site. Compensation for these items is addressed as a relocation cost below.

3. The board shall then determine the income that the property has produced annually since the nonconforming use commenced. The board, at its discretion, may make findings as to the annual operating cost of the nonconforming use to determine income over purely operating revenue. The board shall prepare a written finding stating clearly for each year that the nonconforming use has been in existence, the annual income it has produced and shall further make a finding of its current annual income based upon the income it produced at the close of the most recent calendar year or fiscal year for which it has been in operation. If due to the age of the nonconforming use, changes of ownership, or the loss or destruction of records it is not possible to prepare an income finding for each year of the nonconforming use the board will make a finding for each year that can be documented and will note why the missing years have not been addressed. The board shall use that annual income as the current and future income projection of the nonconforming use for determining amortization of any remaining investment value. Any party to these proceedings shall have the right to offer evidence as to why that projection is no longer realistic based upon evidence of economic change.

4. The board shall determine whether the original investment in the nonconforming use is subject to depreciation due to physical and/or market conditions. The board shall look at standard industry practices in determining a reasonable depreciation schedule.

5. The board may consider any other factors or evidence that shows that the owner has had a reasonable opportunity to recoup his investment in the nonconforming use.

6. The board shall then take the original investment value determined in step number 2 of this process and then subtract from that number the income of the nonconforming use as determined in step 3 and any depreciation of the nonconforming use as determined in step 4. If the subtraction of the income of the nonconforming use from the original investment value less depreciation leaves a positive figure of value remaining in the tract, the board shall make a determination that there is unamortized value in the nonconforming use that must be addressed by the city prior to expedited compliance. If the subtraction of the income streams from the initial investment value produces a negative number, then no unamortized value will remain and the board shall establish a date for expedited compliance without the need to address unamortized value.

7. All findings of the board pertaining to the value of the investment in the nonconforming use and the rate of return derived by the owner must be reasonable and in accordance with

accepted industry practices for that type of nonconforming use. Any party may offer evidence to the board in order to substantiate a reasonable value of the initial investment and/or a reasonable rate of return for such nonconforming use.

8. The board shall next determine whether the property owner will incur any costs of closing down or relocating the nonconforming use. Closure or relocation cost shall include only the reasonable and necessary expenses to transport items and material from the site to a new location. Relocation cost does not include the cost of acquiring alternate land as the property owner is retaining the land at the existing site to convert to a conforming use. The cost of relocation does not include the cost of removing permanent improvements such as buildings, parking areas, or public works facilities that will remain on the original site for use by the owner in a conforming business activity.

c. Board findings on unamortized value and the cost of relocation. If the board makes a determination that unamortized value remains in the nonconforming use by determining that the original investment value minus depreciation exceeds the amount of income derived from the nonconforming use during its operation through the date of the amortization hearing, the board shall make the following findings as a matter of record:

1. The dollar value of the unamortized interest remaining in the nonconforming use (original investment value, minus depreciation and minus income earned during historic operation of the nonconforming use).

2. The dollar income the nonconforming use produced during its last full calendar year of operation prior to the date of the hearing

3. The dollar cost of relocating business assets or inventory.

4. Other factors that show whether the owner has had a reasonable opportunity to recoup his investment in the nonconforming use.

d. Based upon the above factors, the board determines a calendar date upon which amortization shall be deemed complete. The calendar date determined herein shall be the date upon which the board determines is a reasonable period of time for the owner to have fully amortized the original investment value of the nonconforming use together with the closure/relocation costs that are properly chargeable to the nonconforming use.

e. The board shall make these findings a matter of record in the minutes of the board meeting in which such final determination was reached. The date upon which final amortization occurs shall be the date upon which the nonconforming use shall cease to operate in a nonconforming status.

f. Under no circumstance shall a nonconforming use be given less than 90 days to cease operation irrespective of the date determinations made above. The 90-day minimum is to provide the nonconforming use business with the opportunity to give its customers, suppliers and vendors proper notice and to permit an orderly closure and transfer of business operations.

g. The board of adjustment shall cause its findings to be transmitted to the city council including whether any unamortized value remains in the nonconforming use identified for expedited compliance. The city council in its sole discretion shall have the right to determine if the city should appropriate funds to purchase the remaining unamortized value of the nonconforming use, thereby instituting immediate closure rather than waiting for the expiration of the time

necessary for the automatic amortization of remaining value.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-85. Additional limitations and provisions regarding nonconforming uses.

(a) Change to conforming. A nonconforming use or building, if changed to a conforming use or building, may not be changed back to a nonconforming use or building.

(b) Accessory uses or structures. No nonconforming accessory use or structure shall continue after the principal use or structure shall have ceased or terminated unless the accessory use or structure shall thereafter conform to the provisions of the zoning district in which it is located.

(c) Vested rights. Nothing contained in this chapter shall require any change in the plans, construction or designated use of a building or land development project for which a building permit was lawfully issued no more than six months prior to the adoption or amendment or this chapter, provided that such construction shall have been started at the time such use became nonconforming and shall have been diligently prosecuted to completion.

(d) Future nonconformities. The foregoing provisions of this article shall also apply to uses made nonconforming by subsequent amendments to the zoning regulations or by annexation into the city limits.

(e) Special exceptions. Any use which is approved as a specific use permit by the city council or as a special exception use by the board of adjustment shall, upon its establishment, be considered a conforming use in that district, provided that this regulation shall not be interpreted as to waive any conditions placed on the specific use or special exception use.

(f) Replacement of manufactured home. Notwithstanding anything in this article to the contrary, a nonconforming manufactured home may be exchanged or replaced by another manufactured home, provided the replacement manufactured home is owner-occupied.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-86. Waiver.

The board shall have the power to approve a waiver of any required yard area or setback requirement when such a waiver is necessary due to a surveying or construction error in the placement of the original foundation or site improvement.
(Ordinance 2014-010, sec. 1, adopted 4/21/2014)

§ 42-87. through § 42-94. (Reserved)

§ 42-95. Board of adjustment.

(a) Creation, membership and procedures.

(1) Zoning board of adjustment established. A board of adjustment is hereby established in accordance with the provisions of V.T.C.A., Local Government Code section 211.008 and shall have the powers and duties as provided in said statute and this chapter.

(2) Membership.

a. The zoning board of adjustment shall consist of five members, each to be appointed by the city council for a term of two years and removable for cause by the city council upon written charges and after public hearing. If a member is absent for three consecutive meetings, or if the member misses more than 50 percent of the meetings in a calendar year, reasonable cause exists for the removal of the member unless the board has granted the member a leave of absence at a meeting due to illness or other good cause.

b. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Three members shall serve until January 1 of odd-numbered years, as heretofore appointed, and two members, as heretofore appointed, shall serve until January 1 of even-numbered years. Thereafter each member reappointed or each new appointee shall serve for a full term of two years unless removed as hereinabove provided.

c. The city council may also appoint up to four alternate members of the board who shall serve in the absence of one or more of the regular members when requested to do so by the chairperson of the board, so that all cases to be heard by the board will always be heard by a minimum number of four members. These alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two years, and any vacancy shall be filled in the same manner and they shall be subject to removal by the same means and under the same procedures as the regular members.

(3) Hearings. The hearings of the board shall be public. The board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any permit is pending, and shall also hear any other parties in interest. All hearings are to be heard by at least four members of the board.

(4) Meetings. Regular meetings of the board shall be held at such times as the board may determine. Special meetings of the board shall be held at the call of the chairperson or at the written request of two regular members of the board, said request to be submitted to the chairperson.

(5) Rules and regulations. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city secretary and shall be public record. The board shall adopt from time to time such additional rules and regulations as it may deem necessary to carry into effect the provisions of this chapter, and shall furnish a copy of the same to the zoning administrator, all of which rules and regulations shall operate uniformly in all cases. All of its orders shall be

in accordance therewith.

(b) Jurisdiction and powers. The board of adjustment shall have all powers granted by the provisions of V.T.C.A., Local Government Code sections 211.008 through 211.011. The board may, in specific cases, after public notice and public hearing and subject to appropriate conditions and safeguards, take the following actions:

(1) Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the zoning administrator or other city officer or department in the enforcement of this chapter;

(2) Hear appeals on zoning boundary disputes;

(3) Hear requests by a city officer, board, commission or city council to abate, remove, limit or terminate a nonconforming use or building through expedited compliance procedures to require the discontinuance of a nonconforming use or building under a reasonable plan whereby the owner's investment in the nonconforming use or building can be recouped through amortization over a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this chapter.

(4) Permit the expansion or extension of a nonconforming use in accordance with the provisions of section 42-83 [42-81].

(5) Within the limits prescribed in section 42-82, the board may review nonconforming uses which have been abandoned or discontinued to determine whether such uses should be allowed to resume operation. Such action by the board shall consider any unnecessary hardship on the property owner if the use is discontinued and shall have due regard for the public welfare, the character of the area surrounding such use, and the conservation, preservation and protection of surrounding properties and their values;

(6) Permit the repair or reconstruction and occupancy of a nonconforming building or a building containing a nonconforming use where the building has been destroyed in excess of 50 percent, but less than the total value as provided in section 42-83, provided such reconstruction does not, in the judgment of the board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming building beyond what is permitted by article VI. Such action by the board of adjustment shall have due regard for the property rights of the person or persons affected, when considered in light of the public welfare, the character of the area surrounding such structure, and the conservation, preservation and protection of surrounding properties and their values;

(7) Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated or substandard;

(8) Permit variances to the development regulations in this chapter such as front yard, side yard, rear yard, lot width, lot depth, lot coverage, minimum setback, off-street parking, off-street loading, lot area, maximum height, or other development regulations where such variance is necessary to permit the reasonable development of a specific parcel of land which differs from other parcels of land in the same zoning district by being of such area, shape, topography, slope or condition that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same zoning district, or where, due to special conditions:

a. The literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district and would result in an unnecessary and/or unreasonable hardship;

b. The special conditions are not the result of the applicant's actions, but are peculiar to the land, structure or building involved;

c. The variance requested is the minimum necessary; and

d. No special privilege is granted which is denied to other similarly situated uses.

Any variance granted shall not adversely affect adjoining property, shall not be contrary to the public interest and shall insure that the spirit of the ordinance is observed and substantial justice is done.

(9) Approve special exception uses which are specifically authorized by this chapter. A site plan meeting the requirements of section 42-56 shall be required to be submitted with each application for a special exception. Any special exceptions authorized by the board, either under the provisions of this chapter, or under the authority granted to the board under the statutes of the state, shall authorize the issuance of a building permit for a period of 90 days from the date of the favorable action on the part of the board of adjustment, unless the board in its minutes shall, at the same time, grant a longer period. If a building permit shall not have been issued within said 90-day period or such other period as the board of adjustment may specifically grant, the special exceptions shall be deemed waived, and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal to said board of adjustment in accordance with the rules and regulations regarding appeals.

(c) Appeals.

(1) Except as limited for specific appeals, appeals to the board of adjustment can be taken by any person aggrieved or by any officer, department, or board of the municipality affected by any decision of the zoning administrator or any official authorized to make a decision under this chapter. Such appeal shall be taken within 15 days after the decision has been rendered by the zoning administrator or other official by filing with the official from whom the appeal is taken and with the city secretary a notice of appeal specifying the grounds thereof. The official from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

(2) A written application for appeal shall be submitted together with the required fee, accompanied by an accurate legal description, maps, site plans, drawings, and other data or information relevant to the appeal.

(3) An appeal shall stay all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case proceedings may be stayed only by a restraining order granted by the board of adjustment or by a court of record on application after notice to the official and upon a showing of due cause.

(4) Limitation on reapplications. When the board has denied an appeal, no new applications of similar nature shall be accepted by the board or scheduled for 12 months after the date of board denial. Applications which have been withdrawn at or before the board meeting or that have been expired after approval by the board, may be resubmitted at any time for hearing before the

board.

(d) Hearing. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time. At the hearing any party may appear in person or by attorney or agent. The notice provided in this section shall be given by publication in the official city publication stating the time and place of such hearing, which shall not be earlier than ten days from the day of such publication, and in addition, the board of adjustment shall mail notices of such hearing to the petitioner and the owners of property lying within 200 feet of any point of the lot or portion thereof, on which an appeal is taken, and to all persons deemed by the board of adjustment to be affected. Such owners and persons shall be determined according to the current tax rolls of the city and substantial compliance therewith shall be deemed sufficient, provided, however, that the depositing of such written notice in the mail by the board of adjustment shall be deemed in compliance with this section.

(e) Decision of the board. The board shall decide the appeal within a reasonable time. The board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination as in its opinion ought to be made in the premises, and to that end, shall have all powers of the officer or department from whom the appeal is taken. In granting any appeal, the board may place reasonable conditions and restrictions on the property that the board deems appropriate to assure that the spirit and intent of this chapter is observed.

(f) Vote of four members required. The concurring vote of four members of the board is necessary to:

(1) Reverse an order, requirement, decision or determination of an administrative official;

(2) Decide in favor of an applicant on a matter on which the board is required to pass; or

(3) Authorize a variation from the terms of this chapter.

(g) Appeals to court. Any person or persons, jointly or separately, aggrieved by any decision of the board of adjustment or any taxpayer or any officer, department or board of the city may present to a court of record, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of such illegality. Such petition shall be presented to the court within ten days after the rendering of the decision complained of by the board of adjustment, and not thereafter.

(h) Authorized special exceptions. The following special exceptions may be permitted by the board of adjustment, in the district specified, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the board of adjustment may impose:

(1) Permit the erection and use of a building or the use of premises for railroads if such uses are in general conformity with the city comprehensive plan and present no conflict or nuisance to adjacent properties.

(2) Permit a public utility or public service building in any zoning district, or a public utility or public service building of a ground area and of a height at variance with those provided for in the district in which such public utility or public service building is permitted to be located, when found reasonably necessary for the public health, convenience, safety, or general welfare.

(3) Grant a permit for the extension of a use, height, or area regulation into an abutting district where the boundary line of the district divides a lot in a single ownership on the effective date of the ordinance from which this chapter is derived.

(4) Waive or reduce the parking and loading requirements in any of the districts, whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

(5)

(6) Approve the location of amateur radio equipment and TV antennas (including ham radio and CB equipment but not including commercial equipment) in a residential district subject to the restrictions in this chapter.

(7) Approve the location of satellite receive-only antennas which exceed one meter in diameter in residential districts or two meters in diameter in nonresidential districts subject to the following conditions: To receive a special exception, a satellite receive-only antenna which exceeds:

a. One meter in diameter located in a residential zoning district, or

b. Two meters in diameter located in a nonresidential zoning district (except governmental antennas), must comply with the following requirements:

1. Height. A satellite receive-only antenna shall not exceed 12 feet in height; however, satellite receive-only antennas may be placed on the roof of commercial structures if screened from public view from line of sight at ground level from the property line.

2. Setbacks.

i. Front and side. Satellite receive-only antennas shall not be permitted in front or side yards;

ii. Rear. Satellite receive-only antennas shall be permitted in rear yards provided they meet the minimum setback as required for accessory buildings in residential districts and as for all buildings in nonresidential districts.

3. Separation. There shall be no minimum or maximum separation requirements for satellite receive-only antennas from other structures on the same lot of record.

4. Satellite receive-only antennas shall not be permitted in easements.

5. Lights. No auxiliary or outdoor lighting shall be allowed on satellite receive-only antennas except such lights or lighting as may be required by the Federal Aviation Administration or the Federal Communications Commission.

6. Construction standards. Except for satellite receive-only antennas installed by a governmental entity, a building permit must be obtained prior to the construction and/or installation of a satellite receive-only antenna.

7. No part of an antenna, or any attachment thereto, may extend beyond the property lines of the owner of such antenna site.

(8) Approve the location of telecommunications antennas and towers.

a. Application. To properly evaluate applications to locate telecommunications antennas or towers, the following information must be provided by the applicant, as applicable:

1. A description of the nature of the antenna or tower site. Indicate whether the proposed structure is a monopole or lattice tower. Indicate the proposed height;

2. Provide photos or drawings of all equipment, structures and antennas;

3. Describe why the antenna or tower is necessary;

4. State the name(s) of the telecommunications providers or other users of the antenna or tower and describe the use to be made by each user;

5. Indicate if this antenna or tower site will be connected to other sites; and if so, describe how it will be connected and who will provide the backhaul network;

6. The applicant must address whether an effort has been made to co-locate the facility proposed for this antenna or tower on existing towers or facilities in the same general area. Identify the location of existing sites. Describe in detail efforts made and explain in detail why existing site were not feasible. Attach all studies or tests performed which demonstrate why the existing sites will not provide sufficient signal coverage. Provide written documentation from existing sites' owners and/or operators which confirm the statements provided. Indicate whether or not the existing sites allow or promote co-location and, if not, describe why not;

7. Indicate whether or not co-location will be allowed to other telecommunications providers at the requested site. If they are not allowed, state every reason and the basis for each reason;

8. If the requested location is in a residential district the applicant must address whether an effort has been made to locate the facility in a commercial or industrial district. Identify the location of the commercial and/or industrial district sites. Describe in detail efforts and explain in detail why these commercial or industrial district sites were not feasible. Attach all studies or tests performed which demonstrate why the commercial or industrial sites will not provide sufficient signal coverage. Provide written documentation from commercial or industrial district sites' owners and/or operators which confirm the statements provided;

9. Indicate the applicant's current coverage area for the city. Attach maps showing the areas the applicant's existing antennas currently cover, the areas the applicant's existing sites and other existing sites would cover, and the areas the applicant's existing sites and the requested site would cover;

10. Describe the applicant's master antenna and tower plan for the city. Attach maps and other related documentation. Provide information indicating each phase of the plan;

11. Describe the applicant's plan to minimize the number of telecommunications towers need to cover the city.

b. Conditions of approval. The board of adjustment will approve a requested application for a special exception to locate a telecommunications antenna or tower subject to the finding

that co-location of this facility with a nearby existing antenna facility is not feasible and subject to the following conditions:

1. Applicant will permit co-location of others at the site;

2. Applicant will configure its antenna and other equipment to accommodate other providers;

3. Applicant will identify its backhaul network connecting antenna sites;

4. Applicant will give notice to the city identifying any providers who co-locate on the site and identify their backhaul network; and

5. Applicant shall meet the height, area, separation, and other requirements as listed in section 42-45.

c. Written report upon denial of request. The city shall document any denial of a request to place, construct, or modify personal wireless service facilities in writing, stating the reason for denial and indicating substantial evidence that supports the denial.

d. Abandoned antenna facilities. Any antenna or antenna facility that is not operated for a continuous period of 12 months shall be considered abandoned and the owner shall remove it within 90 days of receipt of notice from the city.

(9) To grant a permit for the extension of a use, height or area regulation into an abutting district, where the boundary line of the district divides a lot in a single ownership on the effective date of the ordinance from which this chapter is derived.

(10) To waive or reduce the parking and loading requirements in any of the districts, when:

a. The character or use of the building is such as to make unnecessary the full provision of parking or loading facilities; or

b. When such regulations would impose an unreasonable hardship upon the use of the lot.

The board shall not waive or reduce such requirements merely for the purpose of granting an advantage or a convenience.

(i) Limitations on jurisdiction.

(1) The board shall have no authority to change any provisions of this chapter and its jurisdiction is limited to hardship and borderline cases which may arise from time to time. The board may not change the district designation of any land either to a more or less restrictive zone.

(2) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the zoning administrator, that such questions shall be presented to the board only on appeal from the decision of the zoning administrator and that recourse from the decisions of the zoning board of adjustment shall be to the courts as provided by the laws of the state.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-96. Changes and amendments.

(a) Authority to amend. The city council may from time to time, after public hearings required by law, amend, supplement, or change the regulations herein provided or the classification or boundaries of

the zoning districts. Any amendment, supplement, or change to the text of this chapter and any change in the classification or boundaries of the zoning districts, may be initiated by the planning and zoning commission, the city council, or may be requested by the owner of real property or the authorized representative of an owner of real property.

(b) Application for rezoning.

(1) Each application by a property owner for rezoning or an application for a specific use permit shall include a signed, notarized statement of ownership of the property in the following format:

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

_____
Name

Sworn to and subscribed before me on this _____day of _____, 20__, by the person whose signature appears directly above.

{SEAL}

_____
Notary Public in and for the State of Texas

Upon filing of an application for an amendment to the zoning ordinance or a change in the classification or boundaries of a zoning district map, the planning and zoning commission shall call a public hearing on said application.

(2) For changes to a zoning classification or district boundary, written notice of such hearing shall be sent to the owner of the property or his agent and to all owners of real property lying within 200 feet of the property on which the change in classification is proposed, such notice to be given not less than 11 days before the date of such hearing, to all such owners who have rendered their property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. Where property lying within 200 feet of the property proposed to be changed is located outside the city limits or in territory which was annexed to the city after the final date for making the renditions which are included on the last approved city tax roll, notice to such owners shall be given by one publication in the official newspaper at least 16 days before the time of hearing. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

(3) If, at the conclusion of the hearing, the planning and zoning commission recommends amendment of this chapter to the city council, said recommendation shall be by resolution of the planning and zoning commission carried by the affirmative votes of not less than a majority of the members present and voting. A copy of any recommended amendment shall be submitted to the city council and shall be accompanied by a report of findings, summary of hearing and any other pertinent data.

(4) If, after public hearing, the planning and zoning commission recommends denial of an application, the applicant may appeal said determination to the city council by filing a written notice of appeal with the city clerk within ten days after the determination of the planning and zoning commission.

(5) The planning and zoning commission may recommend denial of an application with or without prejudice against the applicant to refile the application. If the commission recommends denial of the application and fails to clearly state the same is being denied without prejudice, then it shall be deemed that said application is being recommended for denial without prejudice against refiling. If the planning and zoning commission recommends denial with prejudice, if it is later determined by the commission that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, it may waive the waiting period. Newly annexed land which has been given agricultural zoning is exempt from the one-year waiting period.

(c) Action by city council.

(1) If the planning and zoning commission has recommended approval of an application or if the planning and zoning commission has recommended denial of an application and a notice of appeal has been filed pursuant to subsection (b), the city council shall set said application for public hearing and shall give notice of the time and place of the hearing by publication one time in the official newspaper at least 16 days prior to such hearing.

(2) If the planning and zoning commission has recommended to the city council that a proposed amendment be disapproved, the city council may refuse to adopt the amendment by a simple majority vote of the councilmembers present and voting. However, in order to adopt the amendment which has been recommended for disapproval by the planning and zoning commission, the amendment shall not become effective except by the favorable vote of three-fourths of all members of the city council.

(3) When the planning and zoning commission has recommended to the city council that a proposed amendment be approved, the city council may either approve or disapprove the petition or application for amendment by a simple majority vote of the city councilmen present and voting. In the event of a tie vote of the city councilmen present and voting, the mayor may cast the deciding vote.

(4) In the case of a protest against an amendment to the ordinance signed by the owners of 20 percent or more either of the area of the lots or land included in such proposed change, or of the area of the lots or land immediately adjoining the area included in the proposed change and extending 200 feet from that area, such amendment shall not become effective except by the favorable vote of three-fourths of all members of the city council.

(5) In making its determination, the city council shall consider the following factors:

a. Whether the use permitted by the proposed change will be appropriate in the immediate area concerned and its relationship to the general area and the city as a whole.

b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.

d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

e. The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.

f. Any other factors which will substantially affect the public health, safety, morals or general welfare.

(6) In considering a motion to deny a zoning application, or upon voting to deny a zoning application, the city council shall further consider whether said application shall be denied with or without prejudice against refiling. If the city council shall deny the application and fail to clearly state the same is being denied without prejudice, then it shall be deemed that said application is being denied with prejudice against refiling. If an application is denied with prejudice, no application may be filed for all or a part of the subject tract of land for a period of one year from the date of denial by the city council unless the new application is substantially different, as determined by the city council. If it is determined by the city council that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, it may waive the waiting period. Newly annexed land which has been given agricultural zoning is exempt from the one-year waiting period.

(d) Changes in zoning regulations. Amendments to this zoning chapter not involving a particular property but involving a change in the zoning regulations generally do not require notice to individual property owners. In such cases, notice of the required public hearing before the city council shall be given by publication in the official newspaper of the city, stating the time and location of the public hearing, at least 16 days prior to the date of the hearing.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-97. Fees, charges, and expenses.

(a) Establishment of schedule of fees.The city council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of zoning compliance, applications, appeals, and other matters pertaining to this chapter. The schedule of fees shall be posted in the office of the city secretary and may be altered or amended only by the city council.

(b) Fee payment required.Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-98. Violations, penalties, and enforcement.

(a) Fines.Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter, shall be fined not more than $2,000.00 for each offense. Each day that a violation exists shall constitute a separate offense. The penalty should not be construed as exclusive, and the city hereby provides that any other remedy available to it, in law or in equity, is not intended to be, and is not, foreclosed by the provision of such penalty.

(b) Enforcement.The provisions of this chapter shall be enforced by the city manager or his duly authorized representatives. The city manager's authorized representatives shall have the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the enforcement of this chapter.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-99. Injunction.

The city shall have and retain the right for injunctive relief against any person, firm, or corporation who is in the process of or about to violate any section, paragraph, or part of this chapter; such right for injunctive relief shall exist independent of the other penalty provisions of this chapter and not in lieu thereof. The right of injunctive relief is essential to the city in order that it may maintain an orderly and properly planned control over all land uses, thus protecting the health, morals, safety, and wellbeing of the citizens and halting any attempt by any person, firm, or corporation to inflict temporary or permanent injury on the general public by a failure to comply with the terms of this chapter.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-100. Planning and Zoning Commission.

(a) Organization and appointment.There is hereby created a planning and zoning commission which shall be organized, appointed, and function as follows:

(1) Membership.The planning and zoning commission shall consist of five (5) members who are residents of the city or its extraterritorial jurisdiction, each to be appointed by the city council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Appointees shall fill positions which shall be designated by place numbers (e.g., place 1, place 2, etc.). Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause in the same manner as the original appointment was made. The city council may appoint two (2) alternate members of the planning and zoning commission who shall serve in the absence of one or more of the regular members when requested to do so by the chairman of the planning and zoning commission. If a member is absent for three consecutive meetings, or if the member misses more than 50% of the meetings in a calendar year, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a meeting.

(2) Terms.The terms of members filling places 1, 3, and 5 shall expire on June 30th of each odd-numbered year and the terms of members filling places 2 and 4 shall expire on June 30th of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two (2) years. Newly-appointed members shall be installed at the first regular commission meeting after their appointment.

(3) Organization.The commission shall hold an organizational meeting in July of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this ordinance and the requirements of law. The planning and zoning commission shall elect a chairman from its own membership at its annual organizational meeting.

(4) Quorum and compensation.A quorum for the conduct of business shall consist of three members and/or alternate members of the commission. The members shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

(b) Duties and authority.The planning and zoning commission is hereby charged with the duty and invested with the authority to:

(1) Formulate and recommend to the city council for its adoption a city plan for the orderly growth

and development of the city and its environs and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city.

(2) Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as authorized under state law.

(3) Exercise all powers of a commission as to approval or disapproval of plans, plats, or replats as authorized under state law.

(4) Study and recommend the location, extension, and planning of public rights-of-way, parks, or other public places, and on the vacating or closing of same.

(5) Study and make recommendations regarding the general design and location of public buildings, bridges, viaducts, street fixtures, and other structures and appurtenances.

(6) Initiate, in the name of the city, proposals for the opening, vacating, or closing of public rights-of-way, parks, or other public places and for the change of zoning district boundaries on an area-wide basis.

(7) Formulate and recommend to the city council for its adoption policies and regulations consistent with the adopted city plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the city.

(8) Submit each May a progress report to the city council summarizing its activities for the past year and a proposed work program for the coming year.

(Ordinance 2024-0022 adopted 11/18/2024)

§ 42-101. Occupancy Permits (or Certificates of Occupancy)

(a) Required. An occupancy permit (CO) shall be required in the city limits of the City of Alvarado:

(1) prior to the occupancy and use of any and all buildings or real property, and

(2) to update a change of use of any and all buildings or real property, and

(3) to lessen or expand space occupied, and

(4) to update a change of real property ownership, and

(5) to update a change of business name, and

(6) to update a change of property management, and

(7) prior to connection of temporary utility service for the purpose of cleanup, property improvements or alterations (90-day clean & show).

(b) Procedures and requirements established. The procedures and requirements set out in this ordinance shall be established for the approval and issuance of occupancy permits.

(c) Application requirements.

(1) An application for an occupancy permit (CO) shall be submitted prior to the intended occupancy of the premises.

(2) The following information shall be provided by the applicant. If this information is not provided, the application will be considered incomplete and will not be processed.

a. The name, address, and phone number of the applicant

b. The name and address of the property owner and the property owner's phone number

c. The name, address, and phone number of the business owner

d. The name of the occupant

e. Full disclosure of the intended use of the building and/or property

f. The address and/or legal description of the property for which the occupancy permit is being requested

g. The square footage of the building

h. The number of employees per shift

i. Chemicals used under SARA title III

j. Certification by signature on the application that the applicant will not, nor will they permit any other person or persons to, use the described property for any other purpose than that stated on the occupancy permit and that the use of the property will be in conformance with all applicable city ordinances and state, federal and county law

k. Retail sales permit, if required under state law

l. Certificate of Occupancy Questionnaire provided with the CO application

m. Floor plan with all rooms labeled and dimensioned with equipment/seating layout

n. Building suite layout if part of a multi-tenant building

o. Title survey, as-built survey, improvement surveyor, or site plan

(3) Each occupancy permit (CO) application shall be accompanied by a fee as provided for in the city adopted fee schedule.

(4) The date of acceptance of the application will be the date on which the Building Official or his appointee determines that the application is complete, and the requirements of the zoning district are met as determined by the Community Development Director.

(d) Temporary utility service. The connection of temporary utility service for the purpose of cleanup, property improvements or alterations (clean & show) may be authorized by the Building Official or his appointee, for a 90-day period beginning with the date of acceptance of the application.

(e) Administrative review of application; inspections

(1) Review of application. On or after the date of acceptance of the application, the application will be reviewed by the Community Development Director and the Building Official or his appointee, to ensure compliance with applicable zoning ordinances and building codes. Other city departments or state, federal or county agencies may be asked to review the application, as warranted by the nature of the business or type of occupancy for which application is made.

(2) Inspections. The city fire and building safety departments shall be provided access to the property for a physical inspection of the premises to assure adherence to the requirements of the International Fire Code and the International Building Code and associated trade codes. Access to the property for a physical inspection of the premises shall be given to the city's third-party health department provider, the city police department, and any other city department, or state, federal or county agency, if such inspections are warranted by the nature of the business or type of occupancy for which application is made.

(3) Failure to make premises available for inspection. It is the responsibility of the applicant to make the premises available for inspection during regular working hours by all applicable departments or agencies. Failure to do so within thirty (30) calendar days of the date of acceptance of the application will result in the voiding of the application. A new application will need to be submitted along with the applicable fee provided for in the city adopted fee schedule.

(4) Proof of valid permits, licenses and certificates. The applicant must have all federal, state, county and city permits, licenses, and/or certificates that pertain to the use stated in the occupancy permit (CO) application.

(5) Failure to pass inspections. If the building or structure does not pass all applicable inspections for what the applicant is applying for, an occupancy permit will not be issued.

(f) Extension of application period. Upon authorization by the Building Official or his appointee, and for good cause shown, the application for an occupancy permit (CO) and temporary services may be continued for an additional thirty (30) days beyond the original date of acceptance of the application while compliance is sought.

(g) Issuance. An occupancy permit (CO) will be issued to the applicant by the Building Official or his appointee when all of the requirements of this ordinance, and any other city, state, county or federal requirements which pertain to the use of the property for which application has been made, have been met.

(h) Existing occupancy permits. Valid occupancy permits issued prior to the effective date of the ordinance codified in this ordinance will remain in effect until such time as the use of the property for which the permit was issued ceases to operate, or there is a change of ownership of the business, or a change in use. Subsequent occupancy permits will not be issued until the requirements of this ordinance are met. Occupancy permits issued prior to the effective date of the ordinance codified in this ordinance which are found to be invalid are subject to revocation.

(i) Revocation.

(1) The Building Official or his appointee may, in writing, suspend or revoke an occupancy permit (CO) whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or any portion thereof is in violation of any ordinance or regulation. Occupancy permits which are subject to revocation under the terms of this subsection are invalid occupancy permits.

(2) A decision by the Building Official or his appointee to revoke an occupancy permit (CO) because it was issued in error may be appealed to the city council.

(j) Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises at or near the front entrance of the building.

(k) Denial of permit and city services. If all the provisions of this ordinance are not met, an occupancy permit (CO) will not be issued and city services, such as, but not limited to, water, sewer, and sanitation, will not be permitted to be used on or connected to the premises.

§ 42-102. through § 42-175. (Reserved)

ARTICLE VIII DISTRICT REGULATIONS[1]

DIVISION 1

Reserved[2]

§ 42-176. through § 42-208. (Reserved)

1. **Editor's Note—Art. III Was Renumbered As Art. VIII Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.**
2. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 1, secs. 42-176—42-185, in its entirety. Former div. 1, "Generally", was derived from Ord. 2004-028, secs. 2-1, 2-2, 3—6, 27—38, adopted February 17, 2004; Ord. 2005-010, adopted March 21, 2005; Ord. 2009-002, secs. 2A, 2B, adopted January 19, 2009; and Ord. 2011-002, sec. 12, adopted February 21, 2011.**

DIVISION 2

Reserved[3]

§ 42-209. through § 42-234. (Reserved)

3. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 2, secs. 42-209—42-213, in its entirety. Former div. 2, "A—Agricultural District", was derived from Ord. 2004-028, secs. 7.1—7.5, adopted February 17, 2004.**

DIVISION 3

Reserved[4]

§ 42-235. through § 42-258. (Reserved)

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4. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 3, secs. 42-235—42-240, in its entirety. Former div. 3, "SF-1—Single-Family Residential District-1", was derived from Ord. 2004-028, secs. 8.1—8.6, adopted February 17, 2004; Ord. 2009-002, secs. 2C(8.5), 2C(8.6), adopted January 19, 2009; and Ord. 2011-002, sec. 1, adopted February 21, 2011.**

DIVISION 4

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5. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-259—42-263. Former secs. 42-259—42-263, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 9.1—9.5, adopted February 17, 2004, and Ord. 2009-002, sec. 2D(9.5) adopted January 19, 2009.**

6. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-292—42-296. Former secs. 42-292—42-296, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 11.1—11.5, adopted February 17, 2004.

DIVISION 6

Reserved[7]

§ 42-328. through § 42-354. (Reserved)

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7. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 6, secs. 42-328—42-333, in its entirety. Former div. 6, "MH-1X—Manufactured Home Park District (X)", was derived from Ord. 2004-028, secs. 12.1—12.6, adopted February 17, 2004, and Ord. 2009-002, sec. 2G(12.5), adopted January 19, 2009.**

DIVISION 7

Reserved[8]

§ 42-355. through § 42-364. (Reserved)

8. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 7, secs. 42-355—42-360, in its entirety. Former div. 7, "MH-2X—Manufactured Home Subdivision District", was derived from Ord. 2004-028, secs. 13.1—13.6, adopted February 17, 2004 and Ord. 2009-002, sec. 2H(13.5), adopted January 19, 2009.**

DIVISION 8

Reserved[9]

§ 42-379. through § 42-417. (Reserved)

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9. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 8, secs. 42-379—42-387, in its entirety. Former div. 8, "MFX—Multifamily Residential District (X)", was derived from Ord. 2004-028, secs. 14.1—14.9, adopted February 17, 2004; Ord. 2009-002, secs. 2I(14.5), (14.9), adopted January 19, 2009; and Ord. 2011-002, sec. 4, adopted February 21, 2011.**

DIVISION 9

Reserved[10]

§ 42-418. through § 42-444. (Reserved)

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10. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 9, secs. 42-418—42-423, in its entirety. Former div. 9, "NC—Commercial District—Office, Light Retail And Neighborhood Services", was derived from Ord. 2004-028, secs. 15.1—15.6, adopted February 17, 2004; Ord. 2009-002, secs. 2J(15.6), adopted January 19, 2009; and Ord. 2011-002, sec. 5, adopted February 21, 2011.**

DIVISION 10

Reserved[11]

§ 42-445. through § 42-468. (Reserved)

11. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 10, secs. 42-445—42-450, in its entirety. Former div. 10, "RC—Regional Commercial District", was derived from Ord. 2004-028, secs. 16.1—16.6, adopted February 17, 2004; Ord. 2009-002, secs. 2K(16.6), adopted January 19, 2009; and Ord. 2011-002, sec. 6, adopted February 21, 2011.**

DIVISION 12

Reserved[13]

§ 42-500. through § 42-531. (Reserved)

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12. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 12, secs. 42-500—42-505, in its entirety. Former div. 10, "CF—Commerce Flex District", was derived from Ord. 2004-028, secs. 17.1—17.5, adopted February 17, 2004, and Ord. 2011-002, sec. 8, adopted February 21, 2011**

13. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-532—42-536. Former secs. 42-532—42-536, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 18.1—18.5, adopted February 17, 2004.**

DIVISION 14

Reserved[15]

§ 42-566. through § 42-590. (Reserved)

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14. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 14, secs. 42-566—42-571, in its entirety. Former div. 14, "INSX—Institutional District (X)", was derived from Ord. 2004-028, secs. 19.1—19.6, adopted February 17, 2004, and Ord. 2009-002, sec. 2L(19.6), adopted January 19, 2009.

DIVISION 15

Reserved[16]

§ 42-591. through § 42-625. (Reserved)

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15. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 15, secs. 42-591—42-596, in its entirety. Former div. 15, "PD—Planned Development District", was derived from Ord. 2004-028, secs. 20.1—20.6, adopted February 17, 2004.**

DIVISION 16

Reserved[17]

§ 42-626. through § 42-659. (Reserved)

16. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 16, secs. 42-626—42-628, in its entirety. Former div. 16, "FN—Floodplain and Nature District", was derived from Ord. 2004-028, secs. 21.1—21.3, adopted February 17, 2004.**

DIVISION 17

Reserved[18]

§ 42-660. through § 42-672. (Reserved)

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17. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 17, secs. 42-660—42-662, in its entirety. Former div. 17, "Schedule of Uses/Tables", was derived from Ord. 2004-028, sec. 22, adopted February 17, 2004; Ord. 2005-002, adopted October 18, 2004; Ord. 2009-002, sec. 2M, adopted January 19, 2009; Ord. 2010-001, sec. 2(A), adopted February 15, 2010; Ord. 2010-003, sec. 2(A), adopted February 15, 2010; Ord. 2010-006, sec. 1(exh. A), adopted April 19, 2010; Ord. 2010-025, sec. 2A, adopted October 18, 2010; Ord. 2011-003, sec. 2, adopted February 21, 2011; Ord. 2011-024, sec. 1, adopted July 18, 2011; Ord. 2011-028, sec. 1, adopted August 15, 2011; Ord. 2011-032A, sec. 1A, adopted September 19, 2011; and Ord. 2011-033, secs. 1A—C, adopted September 19, 2011.**

DIVISION 18

Reserved[19]

§ 42-673. through § 42-683. (Reserved)

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18. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 18, sec. 42-673, in its entirety. Former div. 18, "Descriptions/Definitions of Uses", was derived from Ord. 2003-012, adopted February 17, 2003; Ord. 2004-028, sec. 23, adopted February 17, 2004; Ord. 2005-001, adopted October 18, 2005; Ord. 2006-007, adopted November 21, 2005; Ord. 2006-008, adopted November 21, 2005; Ord. 2009-002, sec. 2N(23.1.15—23.1.16), adopted January 19, 2009; Ord. 2010-003, sec. 2(B), adopted February 15, 2010; Ord. 2010-025, secs. 2B, 2C, adopted October 18, 2010; Ord. 2011-024, sec. 2, adopted July 18, 2011 and Ord. 2011-034, sec. 2, adopted September 19, 2011.**

DIVISION 19

Reserved[20]

§ 42-684. through § 42-714. (Reserved)

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19. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 19, secs. 42-684—42-695, in its entirety. Former div. 19, "Special Uses", was derived from Ord. 2004-028, secs. 24.1—24.11, adopted February 17, 2004; Ord. 2005-002, adopted October 18, 2004; Ord. 2006-008, adopted November 21, 2005; Ord. 2011-002, sec. 14, adopted February 21, 2011; Ord. 2011-019, sec. 2, adopted June 20, 2011; Ord. 2011-021, sec. 1, adopted July 18, 2011; and Ord. 2013-031 adopted July 15, 2013.**

DIVISION 20

Reserved[21]

§ 42-715. through § 42-736. (Reserved)

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20. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 20, secs. 42-715, 42-716, in its entirety. Former div. 20, "Specific Use Permit", was derived from Ord. 2004-028, secs. 25.1, 25.2, adopted February 17, 2004; Ord. 2010-003, sec. 2(C), adopted February 15, 2010 and Ord. 2010-024, sec. 2, adopted October 18, 2010.

ARTICLE IX MANUFACTURED HOMES [22]

§ 42-737. Definitions.

For the purposes of this article, the following terms shall have the respective meanings ascribed to them:

License means a written license issued by the city allowing a person to operate and maintain a manufactured home park under the provisions of this article.

Manufactured home lot means a parcel of land for the placement of a single manufactured home and the exclusive use of its occupants.

Manufactured home stand means that part of an individual lot which has been reserved for the placement of one manufactured home unit.

Park management means the person who owns or has charge, care, or control of the manufactured home park.

Park street means a private way which affords principal means of access to individual manufactured home lots or auxiliary buildings.

Permanent manufactured home means a manufactured home parked or placed on a separate vacant platted city lot or a plot containing at least 5,000 square feet of land and outside a manufactured home park in which the setback requirements for said manufactured home as specified for manufactured homes located in residential zoning districts as set out in this article. The manufactured home shall have the wheels removed and be underpinned, underskirted, and anchored to the ground in a permanent fashion, using solid concrete blocks and bases and having separate water, sewer, gas, and electrical connections approved by the city.

Permit means a written permit or certification issued by the city permitting the construction, alteration, and extension of a manufactured home park or placement of a permanent manufactured home under the provisions of this article and regulations issued hereunder.

Service building means a structure housing toilet, lavatory, and such other facilities as may be required by this article.

Sewer connection means the connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the manufactured home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the manufactured home park.

Sewer riser pipe means the portion of the sewer system serving a manufactured home park which extends vertically to the ground elevation and terminates at a designated point on each manufactured home lot.

Trailer or travel trailer means a vehicle used for temporary living quarters and designed to be used for camping and vacations and to be stored in the vicinity of a permanent residence, and no living quarters maintained therein.

Water connection means the connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the manufactured home.

Water riser pipe means that portion of the water supply system serving the manufactured home park which extends vertically to the ground elevation and terminates at a designated point at each manufactured home lot.

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21. Editor's Note—Art. IV Was Renumbered As Art. IX Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.

(2008 Code, sec. 152.01)

§ 42-738. Manufactured homes to be located in manufactured home parks or subdivisions; exception.

It shall be unlawful for any person to connect utilities or to occupy a manufactured home within the city, except where it is located in a duly licensed manufactured home park or manufactured home subdivision under the terms of this article, and has been approved in the manner prescribed herein, except where the manufactured home meets the definition of a permanent manufactured home under this article and the city zoning regulations, and a valid permit has been granted and a certificate of occupancy has been issued by the city.
(2008 Code, sec. 152.02)

§ 42-739. Utility service contingent on obtaining certificate of occupancy.

The city will provide for electric, water, and sewer service to the site of manufactured home parks or permanent manufactured homes only after a permit has been granted and a certificate of occupancy has been issued by the city. Water and sewer service will be provided in accordance with the policy of this city concerning water supply to permanent structures and electric service will be provided upon receipt of deposit by the city.
(2008 Code, sec. 152.03)

§ 42-740. Permits.

(a) It shall be unlawful for any person to place, construct, alter, or extend any manufactured home park within the city unless the plan for the park is approved by the city's planning and zoning commission and unless such person holds a valid permit issued in that person's name for the specific construction, alteration, and/or extension proposed and has paid other charges for normal utility connections.

(b) All applications for permits shall contain the following:

(1) A formal written request by applicant containing the name and address of the applicant.

(2) Location and legal description of the manufactured home park.

(3) Plans and specifications of the water supply system, refuse and sewer disposal facilities, and lighting and electrical systems.

(4) Plans and specifications of all buildings constructed or to be constructed within the manufactured home park.

(5) Plans and specifications of roadways, walkways, driveways and parking areas.

(c) All applications shall be accompanied by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(d) When, upon review of the application, the city's building official is satisfied that the proposed plan meets the requirements of this article, a permit shall be issued.

(e) Any person whose application for a permit under this article has been denied may request and shall be granted a hearing on the matter before the city council under the procedure provided by section 42-744.

(2008 Code, sec. 152.04)

§ 42-741. Certificate of occupancy for permanent manufactured home.

No permanent manufactured home shall be occupied nor shall any city utility be connected to any permanent manufactured home unless or until a certificate of occupancy for the permanent manufactured home has been issued. The city's building officials shall, after an application therefor has been filed by the owner or his agent, issue a certificate of occupancy if, after inspection of the premises, it is found that same complies with the provisions of this chapter and any other applicable codes and ordinances relative to location, construction, arrangement, safety, and sanitary facilities of manufactured homes.
(2008 Code, sec. 152.05)

§ 42-742. Licenses.

(a) It shall be unlawful for any person to operate any manufactured home park within the city, unless he holds a valid license issued annually by the city in the name of such person for the specific manufactured home park. All applications for licenses shall be made to the city's building official, who shall issue a license upon compliance by the applicant with the provisions of this article.

(b) Every person holding a license shall give notice in writing to the city within 24 hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any manufactured home park. Such notice shall include the name and address of the person succeeding to the ownership or control of such manufactured home park. Upon application in writing for transfer of the license and deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time, the license shall be transferred if the manufactured home park is in compliance with all applicable provisions of this chapter.

(c) Applications for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time, and shall contain:

(1) The name and address of the applicant;

(2) The location and legal description of the manufactured home park; and

(3) A site plan of the manufactured home park showing all manufactured home lots, structures, roads, walkways, and other service facilities.

(d) Applications for renewal of license shall be made in writing by the holders of the license, shall be accompanied by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time and shall contain any change in the information submitted since the original license was issued or the latest renewal granted.

(e) Any person whose application for a license under this chapter has been denied may request and shall be granted a hearing on the matter before the city council under the procedure provided by section 42-744.

(f) Whenever, upon inspection of any manufactured home park, the city's building official finds that conditions or practices exist which are in violation of any provision of this article, the building inspector shall give notice in writing in accordance with section 42-744(a) to the person to whom the license was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by said building official, the license shall be suspended. At the end of such period, the building official shall re-inspect such manufactured home park and, if such

conditions or practices have not been corrected, such officials shall suspend the license and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of such suspension, such person shall cease operation of such manufactured home park except as provided in section 42-744(b).

(2008 Code, sec. 152.06)

§ 42-743. Inspection of manufactured home parks.

(a) The city's director of community development and such other designated city officials are authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this article.

(b) Such officials shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this article.

(c) Such officials shall have the power to inspect the register containing a record of all residents of the manufactured home park.

(d) It shall be the duty of the park management to give such officials free access to all lots at reasonable times for the purpose of inspection.

(e) It shall be the duty of every occupant of a manufactured home park to give the owner thereof or his agent or employee access to any part of such manufactured home park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this article.

(2008 Code, sec. 152.07)

§ 42-744. Notice, hearings, and orders.

(a) Whenever the city officials determine that there are reasonable grounds to believe there has been a violation of any provision of this article, the city's director of community development, or designated building official, shall give notice of such alleged violation to the person to whom the permit and/or license was issued, as hereinafter provided. Such notice shall:

(1) Be in writing;

(2) Include a statement of the reasons for its issuance;

(3) Allow a reasonable time for the performance of any act it requires;

(4) Be served upon the owner or his agent as the case may require. Such notice or order shall be deemed to have been proper if served upon such owner or agent when a copy thereof has been sent by certified mail to his last-known address, or when he has been served with such notice by any method authorized or required by the laws of this state;

(5) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this article.

(b) Any person affected by any notice issued in connection with the enforcement of any provision of this article may request and shall be granted a hearing on the matter before the city council, provided that such person shall file in the office of the city secretary a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension except in the case of any order issued under subsection (e) of this section. Upon receipt of

such petition, the city secretary shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten days after the day on which the petition was filed, provided that upon application of the petitioner the city secretary may postpone the date of the hearing for a reasonable time beyond such ten-day period when it is determined that the petitioner has submitted good and sufficient reasons for such postponement.

(c) After such hearing, the city secretary shall make findings regarding compliance with the provisions of this article and shall issue a written order sustaining, modifying, or withdrawing the notice, which shall be served as provided in subsection (a) of this section. Upon failure to comply with any order sustaining or modifying a notice, the license of the manufactured home park affected by the order shall be revoked.

(d) The proceedings at such a hearing, including the findings and decision of the city council, and together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the city secretary. The transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the city council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

(e) Whenever the director of community development or other designated building inspector finds that any emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency including the suspension of the permit or license. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the city secretary, shall be afforded a hearing before the city council as soon as possible. The provisions of subsections (c) and (d) of this section shall be applicable to such hearing and the order issued thereafter.

(2008 Code, sec. 152.08)

§ 42-745. Miscellaneous manufactured home regulations.

(a) It shall be unlawful for any person to park any trailer or manufactured home on any street, alley, or highway, or other public place or on any tract of land owned by any person, occupied or unoccupied, within the city, except as provided in this article and this chapter.

(b) Temporary stopping or parking is permitted on any street, alley, or highway for not more than two hours subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinances for that street, alley, or highway.

(c) Each manufactured home that meets the definition of a permanent manufactured home shall be underpinned and underskirted and shall be anchored according to the following:

(1) Length up to 30 feet: two per side, including one on each corner;

(2) Length 30 to 50 feet: three per side, including one on each corner;

(3) Length 50 to 70 feet: four per side, including one on each corner;

(4) Length over 70 feet: five per side, including one on each corner.

(d) It shall be unlawful to occupy a manufactured home as any type occupancy other than as a private dwelling, with the following exceptions: Not more than one manufactured home may be used for demonstration and office at a manufactured home sales lot or manufactured home park.

(2008 Code, sec. 152.09)

§ 42-746. Nonconforming manufactured home parks constitute public nuisances.

Any manufactured home park or permanent manufactured home in violation of the terms and provisions of this article is hereby declared to be a public nuisance and the appropriate officers of the city are hereby authorized to institute any action necessary to restrain or abate such violation. Owners of manufactured home parks shall have filed with the city a survey showing all the property they own intended for use as a manufactured home park, and the improvements existing on the property, and a schedule of changes to be made during a period of time not more than five years to bring the manufactured home park to a conforming status.

(2008 Code, sec. 152.10)

§ 42-747. Revision of plan after approval.

No changes, erasures, modifications, or revisions shall be made in any plan of a manufactured home park after approval has been given by the planning and zoning commission, unless said change, modification, or revision is first submitted to and approved by said commission.

(2008 Code, sec. 152.11)

§ 42-748. Temporary exemptions.

(a) If it is found that compliance with provisions of this article would result in undue hardship, an exemption may be granted by the planning and zoning commission if such exemption does not impair the intent and purpose of this article and except where exemptions or variances affect the city's zoning regulations and come under the purview of the board of adjustments. Deviations from design, construction, and installation provisions shall be brought into compliance with this article within a reasonable period of time based on economic feasibility of improvement, nature, significance, and extent of deviation, depreciation of material, improvement, layout in use, and other similar factors, within a period not exceeding five years.

(b) Such period shall begin after city officials have given notice of a certain and specific deviation from this article to the person to whom the permit or certification was issued.

(c) Gradual improvements to a higher degree of conformity shall be permitted, provided that there shall be complete conformity at the end of a period prescribed by the exemptions granted.

(2008 Code, sec. 152.12)

§ 42-749. Environmental, open space, and access requirements.

(a) General requirements.Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influence, and no portion subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards.

(b) Soil and groundcover requirements.Exposed ground surfaces in all parts of every manufactured home park shall be paved, covered with stone screenings or other solid materials, or protected with a

vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(c) Site drainage requirements.The ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

(d) Park areas for nonresident uses.

(1) No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

(2) Nothing contained in this section shall be deemed as prohibiting the sale of a manufactured home located on a manufactured home stand and connected to the pertinent utilities.

(e) Required separation between manufactured homes.Manufactured homes shall be separated from each other by 15 feet and from other buildings and structures by at least ten feet; provided that manufactured homes placed end-to-end may have a clearance of ten feet where opposing rear walls are staggered. In determining these distances, manufactured home shall include any structure that is attached to the manufactured home.

(f) Required recreation areas.

(1) In all parks accommodating or designed to accommodate 15 or more manufactured homes, there shall be one or more recreation areas which shall be easily accessible to all park residents.

(2) The size of such recreation areas shall be based upon a minimum of 100 square feet for each lot. No outdoor recreation area shall contain less than 2,500 square feet.

(3) Recreation areas shall be so located as to be free of traffic hazards and should be centrally located, where topography permits.

(g) Required setbacks, buffer strips, and screenings.

(1) All manufactured homes shall be located at least 25 feet from any park property boundary line abutting upon a public street or highway and at least five feet from other park property boundary lines.

(2) There shall be a minimum distance of ten feet between the manufactured home stand and abutting park street.

(3) All manufactured home parks located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential use.

(h) Park street system and car parking.

(1) General requirements.All manufactured home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each manufactured home lot. Such access shall be provided by streets, driveways, or other means.

(2) Park entrance.Entrances to manufactured home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of 100 feet from its point of beginning, unless the park entrance is at least 34 feet wide.

(3) Internal streets.Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

a. All streets, except minor streets (from back of curb to back of curb, if provided: 25 feet width.

b. Minor streets (acceptable only if less than 500 feet long and serving less than 15 manufactured homes or of any length if manufactured home lots abut on one side only): 20 feet width.

c. Dead-end streets shall be limited in length to 500 feet; dead-end streets shall be provided, at the closed end, with a turnaround having an outside roadway diameter of at least 80 feet.

d. The minimum street width requirement above shall be increased by eight feet if on-street parking is the only type parking provided in a manufactured home park.

e. Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests. Such areas shall:

1. Be furnished at a rate of at least 1-1/4 car spaces for each manufactured home lot.

2. Be located within a distance of 200 feet from the manufactured home to be served, unless other vehicular access is provided.

f. All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

1. All parts of the park street system: 0.6 footcandle with a minimum of 0.1 footcandle.

2. Potentially hazardous locations, such as major street intersections and steps or stepped ramps: individually illuminated, with a minimum of 0.3 footcandle.

g. Street construction and design standards:

1. Pavements.All streets shall be provided with a smooth, hard, and dense surface which shall be durable and well drained under normal use and weather conditions. A suggested minimum construction detail shall be furnished by the director of public works. Street surfaces shall be maintained free of holes and other hazards.

2. Grades.Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a maximum grade of 12 percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas, and avoidance of lateral curves.

3. Intersections.Within 100 feet of an intersection, streets shall be at approximately right angles. A distance of at least 150 feet shall be maintained between centerlines of offset intersecting streets. Intersections of more than two streets at one point shall be avoided.

(i) Walks.

(1) General requirements.All parks shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain, between

individual manufactured homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

(2) Common walk system.A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of four feet.

(3) Individual walks.All manufactured home stands shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two feet.

(j) Manufactured home stands.The area of the manufactured home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation, and overturning. The manufactured home stand shall not heave, shift, or settle unevenly under the weight of the manufactured home due to inadequate drainage or other forces acting on the structure.

(2008 Code, sec. 152.13)

§ 42-750. Water supply.

(a) General requirements.An accessible, adequate, safe, and potable supply of water shall be provided in each manufactured home park and shall conform to the city's water system regulations. Where a public supply of water of satisfactory quantity, quality, and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply used exclusively.

(b) Source of supply.The water supply shall be capable of supplying a minimum of 150 gallons per day per manufactured home.

(c) Water storage facilities.All water storage reservoirs shall be covered, watertight, and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

(d) Water distribution system.

(1) The water supply system of the manufactured home park shall be connected by pipes to all manufactured homes, buildings, and other facilities requiring water.

(2) All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with state and city regulations and shall be of a type and in locations approved by the public works director.

(3) The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or backsiphonage.

(4) The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch, under normal operating conditions at service buildings and other locations requiring potable water supply.

(e) Individual water riser pipes and connections.

(1) Individual water riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position.

(2) Water riser pipes shall extend at least four inches above ground elevation. The pipe diameter shall be at least three-fourths of an inch. The water outlet shall be capped when a manufactured home does not occupy the lot.

(3) Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

(4) A shutoff valve shall be provided near the water riser pipe on each manufactured home lot.

(5) Underground stop and waste valves shall not be installed on any water service.

(2008 Code, sec. 152.14)

§ 42-751. Sewage disposal.

(a) General requirements.An adequate and safe sewerage system shall be provided in all manufactured home parks for conveying and disposing of all sewage and conforming to the city's sewage disposal regulations. Such systems shall be designed and constructed and maintained in accordance with state and city regulations.

(b) Sewer lines.All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system by a safe distance as approved by the city's director of public works. Sewers shall be at a grade which will insure a velocity of two feet per second when flowing full. All sewer lines shall be constructed of materials approved by the director of public works, shall be adequately vented, and shall have watertight joints.

(c) Individual sewer connections.

(1) Each manufactured home stand shall be provided with at least one four-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.

(2) The sewer connection (see definition) shall have a nominal inside diameter of at least three inches and the slope of any portion thereof shall be at least one-fourth inch per foot. The sewer connection shall consist of one pipeline only without any branch fitting. All joints shall be watertight.

(3) All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent, and durable. The inner surface shall be smooth.

(4) Provision shall be made for plugging the sewer riser pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least two inches above ground elevation.

(d) Sewage treatment and/or discharge.Where the sewer lines of the manufactured home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the director of public works prior to construction. Effluents from sewer treatment facilities shall not be discharged into any waters of the city, county, or state except with prior approval of the city and the appropriate state agency.

(2008 Code, sec. 152.15)

§ 42-752. Electrical distribution systems.

(a) General requirements.Every park and every manufactured home shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with the city electrical code.

(b) Power distribution lines.

(1) Main power lines not located underground shall be suspended at least 18 feet above the ground. There shall be a minimum horizontal clearance of three feet between overhead wiring and any manufactured home, service building or other structure.

(2) All direct burial conductors or cable shall be buried at least 18 inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one-foot radial distance from water, sewer, gas, or communications lines, and in conformance with the city electrical code.

(c) Individual electrical connections.

(1) Each manufactured home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 50 amperes. Wherever wires are exposed at any connection, then a locking device shall be required to cover the connection.

(2) Outlets (receptacles or pressure connectors) shall be housed in a waterproof outlet box, and shall be located not more than 25 feet from the over-current protective device in the manufactured home. A three-pole, four-wire grounding type shall be used.

(3) Receptacles, if provided, shall be in accordance with American Standard Outlet Receptacle C-73.1.

(4) Connectors, if not substituted by more than one receptacle, shall be provided where the calculated load of the manufactured home is more than 50 amperes.

(5) The manufactured home shall be connected to the outlet box by an approved type of flexible supply cord with a male attachment plus or with pressure connectors.

(d) Required grounding.All exposed non-current-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

(2008 Code, sec. 152.16)

§ 42-753. Service building and other community service facilities.

(a) Applicability.The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities, such as:

(1) Management offices, repair shops and storage areas;

(2) Sanitary facilities;

(3) Laundry facilities;

(4) Indoor recreation areas;

(5) Commercial uses supplying essential goods or services for the exclusive use of park occupants.

(b) Structural requirements for buildings.

(1) All portions of the structure shall be properly protected from damage by ordinary use or by decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

(2) All rooms containing sanitary or laundry facilities shall have:

a. Sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof material, or covered with moisture-resistant material;

b. At least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent of the floor area served by them; and

c. At least one window which can be easily opened or a mechanical device which will adequately ventilate the room.

(3) Toilets shall be located in separate compartments. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

(4) Illumination levels shall be maintained as follows:

a. General seeing tasks: five footcandles;

b. Laundry room work area: 40 footcandles;

c. Toilet room, in front of mirrors: 40 footcandles.

(5) Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

(6) All structures shall comply with the building codes of the city.

(c) Barbeque pits, fireplaces, stoves and incinerators.Cooking shelters, barbecue pits, fireplaces, and woodburning stoves shall be so located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors. The use of open fires and burning of materials shall conform strictly to the city's zoning, health, sanitation, and nuisance regulations.

(2008 Code, sec. 152.17)

§ 42-754. Refuse handling.

(a) The storage, collection, and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident, or fire hazards or air pollution.

(b) All refuse shall be stored in flytight, watertight, rodentproof containers, which shall be located not more than 150 feet from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.

(c) Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.

(d) All refuse containing garbage shall be collected at least twice weekly. All refuse shall be collected and transported in covered vehicles or covered containers.

(e) All manufactured home parks must conform to the city's refuse and garbage collection system and regulations.

(2008 Code, sec. 152.18)

§ 42-755. Insect and rodent control.

(a) Grounds, buildings, and structures shall be maintained free of insects and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the city's health and sanitation regulations.

(b) Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.

(c) Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe, and other building material shall be stored at least one foot above the ground.

(d) Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

(e) The growth of bushes, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

(2008 Code, sec. 152.19)

§ 42-756. Fuel supply and storage.

(a) Natural gas system.

(1) Natural gas piping systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) Each manufactured home lot provided with piped gas shall have an approved manual shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

(b) Liquefied petroleum gas system.

(1) Liquefied petroleum gas systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) Systems shall be provided with safety devices to relieve excessive pressures and shall be

arranged so that the discharge terminates at a safe location.

(3) Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition.

(4) All liquefied petroleum gas piping outside of the manufactured homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes.

(5) Liquefied petroleum gas containers installed on a manufactured home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than 12 or more than 60 U.S. gallons gross capacity.

(6) No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured home, or any other structure, unless such installations are approved by the building official.

(c) Fuel oil supply systems.

(1) All fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) All piping from outside fuel storage tanks or cylinders to manufactured homes shall be permanently installed and securely fastened in place.

(3) All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or less than five feet from any manufactured home exit.

(4) Storage tanks located in areas subject to traffic shall be protected against physical damage.

(2008 Code, sec. 152.20)

§ 42-757. Fire protection.

(a) Manufactured home parks shall be kept free of litter, rubbish, and other flammable materials and shall comply with the standards found in the International Fire Code.

(b) Portable fire extinguishers rated for classes B and C fires shall be kept in service buildings and at other locations conveniently and readily accessible for use by all occupants and shall be maintained in good operating condition. There shall be one such fire extinguisher for each ten manufactured homes, not being located further than 200 feet from any manufactured home stand.

(c) Fire hydrants shall be located within 500 feet of any manufactured home stand, service building, or other structure in the park, and shall be subject to inspection by the building official.

(2008 Code, sec. 152.21)

§ 42-758. Construction and additions.

It shall be unlawful for any person operating a manufactured home park or owning or occupying a manufactured home to construct, or permit to be constructed in such park or in connection with such manufactured home, any additional structure, building, or shelter in connection with or attached to a manufactured home, except that suitably constructed awnings of canvas or metal may be attached to such manufactured homes, as well as portable, prefabricated, temporary rooms (commonly called "cabanas")

for the express purpose of increasing a manufactured home's living area. These additions must meet the following requirements:

(1) Construction shall be of metal only, fire-resistant, double-walled, mechanical joint panels (no welding joints between panels permitted);

(2) Strength of material and structure shall meet minimum standards of the building code;

(3) Construction shall be capable of being dismantled when moved;

(4) Any structure shall be completely dismantled and removed from the site at the time the manufactured home to which it is accessory is moved;

(5) Finish and appearance shall match, as near as possible, the finish of the manufactured home to which it is accessory;

(6) The length of the structure shall not exceed the length of the manufactured home to which it is accessory; and

(7) Only one such structure per manufactured home shall be permitted.

(2008 Code, sec. 152.22)

§ 42-759. Responsibility of park management and occupants.

(a) Responsibilities of the park management.

(1) The person to whom a license for a manufactured home park is issued shall operate the park in compliance with this article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

(2) The park management shall notify park occupants of applicable provisions of this article and inform them of their duties and responsibilities under this article.

(3) The park management shall supervise the placement of each manufactured home on its manufactured home stand which includes securing its stability and installing all utility connections.

(4) The park management shall maintain a register containing the following information:

a. Name and address of each occupant.

b. Make, model, year, and license number of all automobiles and manufactured homes of owners and occupants residing in the park.

c. The state issuing such license.

d. The date of arrival and of departure of each manufactured home;

(5) The park manager shall keep the register available at all times for inspection by law enforcement officers, public health officials, and other city officials whose duties necessitate acquisition of the information contained in the register.

(6) The register records shall not be destroyed for a period of three years following the date of registration.

(7) The park management shall notify the city's health authorities immediately of any suspected communicable or contagious disease within the park.

(b) Responsibilities of park occupants.

(1) Park occupants shall comply with all applicable requirements of this article and shall maintain their manufactured home lots and facilities and equipment in good repair and in a clean and sanitary condition.

(2) Park occupants shall be responsible for proper placement of their manufactured homes on manufactured home stands and proper installation of all utility connections in accordance with the instructions of the park management and state and city regulations.

(3) Skirtings, porches, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a manufactured home shall be used for storage only if permitted by the park management and city codes and regulations. If permitted, the following conditions shall be satisfied for storage:

a. The storage area shall be provided with a base of impervious material.

b. Stored items shall be located so as not to interfere with the underneath inspection of the manufactured home.

c. The storage area shall be enclosed by skirting.

(4) Park occupants shall store and dispose of all their rubbish and garbage in a clean, sanitary, and safe manner. The garbage container shall be rodentproof, insectproof, and watertight.

(2008 Code, sec. 152.23)

§ 42-760. through § 42-779. (Reserved)

ARTICLE X OFF-STREET PARKING AND LOADING[23]

§ 42-780. Purpose.

To secure safety from fire, panic and other dangers; to lessen congestion in the streets; to facilitate the adequate provisions of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land, minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions.
(Ordinance 2005-009, sec. 26.1, adopted 3/21/2005)

§ 42-781. Special off-street parking provisions in residential districts.

(a) Required off-street parking shall be provided on the same site as the use it serves.

(b) No parking shall be allowed except on a paved concrete or asphalt parking space surface.

(c) In residential districts, a boat, trailer or recreational vehicle may be parked or stored on the residential premises of the owner, provided that the boat, trailer or recreational vehicle is within the rear yard or side yard not abutting a street, or in the driveway in the front yard.

(d) All driveways shall be a minimum width of 12 feet.
(Ordinance 2005-009, sec. 26.2, adopted 3/21/2005; Ordinance 2011-002, sec. 13, adopted 2/21/2011)

§ 42-782. Size of space.

(a) Standard off-street measurements. Each standard off-street surface parking space shall measure not less than nine feet by 18 feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way, or adjacent property, the length of the standard space may be reduced to 18 feet.

(b) Small car off-street measurements. Each small car off-street parking space shall measure not less 8.5 feet by 16 feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way or adjacent property, the length of the small car space may be reduced to 15 feet. All small car parking spaces shall be grouped and located in specific areas so as not to be scattered throughout a parking lot.

(c) Required parking for a general office or light manufacturing plant.

(1) A maximum of 50 percent of the required parking for a general office or light manufacturing plant may be permitted as small car spaces upon approval of a site plan but only when both of the following conditions are met:

a. Signage will identify the small car spaces; and

b. The entire grounds and building served by the small car spaces are occupied and controlled by one tenant who shall be responsible for policing the use of the small car spaces.

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22. Editor's Note—Art. V Was Renumbered As Art. X Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.

(2) Each parking space (on-street or off-street) designed for parallel parking shall have a minimum dimension of eight feet by 22 feet.

(3) Each standard parking space located in a parking garage shall measure not less than nine feet by 18 feet, exclusive of access drives or aisles.

(d) Parking area standards.

(1) To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties. For safety and firefighting purposes, free access through to adjacent parking areas shall be provided, where practical.

(2) Except for single-family and duplex uses, parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Nonpermanent-type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

(3) Except for single-family residences, parking areas must be constructed of asphalt paving or concrete and built to the same specification as streets further described in the design and construction guidelines as adopted by the city.

(e) Off-street parking incidental to main use. Off-street parking shall be provided in accordance with the requirements specified by this article and located on the lot or tract occupied by the main use or in accordance with subsection (i) of this section and located within the same zoning district as the main use.

(f) Schedule of parking requirements based on use. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated. Where a calculation results in requiring a fractional space, one additional space shall be required. The following parking requirements are to be utilized when a requirement is not explicitly stated in the applicable zoning district.

(1) Bank, savings and loan or similar financial establishment: one space for each 200 square feet of total floor area.

(2) Business or professional office, studio, medical or dental clinic: three parking spaces, plus one additional parking space for each 200 square feet of floor area over 500 feet.

(3) Church or other place of worship: one parking space for each four seats in the main auditorium.

(4) Clinic of doctor's or dentist's office: one space for each 200 square feet of total floor area.

(5) Community center, library, museum or art gallery: ten parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one space for each four seats that it contains.

(6) College or university: one space for each two students, plus one space for each classroom, laboratory or instruction area.

(7) Commercial amusement (indoor):

a. Bowling alley: six spaces for each lane;

b. Racquetball or handball courts: four spaces for each court;

c. Indoor tennis courts: six spaces for each court;

d. Gymnasium, skating rinks, and martial arts schools or areas: one space for each three seats at maximum seating capacity, plus one space for each 200 square feet;

e. Swimming pool: one space for each 100 square feet of gross water surface and deck area;

f. Weight lifting or exercise areas: one space for each 100 square feet;

g. Bingo parlors: one space for three seats (design capacity) or one per 100 square feet of total floor area, whichever is greater;

h. Indoor jogging or running tracks: one space for each 100 linear feet;

i. All areas for subsidiary uses not listed above or in other parts of article III, division 20 of this chapter (those noted uses such as restaurants, offices, etc., shall be calculated with the minimum specified for those individual uses): one space for each 1,000 square feet;

Editor's note—Article III, division 20 was repealed by Ord. 2015-005, adopted April 20, 2015.

j. Other: one space for each three persons accommodated (design capacity).

(8) Dance hall, assembly or exhibition hall (without fixed seats): one parking space for each 100 square feet of floor area used thereof.

(9) Day nursery, day care, kindergarten school: one space per ten pupils/clients (design capacity).

(10) Dwellings.

a. Single-family, development involving ten or more lots. Two enclosed parking spaces for each dwelling unit, must be attached to main structure.

b. Single-family, development involving one to nine lots. One covered parking space for each dwelling unit.

c. House moved into or within the city from a previous location. One covered parking space for each dwelling unit (see additional carport requirements in section 42-182).

Editor's note—Section 42-182, referenced in subsection c., was included in article VIII, division 1, "Generally". Division 1 was repealed by Ord. 2015-005 adopted 4/20/2015.

d. Multiple-family residence one to 99 units. 1.5 parking spaces per unit.

e. Multiple-family residence over 100 units. 1.5 spaces per unit with 20 percent being a covered space.

f. Two-family dwelling (duplex). Two parking places per unit, one enclosed, must be attached to main structure.

g. Townhouses or row dwellings. Two parking spaces per unit, one covered.

(11) Flea market: 1.5 spaces for each 200 square feet of floor area or market area.

(12) Fraternity, sorority or dormitory: one parking space for each two beds.

(13) Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service: two parking spaces plus one additional parking space for each 500 square feet of floor area over 1,000 square feet.

(14) Gasoline service station: minimum of five spaces.

(15) Golf course: minimum of 30 spaces.

(16) Health care facility: one space for each four rooms or beds, whichever is greater.

(17) Hospital: one space for each two beds.

(18) Hotel or motel: one parking space for each sleeping room, unit, or guest accommodation, plus one space for each 300 square feet of commercial floor area contained therein.

(19) Lodge, or fraternal organization: 1.25 spaces per 200 square feet.

(20) Manufacturing, processing or repairing: one parking space for each two employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than one parking space for each 1,000 square feet of floor area, whichever is greater.

(21) Massage establishment: one space for each 200 square feet of floor area.

(22) Mini-warehouse: four spaces per complex plus one space per 5,000 square feet of storage area.

(23) Mortuary or funeral home: one parking space for each 50 square feet of floorspace in slumber rooms, parlors, or individual funeral service rooms.

(24) Motor vehicle salesrooms and used car lots: one parking space for each 500 square feet of sales floor for indoor uses, or one parking space for each 1,000 square feet of lot area for outdoor uses.

(25) Office, general: one space for each 300 square feet of total floor area.

(26) Office, medical: one space for each 175 square feet of floor area.

(27) Office-showroom or office-warehouse: One space for each 1,000 square feet of floor area for storage and warehousing, plus one space for each 100 square feet of office, sales or display area.

(28) Private club:

a. If free standing or located in a shopping center of 150,000 square feet or less, one space for each ten square feet of bar, lounge and waiting areas, plus one space for each 100 square feet of remaining floor area.

b. If located in a shopping center of greater than 150,000 square feet, one space for each 100 square feet of gross floor area.

(29) Private country club or golf club: one parking space for each 250 square feet of floor area or for every five members, whichever is greater.

(30) Recreational area or building (other than listed): one space for each two persons to be normally accommodated in the establishment.

(31) Restaurant, cafeteria, cafe, or similar establishment: one parking space for every 100 square feet of floor area.

(32) Retail store or personal service establishment, except as otherwise specified herein: one parking space for each 200 square feet of floor area.

(33) Sanitarium, convalescent home, home for the aged or similar institutions: one parking space for each six beds.

(34) School, elementary and middle: one parking space for each five seats in the auditorium or main assembly room, or one space for each classroom, plus ten spaces, whichever is greater.

(35) School, secondary (grades nine through 12): one parking space for each four seats in the main auditorium, or one space for each classroom, plus one space for each two students accommodated in the institution, whichever is greater.

(36) Shopping center: one space for each 200 square feet of floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds ten percent of the shopping center floor area, shall require additional parking to be provided in accordance with the requirements for restaurants.

(37) Storage or warehousing: one space for each two employees, or one space for each 1,000 square feet of total floor area, whichever is greater.

(38) Theater, auditorium (except school), meeting room, sports arena, stadium, gymnasium, or other places of public assembly: one parking space for each four seats or bench seating spaces.

(39) Vehicle repair garage: three spaces per service bay, plus one space per employee (maximum shift), plus one space per tow truck or other service vehicle.

(g) Off-street parking requirements for uses not listed.For those uses which are not matched with a parking requirement in subsection (f) of this section, the following standards shall apply:

General Use Category	Parking Space Requirements
Educational, institutional, and special uses	One space per employee
Transportation, utility and communications uses	One space per employee, plus one space per stored vehicle
Accessory and incidental uses	One space per employee
Office and professional uses	One space per 300 square feet of gross floor area
Automobile and related uses	One space per employee, plus one space per stored vehicle
Retail uses	One space per 200 square feet of gross floor area
Service uses	One space per 200 square feet of gross floor area
Wholesale uses	Same as for storage or warehousing
Contract construction uses	One space per employee
Commercial, manufacturing, and industrial uses	Same as for Manufacturing, processing, or repairing

(h) Rules for computing number of parking spaces. In computing the number of parking spaces required

for each of the uses in sections 42-780 through 42-782, the following rules shall govern:

(1) The term "floor area" shall mean the gross floor area of the specific use.

(2) Where fractional spaces result, the parking spaces required shall be rounded to the nearest whole number.

(3) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.

(4) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(i) Location of parking spaces. All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

(1) Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located not more than 300 feet from an institutional building served and not more than 300 feet from any other nonresidential building served.

(2) Not more than 50 percent of the parking spaces required for theaters, bowling alleys, cafes, or similar uses and not more than 80 percent of the parking spaces required for a church or school auditorium or similar uses may be provided and used jointly by similar uses not normally open, used or operated during the same hours as those listed; provided, however, that written agreement thereto is properly executed and filed as specified in subsection (i)(3) of this section.

(3) In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby ensuring retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city and executed by the parties concerned, and shall be filed with the application for a building permit.

(j) Use of parking spaces, all districts. Required off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials, products for sale.

(k) Special off-street parking regulations.

(1) In computing the parking requirements for any development, the total parking requirements shall be the sum of the specific parking space requirements for each use included in the development. Where multiple uses are proposed for a building, the parking requirements shall be calculated on the basis of the most restrictive requirements, unless specific areas of different uses are delineated by floor or building segment.

(2) Wherever a parking lot is located across the street from or adjacent to residentially zoned property and is designed so that headlight beams will shine into residences (whether or not such residences have been built at the time the parking lot is constructed), an irrigated earthen berm or a solid masonry wall or reinforced concrete fence having a minimum height of six feet above the finished grade of the off-street parking area and tapering to a height of three feet at the front building setback shall be erected and maintained so as to provide a headlight screen for the residential district. Fencing located exclusively along the front building setback shall be three feet in height and must be an irrigated earthen berm, hedge, or decorative fencing only.

(3) The off-street parking spaces designated for each apartment (multifamily) dwelling unit shall be located within 100 feet of the dwelling unit served by such spaces.

(4) In all residential districts, no heavy load vehicle, motor home, camper, trailer, or boat (collectively called "equipment") shall be parked or left standing for more than two days out of any consecutive seven-day period within the public street or alley.

a. Equipment may be parked on a lot located in a residential district if the lot contains a residential structure. In no event shall equipment, including motor vehicles, trucks, and vans be parked or left standing at any time on a surface other than a paved or gravel driveway or paved parking lot.

b. No more than one of each of the following may be parked on a residential lot at any one time: one motor home, one boat, and one trailer.

c. No more than 50 percent of the front yard shall be a driveway. In no event shall vehicles or equipment be parked or left standing closer than five feet from the front property line.

d. A camping trailer parked on a residential lot shall in no way be utilized for living quarters or office space. The connection of any utility to a camping trailer on any residential lot shall constitute prima facie evidence that the trailer is being utilized as living quarters or office space. Notwithstanding the foregoing, a motor home or camping trailer may be used as temporary living quarters for a single-family engaged in the construction, repair, or renovation of a permanent dwelling upon the same lot provided that this use shall not be permitted for a period greater than six months in the aggregate within any four-year period beginning on the first date so used.

(5) Parking spaces in nonresidential districts shall be provided with sufficient space for entering and exiting without backing onto a public street. Parking spaces on the perimeter of the parking lot and abutting a property line shall have a wheel stop barrier two feet from the end of the parking space.

(6) Off-street parking requirements for uses in the CBDX zone are not subject to the provisions of this section. The zoning administrator shall be responsible for periodically (not less than annually) reporting to the planning and zoning commission regarding the availability of parking in the CBDX and the possible need for changes in this provision.

(l) Design standards for parking structures.

(1) In all districts, above grade parking structures shall conform to height restrictions for zoning districts in which they are located.

(2) The distance from parking structure entry and exit points to a corner of a street intersection shall conform to standards contained in the subdivision chapter.

(3) Ramps shall not be constructed with slopes exceeding 15 percent and single lane entrances shall not be less than 12 feet wide at the street.

(4) A minimum of one car length shall be provided between an exit control gate and the inside edge of a sidewalk to minimize conflicts between exiting cars and pedestrians.

(5) Parking structure facades shall be left 50 percent open and interior light levels shall be maintained at ten footcandles to enhance security and safety. All parking structure lighting shall

be designed so as not to reflect or shine on adjacent properties.

(6) Full enclosure of any level of a parking structure may be permitted only if such structure is fully sprinklered and mechanically ventilated.

(m) Off-street loading.

(1) All retail, commercial, and industrial structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a private service drive.

a. At least one-half of such loading spaces shall have a minimum dimension of ten feet by 40 feet, and the remaining spaces shall have a minimum dimension of ten feet by 20 feet.

b. Where such loading space is located adjacent to a residential district, the space shall be enclosed on three sides.

c. Loading spaces shall be provided in accordance with the following schedule:

1. For all retail, commercial and industrial uses:

Gross Floor Area in Structure (square feet)	Minimum Required Spaces or Berths
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
100,000 to 200,000	3
Each additional 100,000	1 additional

2. For all hotels, office buildings, restaurants, similar establishments:

Gross Floor Area in Structure (square feet)	Minimum Required Spaces or Berths
0 to 50,000	None
50,000 to 150,000	1
150,000 to 300,000	2
300,000 to 500,000	3
Each additional 500,000	1 additional

(2) Kindergartens, day schools, and similar child training and care establishments shall provide loading and unloading space on a private drive, off-street, to accommodate one motor vehicle for each ten students or children cared for by the establishment.

(3) Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m., and is adjacent to a residential use or district, shall be designed and constructed so as to fully enclose the loading operation in order to reduce the effects of the noise

of the operation on adjacent residences.

(4) Where adjacent to residential uses or districts, off-street loading areas shall be screened from view of the residential use or district.

(n) Stacking requirements for drive-through facilities.

(1) A stacking space shall be an area on a site measuring eight feet by 20 feet with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.

(2) For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five stacking spaces (from the right-of-way line).

(3) For each service window of a drive-through restaurant, a minimum of seven stacking spaces (from the right-of-way line) shall be provided.

(4) For kiosks, a minimum of two stacking spaces (from the right-of-way line) for each service window shall be provided.

(Ordinance 2005-009, secs. 26.3—26.14, adopted 3/21/2005; Ordinance 2009-002, sec. 2O(26.2.2), (26.6.10), (26.6.11), (26.11.4), adopted 1/19/2009; Ordinance 2010-001, sec. 2(B), adopted 2/15/2010; Ordinance 2011-002, secs. 10, 15, adopted 2/21/2011)

§ 42-783. through § 42-803. (Reserved)

ARTICLE XI NONCONFORMING USES AND STRUCTURES[24]

§ 42-804. Uses in existence at time of adoption of ordinance.

A nonconforming status shall exist when a use or structure which does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully operating prior to the adoption of the ordinance from which this chapter is derived.
(Ordinance 2005-009, sec. 31.1, adopted 3/21/2005)

§ 42-805. Expansion of nonconforming use prohibited.

No nonconforming use or structure may be expanded or increased except to provide off-street loading or off-street parking upon approval of the city council.
(Ordinance 2005-009, sec. 31.2, adopted 3/21/2005)

§ 42-806. Repairs, normal maintenance on nonconforming uses permitted.

Repairs and normal maintenance may be made to a nonconforming building provided that no structural alterations or extensions shall be made except those required by law or ordinance, unless the building is changed to a conforming use.
(Ordinance 2005-009, sec. 31.3, adopted 3/21/2005)

§ 42-807. Change of nonconforming to conforming use.

Any nonconforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
(Ordinance 2005-009, sec. 31.4, adopted 3/21/2005)

§ 42-808. Abandonment or discontinuation of nonconforming use.

Whenever a nonconforming use is abandoned, all nonconforming rights shall cease and the use of the premises shall thenceforth be in conformity with this article. Abandonment shall involve the intent of the user or owner to discontinue a nonconforming operation and the actual act of discontinuance. Discontinuance of a business or the vacancy of a building or premises occupied by a nonconforming use for a period of six months shall be construed as conclusive proof of intent to abandon the nonconforming use. Any nonconforming use not involving a permanent type of structure which is moved from the premises shall be considered to have been abandoned.
(Ordinance 2005-009, sec. 31.5, adopted 3/21/2005)

§ 42-809. Accidental destruction of nonconforming use.

If a nonconforming structure or a structure occupied by a nonconforming use is destroyed by fire, act of God or other cause, it may not be rebuilt except in conformance to the provisions of this article, unless permitted by the zoning board of adjustment, taking into consideration the property owner's circumstances and the effect on surrounding properties, after a public hearing with notice provided in accordance with section 42-82(c) [42-95(c)] for appeals before the zoning board of adjustment. The zoning board of adjustment may provide restrictions on such rebuilding. Such nonconforming use or structure may be

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23. Editor's Note—Art. VI Was Renumbered As Art. XI Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.

rebuilt without such permission if such destruction does not exceed 50 percent of its reasonable value so long as permits for such rebuilding are obtained within six months of such destruction, and the size and function of the nonconforming use are not expanded.
(Ordinance 2005-009, sec. 31.6, adopted 3/21/2005; Ordinance 2012-026, sec. 1, adopted 9/17/2012)

§ 42-810. Replacement of nonconforming HUD-code manufactured home.

Notwithstanding any of the provisions of this article, a nonconforming HUD-code manufactured home may be exchanged or replaced by another HUD-code manufactured home, provided the newly located residential unit is owner-occupied.
(Ordinance 2005-009, sec. 31.7, adopted 3/21/2005)

§ 42-811. through § 42-830. (Reserved)

Chapter 42

ZONING ORDINANCE REDLINE

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Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, set out provisions for use herein as arts. I—VII, secs. 42-1—42-10, 42-20—42-36, 42-45, 42-55—42-59, 42-70—42-73, 42-80—42-85, and 42-95—42-99. Inasmuch as provisions with similar numbering already existed, at the direction of the city,

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the existing provisions numbered arts. III—VII were maintained by renumbering as new arts. VIII—XII.

Chapter 42 is included herein as published in the 2010 Code of Ordinances, as supplemented. Article, division and section numbers have not been changed.

ARTICLE I APPLICABILITY OF ORDINANCE

§ 42-1. Interpretation, purposes, and administration.

(a) Purpose. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals and welfare. The zoning regulations and districts as herein established have been made in accordance with a comprehensive plan, for the purpose of promoting the health, safety, morals and welfare of the city. This chapter has been designed, among other things, to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of the land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, open spaces, and to protect and enhance historical, cultural and environmental qualities, and other public requirements. They have been made with reasonable consideration, among other things; of the right to use the land subject to reasonable regulations; of the character of the district and its peculiar suitability for the particular uses specified; and with a view of conserving the value of land and buildings and encouraging the most appropriate use of land throughout the city consistent with the comprehensive plan.

(b) Zoning administration. The zoning administrator is charged with the administration and interpretation of this chapter. In the event that this chapter or any provision hereof is unclear as to its applicability to any property or person, the zoning administrator shall render an interpretation of the ordinance or provision after taking into consideration the purpose and intent of the ordinance as a whole. The decision of the zoning administrator shall be subject to review by the board of adjustment as provided in section 42-95.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-2. Scope of chapter.

The provisions of this zoning chapter and the regulations in the districts established herein constitute minimum requirements for the promotion of the public health, safety, morals and general welfare of the city. Wherever higher or more restrictive standards are established by provisions of any other applicable statute, ordinance or regulation than is established by the provisions of this chapter, the provisions of such other statute, ordinance or regulation shall govern.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-3. Compliance with zoning regulations.

(a) Compliance with zoning regulations required. Except as otherwise provided in this chapter, all property located within the city shall only be occupied, used, erected, altered, converted, arranged or designed in conformance with the zoning regulations prescribed for the zoning district in which such property is located as hereinafter provided.

(b) Building permits prohibited without plat. No permit for the construction or placement of a building upon any property shall be issued unless the property is part of a plat of record, properly approved by the planning and zoning commission and city council and filed in the plat records of the county.

(c) Exclusions. Nothing herein contained shall require any change in the plans, construction, or designated use of a building under construction at the time the provisions of this chapter become applicable provided the entire building shall be completed within one year from the date of the passage of the ordinance from which this chapter is derived.

(d) One main building on a lot or tract. Only one main building for one-family or two-family use with permitted accessory buildings may be located upon any lot or tract. Every dwelling shall face or front upon a public street or approved means of access other than an alley, which street or approved means of access shall have a minimum width of 30 feet. Where a lot is used for retail or multifamily dwelling purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking, density, and other development requirements applicable to the uses in the district in which it is located. Whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the city council. No parking area, yard, or required open space for one building shall be computed as being the open space, yard, or area requirements for any other use.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-4. Zoning districts.

(a) Purpose. In order to regulate and restrict the location of trades and industries, the use of land and buildings, and the location of buildings erected, placed, reconstructed, altered or enlarged for specified uses; to regulate and limit the height and bulk of buildings; to regulate and determine the area of yards and other open spaces; to regulate and limit the density of population; and to otherwise assure that adjoining and adjacent uses of land are compatible, the city is hereby divided into the following zoning districts:

A	Agricultural District
CBDX	Central Business District (X)
CF	Commerce Flex District
DD	Duplex District
DT	Downtown Overlay District
FN	Floodplain and Nature District
GH	Garden Home District
IND	Industrial District
INN	Innovation District
INSX	Institutional District (X)
MFX	Multifamily Residential District (X)
MH-1X	Manufactured Home Park District (X)
MH-2X	Manufactured Home Subdivision District (X)
MH-3X	Manufactured Home Subdivision District (X)
~~C-1~~NC	Neighborhood Commercial District~~—Office, Light Retail and Neighborhood Services~~
NMU	Neighborhood Mixed Use District
PD	Planned Development District
~~C-2~~RC	~~General~~ Regional Commercial District
RMU	Regional Mixed Use District
SF-1	Single-Family Residential District
SF-2	Single-Family Residential District

Commented [A1]: AD: Just to confirm, City cannot ban multifamily outright from the City. There must be somewhere that multifamily can go. Is the intent to allow multifamily in one of the mixed use districts? Would prefer to defend a denial of a zoning change to multifamily than to ban all multifamily via a text change.

LJA Response to AD: Multifamily is allowed in the MFX, NMU, and RMU zoning districts.

TH	Townhome Residential District
~~CBD~~	~~Central Business District~~
~~DT~~	~~Downtown Overlay District~~
~~FP~~	~~Floodplain District~~
~~GH~~	~~Garden Home District~~
~~I~~	~~Institutional District~~
~~M-1~~	~~Light Manufacturing/Industrial District~~
~~M-2~~	~~Heavy Manufacturing/Industrial District~~
~~MF~~	~~Multifamily Residential District~~
	~~Manufactured Home Park District~~
~~MH-2~~	~~Manufactured Home Subdivision District~~
~~MH-3~~	~~Manufactured Home Subdivision District~~
~~PD~~	~~Planned Development District~~
~~SF-1~~	~~Single-Family Residential District~~
~~SF-2~~	~~Single-Family Residential District~~
~~TF~~	~~Two-Family Residential (Duplex) District~~

~~(b)~~ (b) Uses permitted by district. Land and buildings in each of the zoning districts may be used for any of

the indicated uses in that district but no land shall hereafter be used, and no building or structure shall hereafter be occupied, used erected, altered, converted, arranged or designed for other than those uses specified as permitted uses in the district in which it is located.

(c) Description of zoning districts.

(1) A—Agricultural district. The A district provides for the continuance of farming, ranching, and commercial gardening activities on land being utilized for these purposes. When land in an agricultural district is needed for urban purposes, it is anticipated the zoning will be changed to the appropriate zoning district to provide for orderly growth and development in accordance with the comprehensive plan. See section 42-20 for ~~A~~ agricultural district regulations.

(2) SF-1—Single-family residential district. The SF-1 district provides for a minimum residential building site of 7,500 square feet. Density in this district will usually be no greater than four units per gross acre. See section 42-21 for SF-1 single-family residential district regulations.

(3) SF-2—Single-family residential district. The SF-2 district provides for a minimum residential building site of 6,000 square feet and permits residential development of densities ranging from four to six units per gross acre. See section 42-22 for SF-2 single-family residential district regulations.

(4) GH—Garden home district. The GH district allows for more flexible development of single-family subdivisions with homes being built on small lots with zero lot lines. See section 42-23 for GH garden home district regulations.

(5) ~~TF~~ DD—~~Two-family residential (D~~duplex ~~)~~ district. The ~~TF~~ DD district provides for stable, quality residential development, including duplex, garden (patio) homes, and similar residential development with densities ranging from four to eight units per gross acre. See section 42-27 for ~~TF~~ DD ~~two-family residential (duplex) district~~ regulations.

(6) ~~MH-1~~MH-1X—Manufactured home park district. This is a legacy district. The ~~MH-1~~MH-1X district establishes a category in which manufactured home park development with a maximum density of approximately five to six units per gross acre can occur. See section 42-24 for ~~MH-1~~MH-1X manufactured home park district regulations.

(7) ~~MH-2~~MH-2X—Manufactured home subdivision district. ~~T~~This is a legacy district. The ~~MH-2~~MH-2X district establishes a category in which a tract can be platted and developed with lots sold to persons seeking to locate manufactured homes, and/or standard single-family units. The ~~MH-2~~MH-2X district permits residential development of densities ranging from four to six units per gross acre. See section 42-25 for ~~MH-1~~MH-12X manufactured home subdivision district regulations.

(8) ~~MH-3~~MH-3X—Manufactured home subdivision district. ~~T~~This is a legacy district. The ~~MH-3~~MH-3X district allows for manufactured home subdivisions with a more flexible design than the ~~MH-2~~MH-2X district. As with the ~~MH-2~~MH-2X district, it is interpreted to provide characteristics and atmosphere similar to a single-family subdivision. See section 42-26 for ~~MH-3~~MH-3X manufactured home subdivision district regulations.

(9) MFX—Multifamily residential district (X). ~~T~~ This is a legacy district. The MFX district permits multifamily developments of maximum densities of 15 units per acre, except under special mitigation conditions. See section 42-28 for MFX ~~multifamily residential district~~ regulations.

(10) ~~C-1~~NC— Neighborhood c~~C~~ommercial district—~~Office, light retail, and neighborhood services.~~ Retail, commercial, and office uses developed

under the standards of the ~~C-1~~NC district are designed to provide a compatible relationship between the ~~C-1~~NC development and adjacent residential areas. See~~s~~Section 42-29 for ~~C-1~~NC ~~commercial districtOffice, light retail, and neighborhood services~~ regulations.

(11) ~~C-2~~RC—~~General~~ Regional commercial district. Uses which require considerable space for display, sales, or open storage, or by the nature of the use are generally not compatible with residential uses, are located in the ~~C-2~~RC district. See section 42-30 for ~~C-2~~RC ~~general commercial~~ district regulations.

(12) CBDX—Central business district (X). This is a legacy district. The CBDX is established to accommodate the unique characteristics of the historical center of the city and to ensure that future development in the CBDX is compatible with maintaining the economic and historic integrity of the area. The C~~e~~entral business district (X) is designed to provide an area for shopping, dining, working, and entertainment which will remain active during evenings and weekends as well as standard work hours. See section 42-33 for CBDX ~~central business district~~ regulations.

(13) ~~M-1~~CF—~~Light manufacturing/industrial~~Commerce Flex district. The ~~M-1~~CF district is established to accommodate uses of a non-nuisance type located in relatively close proximity to residential and ~~C-1~~NC business areas. Development in the ~~M-1~~CF district is limited primarily to certain wholesale, jobbing, and warehouse uses and certain specialized manufacturing and research uses of a type which will not create nuisances, as well as any commercial uses. See section 42-31 for ~~M-1~~CF ~~light manufacturing/industrial~~ district regulations.

(14) ~~M-2~~IND—~~Heavy manufacturing/li~~industrial district. The ~~M-2~~IND district is established to accommodate industrial uses not appropriate for inclusion in the ~~M-1~~CF district and likely to create noise, traffic, odor and/or other conditions incompatible with most residential and commercial uses. See section 42-32 for ~~M-2~~IND ~~heavy manufacturing/industrial~~ district regulations.

(15) INSX—Institutional district (X). This is a legacy district. The INSX district is established to accommodate uses of a generally noncommercial institutional and/or group quarters character. Such uses typically have residential characteristics or have symbiotic relationships with residential neighborhoods. See section 42-34 for INSX ~~institutional district~~ regulations.

(16) PD—Planned development district. The PD district provides a zoning category for the planning and development of larger tracts of land or tracts of land with unique characteristics for a single use or combination of uses requiring flexibility and variety in design to achieve orderly development with due respect for the protection of surrounding property. See section 42-35 for PD planned development district regulations.

(17) F~~P~~PN—Floodplain and nature district. Zoning districts located in flood hazard areas which are subject to periodic inundation shall be preceded by the prefix ~~FP~~FPFN, indicating a subdistrict. Areas designated ~~FP~~ FN may be used only for those uses listed in section 42-36 until a use in any area or any portion thereof located in ~~FP~~ FN subdistrict has been approved by the city council. Approval shall only be given after engineering studies determine that the area, or any portion thereof, is suitable for uses in the district, and building construction or development would not create an obstruction to drainage nor a hazard to life or property, and that such construction is not contrary to the public interest. See section 42-36 for F~~P~~PN ~~floodplain~~ district regulations.

(18) DT—Downtown overlay district. The downtown overlay district is established to safeguard the core of downtown Alvarado and ensure that any new development is compatible with existing development and also reflects a historic character, is functional, and has organized design. See

section 42-38 for DT downtown overlay district regulations.

(19) TH – Townhome residential district. The TH is established to provide adequate space for medium density, single-family attached type residential development, on lots of not less than 1,600 square feet.

(20) INN – Innovation district. The INN district is intended to promote research, education, technology development, and emerging business creation by providing flexible, campus-style land use opportunities. Development within this district should foster a high-quality built environment and reinforce a connected and vibrant employment and institutional center. Uses are scaled to minimize off-site impacts and ensure compatibility with surrounding neighborhoods.

(21) NMU – Neighborhood mixed use district. The NMU district is to provide for low intensity mixed uses, including local shopping and dining destinations, residential, community amenity, and entertainment uses. It is intended for development in this district to be compatible with adjacent or nearby residential land uses. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

~~(18)~~(22) RMU – Regional mixed use district. The RMU district is intended to provide for high intensity mixed uses, including highway-oriented commercial, residential, and hospitality uses. The uses permitted in the RMU district are not generally carried on completely within a building or structure and an expanded range of commercial uses is permitted. This district is reserved for areas adjacent to major highways and corridors.

§ 42-5. Zoning district map.

The districts aforesaid, and the boundaries of such districts, shall be as hereinafter described, and as shown upon the map attached hereto and made a part of this chapter, said map being designated as the "Zoning Map of the City of Alvarado, Texas." The map and all notations, references, and other information shown thereon shall be a part of this chapter the same as if all such matters and information were fully described herein. The original of said map shall bear the date of the passing of the ordinance from which this chapter is derived and shall be signed by the mayor and attested by the city secretary, under the seal of the city. The original map shall be kept in the office of the city secretary in the city hall, and a replica thereof shall be produced upon paper or other format in such reduced scale as will permit it being attached to this chapter.

It shall be the duty of the zoning administrator to keep the official zoning map and current copies up to date, by entering on such map any changes which the city council may from time to time approve by amendments to the zoning ordinance. A written record (logbook) shall be kept by the zoning administrator of all changes made to the zoning district map.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-6. Zoning district boundaries.

(a) Rules of interpretation. Where uncertainty exists with respect to the boundaries of the various districts, as shown on the official zoning map, the following rules shall apply:

(1) The district boundaries are either streets, alleys, or railroad right-of-way unless otherwise shown, and where the districts designated on the zoning map are bounded approximately by street or alley lines, the centerline of said street or alley shall be construed to be the boundary of such district. Where the districts designated on the zoning map are bounded approximately by railroad or utility right-of-way lines or public rights-of-way, the centerline of the railroad or utility right-of-way or the public right-of-way shall be construed to be the boundary of the district.

(2) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the districts designated on the zoning map are bounded approximately by lot lines, said lot line shall be construed to be the boundary of such districts unless said boundaries are otherwise indicated on the map.

(3) In un-subdivided property, the district boundary lines on the zoning map shall be determined by use of the scale contained on such map, unless dimensions are shown.

(4) Boundaries indicated as approximately following the city limits shall be construed as following the city limits.

(5) Boundaries indicated as following the centerlines of streams or rivers or the shoreline of lakes or ponds shall be construed as following such centerlines or shorelines as the case may be.

(6) Whenever any street, alley, or other public way is vacated by official action of the city council, or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

(7) Where physical features on the ground are at variance with information shown on the official

zoning map, or if there arises a question as to how a parcel of property is zoned and such question cannot be resolved by the application of subsections (a)(1) through (6), or if the zoning of property is invalidated by a final judgment of a court of competent jurisdiction, the property shall be considered classified as A agricultural district until rezoned.

(b) Procedure.The zoning administrator shall have the authority to make determinations of zoning district boundaries based not the above rules, subject to appeal to the board of adjustment as provided in section 42-95(c).

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-7. Newly annexed territory.

An area being annexed into the city shall ordinarily be given permanent zoning concurrently with the annexation. In the event that any territory is annexed into the city without zoning being concurrently established, the annexed territory shall be temporarily classified in the A agricultural district until permanent zoning classifications are given to the area by the city council. The procedure for establishing appropriate zoning on any annexed territory shall be the same as set forth in section 42-96 for the amendment of the zoning ordinance.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-8. Consistency with comprehensive plan.

(a) Review of zoning.As the zoning ordinance is one implementation tool for the city's comprehensive plan, the zoning ordinance shall be kept current and consistent with the goals and objectives of the comprehensive plan. Consequently, it shall be the policy of the city council that during the review of the comprehensive plan the appropriate implementation committee shall review the zoning on all undeveloped parcels of land to determine if the zoning in effect at the time is appropriate. If there are undeveloped parcels with zoning which has been in effect for at least ten years and if, in the committee's opinion, zoning is inconsistent with the comprehensive plan and no longer appropriate, a recommendation shall be made that a public hearing be called to review said zoning. Proceedings may then be initiated to amend the ordinance as specified in section 42-96.

(b) Amendment of comprehensive plan.If a rezoning of any property shall be requested which is contrary to the comprehensive plan, during the review process for such rezoning request consideration shall be given for amendment to the comprehensive plan. In the event the city council determines that the requested zoning promotes the public health, safety, morals and welfare and should be approved, the city council may require the applicant to apply for an amendment to the comprehensive plan concurrently with the request for rezoning.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-9. Rules of construction and definitions.

(a) Rules of construction.The following rules of construction shall apply to the interpretation of words used in this chapter:

(1) Terms used in the present tense include the future tense.

(2) Terms used in the singular number include the plural number.

(3) Terms in the plural number include the singular number.

(4) The terms "building" and "structure" are synonymous.

(5) The terms "lot," "plot," and "tract" are synonymous.

(6) The term "shall" is mandatory and not discretionary.

(b) Definitions. The following use descriptions, when used in this chapter, shall have the meanings ascribed to them in this section.

Abutting property means property touching or adjoining another property. Property abutting upon a street shall also be deemed to abut property on the other side of the street.

Accessory building or use is one which is customarily incidental to the principal building or principal use and:

(1) Is subordinate to and serves a principal building or principal use;

(2) Is subordinate in size, area, extent, or purpose to the principal building or principal use served;

(3) Contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and

(4) Is located on the same lot as the principal use served.

Adjacent means next to or closest to but shall not necessarily mean touching.

Air conditioning and refrigeration contractor means a place from which a person performs design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems, under terms and conditions described in the Texas Air Conditioning and Refrigeration Contractor License Law, V.T.C.A., Occupations Code chapter 1302.

Airport, landing field means a place where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers and/or freight.

All-weather hard surface means six inches of road-base with two inches of emulsion sealant or other similar design standard approved by the City Engineer after consideration of soils and dust protection to adjacent properties.

Commented [A2]: Added by Justin

Alley means a public space or street which affords only secondary means of access to property abutting thereon.

Amusement, commercial (indoor) means an establishment providing for activities, services and instruction for the entertainment, exercise and improvement of fitness and health of customers, clients or members but not including hospitals, clinics, massage parlors or arcades. Uses would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms and/or practice areas, gymnasiums and indoor running or jogging tracks.

Amusement, commercial (outdoor) means an outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.

Antenna/microwave reflector means an apparatus constructed of solid, mesh, or perforated materials of any configuration that is used to receive and/or transmit microwave signals from a terrestrial or orbitally located transmitter or transmitter relay. The term "antenna/microwave reflector" includes but is not limited to what is commonly referred to as satellite receive-only earth stations.

Antenna, radio or television, means the arrangement of wires or metal rods used in sending and/or receiving of electromagnetic waves.

Antique shops means a retail establishment engaged in the selling of works of art, furniture or other

artifacts of an earlier period, with all sales and storage occurring inside a building.

Apartment means any building or portion thereof, which is designed, built, rented, leased or let to be occupied as a home or place of residence by three or more families living in independent dwelling units.

Arcade means an establishment in which there are located six or more coin-operated skill or pleasure machines.

Area of a lot or building site means the net area of the lot or site and shall not include portions of streets and alleys.

Assisted living facility means an establishment that:

(1) Furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment;

(2) Provides:

a. Personal care services; or

b. Administration of medication by a person licensed or otherwise authorized in this state to administer the medication;

(3) May provide assistance with or supervision of the administration of medication; and

(4) May provide skilled nursing services for the following limited purposes:

a. Coordination of resident care with outside home and community support services agencies and other health care professionals;

b. Provision or delegation of personal care services and medication administration as described by this subdivision;

c. Assessment of residents to determine the care required; and

d. For periods of time as established by department rule, delivery of temporary skilled nursing treatment for a minor illness, injury, or emergency.

Auto laundry. See *Carwash*.

Auto leasing means storage and leasing of automobiles, motorcycles, and light-load vehicles.

Auto parts sales, inside, means the use of any building or other premises for the display and sale of new or used parts for automobiles, panel trucks, vans, trailers, or recreational vehicles.

Auto parts sales, outside, means the use of any land area for the display and sale of new or used parts for automobiles, panel trucks, vans, trailers, or recreation vehicles.

Automobile and trailer sales, new, means buildings and associated open area other than a street or required automobile parking space used for the display or sale of primarily new automobiles, light trucks, and trailers, to be displayed and sold on-premises, and where no repair work is done except minor reconditioning of the automobiles and trailers to be displayed and sold on the premises, and no dismantling of automobiles or trailers for sale or keeping of used automobile and trailer parts or junk on the premises.

Automobile and trailer sales, used, means building and associated open area other than a street or required automobile parking space used for the display and sale of used automobiles, light trucks, or

Commented [A3]: AD: Where are these going to be permitted since the MF districts are being eliminated?

LJA Response: MFX, NMU, and RMU districts.

trailers in operating condition and where no repair work is done except the minor adjustments of the vehicles to be displayed or sold on the premises. A used car sales area shall not be used for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.

Automobile repair, major, means general repair or reconditioning of engines and air conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under the term "automobile repair, minor," and other similar uses.

Automobile repair, minor, means minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air conditioning systems, and other similar minor services for light-load vehicles, but not including any operation named under the term "automobile repair, major," or any other similar use.

Automobile service station means a building or place arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, liquefied petroleum gases, greases, batteries, and other automobile accessories at retail direct to the on-premises motor vehicle trade; provided that, the above services shall not be construed to include major overhaul, the removal and/or rebuilding of an engine, cylinder head, oil pan, transmission, differential, radiator, springs, or axles, steam cleaning, body or frame work, painting, upholstering and replacement of glass. If the dispensing or offering for sale of auto fuel at retail is incidental, the premises shall be classified as a public garage. Service stations shall not allow automobiles which are inoperative or are being repaired to remain outside such service station for a period greater than seven days.

Automobile storage, auto storage mean the storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.

Automobile wrecking yard or junkyard means any building, structure, or open area used for the dismantling or wrecking of any type of used vehicles or the storage, sale, or dumping of a dismounted or wrecked vehicle or its parts and accessories, including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition, including the commercial salvaging, storage, and scrapping of any other goods, articles, or merchandise.

Bakery and confectionery, commercial, means a place for preparing, cooking, or baking of products primarily intended for off-premises distribution.

Bakery and confectionery, retail sales, means a place for preparing, cooking, baking and selling of products on the premises.

Bank, savings and loan, credit union means an establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

Barber school or college means a place of training for practice of barbering, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, meeting standards established in such act.

Barbershop means a place where barbering, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, is practiced, offered, or attempted to be practiced, except when such place is duly licensed as a barber school or college.

Basement means a building story which is partly underground, but having at least one-half of its

height above the average level of the adjoining ground. A basement shall not be counted as a story in computing building height.

Beauty culture school, cosmetology specialty shop means a specialized place of training, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology.

Beauty shop means a place where cosmetology, as defined in V.T.C.A., Occupations Code chapter 1603, Regulation of Barbering and Cosmetology, is practiced.

Bed and breakfast inn means a building, other than a hotel or multifamily dwelling, where lodging is provided to persons for compensation, and where facilities for food preparation are not provided in individual rooms.

Block means an area enclosed by streets and occupied by or intended for buildings; where this word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on said side.

Boarding home facility means an establishment that:

(1) Furnishes, in one or more buildings, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage; and

(2) Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide personal care services as defined by V.T.C.A., Health and Safety Code section 247.002 to those persons.

Bottling works means a manufacturing facility designed to place a product into a bottle for distribution.

Brew pub means a pub or restaurant that also brews beer on the premises exclusively for on-site sales and consumption.

Buildable width means the width of the building site left to be built upon after the required side yards are provided.

Building means any structure built for the support, shelter, and enclosure of persons, animals, chattels or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

Building, detached, means a building surrounded by yard or open space on the same building lot.

Building end means those sides of a building having the least dimension as compared to the front or rear of a building. As used in the building spacing regulations for multiple-family dwellings, the term "building end" means the narrowest side of a building regardless of whether it fronts upon a street, faces the rear of the lot or adjoins the side lot line or another building.

Building, front of, means the side of a building most nearly parallel with and adjacent to the front of the lot on which it is situated.

Building line means a line parallel or approximately parallel to the street line at a specified distance therefrom constituting the minimum distance from the street line that a building may be erected.

Building lot means a single tract of land located within a single block which (at time of filing for a building permit) is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. It shall front upon a street or approved place. Therefore, a building lot may not coincide with a lot of record. A building lot may be subsequently subdivided

into two or more building lots, and a number of building lots may be cumulated into one building lot, subject to the provisions of this chapter.

Building, main or primary, means a building in which is conducted the principal use of the lot on which it is situated.

Building materials, hardware sales means the sale of new building materials and supplies indoors with related sales for hardware, carpet, plants, electrical, and plumbing supplies all of which are oriented to the retail customer, rather than contractors or wholesale customers.

Building official means the building inspector or other person charged with the enforcement of building codes in the city.

Bus terminal means any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

Business service means establishments primarily engaged in providing services not elsewhere classified to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.

Cabinet and upholstering shop means an establishment used for the production, display, and sale of furniture and soft coverings for furniture.

Canopy means any structure of a permanent fixed nature attached to or independent of the main structure, built and designed for the purpose of shielding from the elements, persons or chattels, or a roof-like structure of a permanent nature which is supported by or projects from the wall of a structure.

Carport means a structure open on a minimum of three sides designed or used to shelter vehicles, not to exceed 24 feet on its longest dimension.

Carwash means a facility or structure used to wash motorcycles, automobiles, and light-load vehicles.

Cellar means a building story with more than one-half its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height.

Certificate of occupancy means an official certificate issued by the city indicating conformance with or approved conditional waiver from the zoning regulations and authorizing legal use of the premises for which it is issued.

Commented [A4]: This was shown as deleted on Justin's markup. Need replacement definition or clarification of intent from City.

Child care center means an establishment where four or more children are provided care, training, education, custody, treatment, or supervision for less than 24 hours a day. The term "child care center" shall not include overnight lodging, medical treatment, counseling, or rehabilitative services and does not apply to any school. (Also see *Registered family home*.)

Church, rectory, or place of worship means a building for regular assembly for religious worship which is used primarily for such purpose and customary accessory activities including a place of residence for ministers, priests, rabbis, teachers, or directors on the premises.

Civic center means a building or complex of buildings that houses municipal offices and services and which may include cultural, recreational, athletic, convention, and/or entertainment facilities owned and/or operated by a governmental agency.

Cleaning and dyeing, dry cleaning plant means an industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents. (Also see *Cleaning and dyeing, small plant or shop*.)

Cleaning and dyeing, small plant or shop, means a custom cleaning shop not exceeding 5,000 square feet of floor area or a pickup station. (Also see *Cleaning and dyeing, dry cleaning plant*.)

Clinic, medical or dental, means a facility or station designed and used for the examination and treatment of persons seeking medical care as outpatients who do not remain on the premises overnight.

College or university means an institution established for educational purposes offering courses of study beyond the secondary education level, but excluding trade and commercial schools.

Community center, private, means a building dedicated to social and/or recreational activities serving residents of a subdivision or development which is operated by an association or incorporated group for their use and benefit, not to be a commercial, for-profit business.

Community center, public, means a building or buildings dedicated to social and/or recreational activities, serving the city or a neighborhood and owned and operated by the city or by a nonprofit organization dedicated to promoting the health, safety, morals, or general welfare of the city.

Community home means an establishment that is:

(1) A community-based residential home operated by:

a. The state department of mental health and mental retardation;

b. A community center organized under V.T.C.A., Health and Safety Code chapter 534, subchapter A, that provides services to persons with disabilities;

c. An entity subject to the Texas Non-Profit Corporation Act (article 1396-1.01 et seq., Vernon's Texas Civil Statutes); or

d. An entity certified by the state department of human services as a provider under the medical assistance program serving persons in intermediate care facilities for persons with mental retardation; or

(2) An assisted living facility licensed under V.T.C.A., Health and Safety Code chapter 247, provided that the exterior structure retains compatibility with the surrounding residential dwellings.

Construction yard, temporary, means a storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at the completion of construction and subject to same restrictions as a field office.

Contiguous means touching or in contact.

Convenience store means a retail establishment providing for the sale of food items, nonprescription drugs, small household items, and gifts. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than six pumps are offered. Maximum size of the establishment will be no more than 2,500 square feet not including storage areas and administrative offices.

Country club, private, means land and buildings customarily containing a golf course and a clubhouse and available only to specific private membership; such a club may contain adjunct facilities such as private club, dining room, swimming pool, tennis courts, and similar recreational or service facilities.

Court means an open, unoccupied space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one side open to a street, alley, yard, or other permanent space.

Coverage means the percent of a lot or tract covered by the roof or first floor of a building.

Custom personal service shop includes such uses as tailor, shoe repair, barbershop/beauty shop, health studio, or travel consultant.

Depth of lot means the mean horizontal distance between the front and rear lot lines.

Discount, variety, or department store means a retail store offering a wide variety of merchandise in departments and exceeding 7,000 square feet of floor area.

Dormitory means a building in which housing is provided for individual students under the general supervision or regulation of an accredited college or university and as distinguished from an apartment, hotel, motel, or bed and breakfast inn. A dormitory may provide apartment units for guests, faculty, or supervisory personnel on a ratio not to exceed one such apartment unit for each 50 students for which the building is designed. Individual rooms or suites of rooms may have cooking facilities. The term "dormitory" may include facilities such as a commissary and/or snack bar, lounge, and study area, dining halls, and accessory kitchen, recreation facilities, and laundry; provided that these facilities are for the benefit and use of the occupants and their guests and not open to the general public.

Duplex means a building designed for occupancy by two families living independently of each other within separate units which have a common wall and are under one roof. (Also see *Two-family dwelling*.)

Dwelling, single-family attached, means an attached residential building, not including a HUD-code manufactured home, which contains not more than one dwelling unit per lot of record.

Dwelling, single-family detached, means a detached residential structure, ~~not~~ including a HUD-code manufactured home, which contains not more than one dwelling unit per lot of record.

Dwelling unit means a building or portion thereof designed exclusively for residential occupancy, including one-family, two-family, and multiple-family dwellings, except for buildings designed and used as hotels, bed and breakfast inns, and motels.

Electrical substation means a subsidiary station in which electric current is transformed.

Exhibition area means an area or space either outside or within a building for the display of topic-specific goods or information.

Fairgrounds means an area where outdoor fairs, circuses, or exhibitions are held.

Family means an individual or group of two or more persons related by blood, marriage, adoption or guardianship including foster children, exchange students, and servants living together with not more than two additional persons not related by blood, marriage or adoption to the previously identified individual or group, and as a single housekeeping unit in a dwelling unit.

Farm, ranch, or orchard means an area of five acres or more which is used for growing of usual farm products and/or raising of usual farm products and animals and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law. Farm, ranch, or orchard use shall not cause a hazard to health by reason of unsanitary conditions and shall not be offensive by reason of odors, dust, fumes, noise, or vibrations or be otherwise detrimental to the public welfare.

Feed and farm supply store means an establishment for the selling of foodstuffs for animals and including implements and goods related to agricultural processes but not including farm machinery.

Field or sales office, temporary, means a building or structure, of either permanent or temporary construction, used in connection with a development or construction project for display purposes or

Commented [A5]: AD: Where are these going to be permitted?

LJA Response: Listed as two-family dwelling in DD, MFX, DT, NMU, and INN districts. However, Duplex is currently not listed as a use in any district.

Commented [A6]: AD: Must include at least one district where HUD Code manufactured homes are allowed.
We can prohibit mobile homes though (but have to allow at least one replacement), does City want to prohibit mobile homes?

LJA Response: We thought there was an AG opinion that stated manufactured housing has to be treated like a single family detached use. Construction method of the home is not a use, but is currently stated as such ("Manufactured home, HUD-code") and permitted in MH-1X, MH-2X, and MH-3X zoning districts.

for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project. Permits for temporary buildings shall be issued for a period of time not to exceed 18 months. Extensions may be granted only by the city council. Upon due notice and hearing by and before the city council, any such permits granted may be revoked if the city council finds the use of the building or structure is contrary to the intent of this section or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard.

Flea market means a site where space inside or outside a building is rented to vendors on a short-term basis for the sale of merchandise. The principal sales shall include new and used household goods, personal effects, tools, artwork, small household appliances, and similar merchandise, objects or equipment in small quantities. The term "flea market" shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal services establishments, food services establishments, retail sales establishments, and auction establishments.

Floodplain means an area of land subject to inundation by a 100-year frequency flood, as shown on the floodplain map of the city. The term "floodplain" is interchangeable with the term "flood hazard area."

Floor area means the total square feet of floor space within the outside dimensions of a building including each floor level, but excluding cellars, carports, garages or porches.

Floor area ratio means the ratio of total building floor area to lot area.

Florist means an establishment displaying plants, flowers, floral supplies, and similar items.

Food store, grocery store means an establishment that displays and sells consumable goods that are not to be eaten on the premises.

Fraternal organization, lodge, or civic club means an organized group having a restricted membership and specific purpose related to the welfare of the members.

Front yard. See *Yard, front*.

Furniture and appliance repair or storage means the storage, maintenance, or rehabilitation of appliances customarily used in the home including but not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, kitchen appliances, vacuum cleaners, and hair dryers.

Furniture, appliance store, means retail stores selling goods used for furnishing the home, including but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators and other household electrical and gas appliances.

Garage, private, means a detached accessory building for the parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

Garden center (retail sales) means a location including land and buildings at which plants, trees, shrubs, horticultural supplies, and similar items are displayed for sale to the general public. All such displays shall be located behind the front yard line established in the district in which the garden center is located.

Garden (patio) home means a freestanding, detached structure used for single-family residential purposes, built in accordance with standards set out in section 42-23.

Gas metering station means a facility at which natural gas flows are regulated and recorded.

General commercial plant means an establishment other than a personal service shop for the treatment

and/or processing of products as a service on a for-profit basis including but not limited to newspaper printing, laundry plant, or cleaning and dyeing plant.

General manufacturing means manufacturing of finished products and component products or parts from the transformation, treatment, or processing of materials or substances, including basic industrial processing. Such operations must meet the performance standards, bulk controls, and other requirements in this article.

General merchandise store means retail stores which sell a number of lines of merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general stores, and other similar stores.

Golf course means an area of 20 acres or more improved with trees, greens, fairways, hazards and which may include clubhouses.

Greenhouse, noncommercial, means a building, often artificially heated and/or cooled, used as a location for cultivating plants which are used by the grower and not sold as a commercial activity.

Greenhouse or plant nursery, commercial, means a place, often including artificially heated and/or cooled buildings, where trees or plants are raised and/or sold, including related storage of equipment for landscape contracting.

Gross floor area. The gross floor area of a building shall be measured by taking outside dimensions of the building at each floor level.

Guesthouse means living quarters within a detached accessory building located on the same premises with the principal residence for use by temporary guests of the occupants of the premises. A guesthouse shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling. (see also servant's, caretaker's or guard's residence)

Commented [A7]: Added by Justin

Heavy load vehicle (HLV) means a self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) of greater than 11,000 pounds, such as large recreational vehicles, tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean heavy load vehicle, unless specifically stated otherwise.

Height means the vertical distance of a building measured from the average established grade at the street line or from the average natural front yard ground level, whichever is higher, to:

(1) The highest point of the roof's surface if a flat surface;

(2) The deck line of mansard roofs; or

(3) The mean height level between eaves and edge for hip and gable roofs, and, in any event, excluding chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires, and parapet walls not exceeding ten feet.

If the street grade has not been officially established, the average front yard grade shall be used for a base level.

Heliport or helistop means a landing facility for rotary-wing aircraft which may include fueling or servicing facilities for such craft.

Home occupation means an occupation, profession, domestic craft, or economic enterprise which is

customarily conducted in a residential dwelling, subject to compliance with each of the following conditions:

(1) A home occupation may only be performed in a single-family residential dwelling.

(2) No person other than members of a family who reside in the dwelling shall be engaged in such home occupation.

(3) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such home occupation shall never exceed 25 percent of the total of the floor area of the residential dwelling.

(4) Not more than one non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than one square foot in area and shall be mounted on the building in which the home occupation is being conducted.

(5) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.

(6) No exterior storage of material, equipment, and/or supplies used in conjunction with the home occupation shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.

(7) No offensive noise, vibration, smoke, dust, odors, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.

(8) The home occupation shall be conducted wholly within the residential dwelling and no accessory building shall be used in conjunction therewith.

(9) No stock, goods, wares, or merchandise shall be sold or kept for sale on the premises.

(10) The only equipment to be used in the home occupation shall be that which is ordinarily used in a private home in a like amount and kind.

(11) A home occupation shall not generate additional traffic as to create a traffic hazard or disturbance to nearby residents.

Hospital, acute care, means an institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the state.

Hospital, chronic care, long-term health care facility, means an institution providing inpatient health, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease and which is licensed by the state.

Household care facility means a dwelling unit which provides residence and care to not more than nine persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial adversity; living together with not more than two supervisory personnel as a single housekeeping unit.

Household care institution means a facility which provides residence and care to ten or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster or financial adversity, living together with supervisory personnel.

Industrial park means a large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

Industrialized housing.

(1) The term "industrialized housing" means a residential structure designed for use and occupancy by one or more families, constructed in one or more modular components built at a location other than the permanent residential site, designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected or installed on a permanent foundation system.

(2) The term "industrialized housing" shall not mean or apply to:

a. Housing constructed of sectional or panelized systems not utilizing modular components; or

b. Any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

Junkyard or salvage yard means a lot upon which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. The term "junkyard" includes an automobile wrecking yard and automobile parts yard. The term "junkyard" includes secondary metal dealers. The term "junkyard" does not include such uses conducted entirely within an enclosed building.

Kennel means any lot or premises on which four or more dogs, cats, or other domestic animals more than four months of age are housed or accepted for boarding, breeding, training, selling, grooming, and/or bathing for which remuneration is received.

Laboratory, scientific or research, means facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.

Landscape screen means plant material of the evergreen variety, a minimum of six feet in height at the time of installation and planted on four-foot centers. All such landscape screens shall be permanently maintained. Adequate facilities shall be provided for permanent watering at the time of installation.

Library means any institution for the loan or display of books, tapes, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

Light load vehicle (LLV) means a self-propelled vehicle having a manufacturer's recommended gross vehicle weight not greater than 11,000 pounds, and having no more than two axles, such as, pick-up trucks, vans, recreational vehicles, campers and other similar vehicles, but not including automobiles and motorcycles.

Light manufacturing means manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Living unit means a room occupied by a family which includes cooking facilities.

Lot means a platted tract of land occupied or to be occupied by a building and its accessory buildings and having its principal frontage upon a public street or officially approved place.

Lot, corner, means a lot that has frontage upon a side street in addition to a front street.

Lot coverage means the percentage of the total area of a lot occupied by the base (first story or floor) of a building located on the lot or the area determined as the maximum cross sectional area of the building.

Lot line means the lines bounding a lot as defined herein.

Lot line, front, means that boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots either street line may be selected as the front lot line providing a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.

Lot line, rear, means that boundary of a building lot which is most distant from or is most nearly parallel to the front lot line.

Lot line, side, means that boundary of a building lot which is not a front lot line or a rear lot line.

Lot of record means any lot that is part of a subdivision the plat of which has been recorded in the office of the county clerk.

Lot or building site means land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this chapter, and having its principal frontage upon a public street or officially approved place.

Lot width means the width of a lot at the front building lines.

Main building means the building on a lot which is occupied by the primary use.

Manufactured home park means any tract of land under single ownership of not less than two acres and not more than ten acres approved for occupancy by manufactured housing and accessory structures related thereto and designed and operated in accordance with standards herein set forth or as set forth in any other ordinance of the city relating to the location, use, construction, operation, or maintenance of manufactured housing.

~~Manufactured home subdivision means a tract of land of not less than ten acres which has been final platted of record in its entirety in accordance with the subdivision regulations of the city for occupancy primarily by HUD-code manufactured housing and industrialized housing.~~

Commented [A8]: Deleted because we propose this use to be no different than a single family detached use to be compliant with legal standards, per prior comment.

~~Manufactured housing (HUD-code) means a structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. All references in this article to manufactured housing or manufactured homes shall be references to HUD-code manufactured housing, unless otherwise specified.~~

Manufacturing processes means uses restricted from other zoning districts but permitted in the ~~M-1~~CF and ~~M-2~~IND districts. Under this definition are manufacturing and industrial uses which do not emit dust, smoke, odor, gas, fumes, or present a possible hazard beyond the property lines of the lot or tract upon which the uses are located, and which do not generate noise or vibration at the boundary of the lot or tract which is generally perceptible in frequency or pressure above the ambient level of noise or vibration in the adjacent areas.

Masonry and glass pane includes brick, stone, rock, concrete tilt wall, lath and stucco. The term "glass pane" shall include any glass product that is approved for exterior use and installed in accordance with the city building code. In order to qualify as a finished wall it shall have a minimum thickness

of seven-eighths inch of masonry. The following materials and applications shall not be allowed as finished exterior wall:

(1) Concrete masonry units (CMU);

(2) Exterior insulating finish system (EIFS) or similar applications.

Masonry-type product includes cement board siding or other such masonry products approved for exterior use and installed under the specifications contained in the city building code. In order to qualify as a finished wall it shall have a minimum thickness of seven-eighths inch of masonry. The following materials and applications shall not be allowed as finished exterior wall:

(1) Concrete masonry units (CMU);

(2) Exterior insulating finish system (EIFS) or similar applications.

Metal dealer, crafted precious, means a place of business in which a person engages in the business of purchasing and selling crafted precious metals, including jewelry, silverware, art objects, or any other thing or object made in whole or in part from gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or its alloys, excluding coins and commemorative medallions, under terms and conditions found in V.T.C.A., Occupations Code section 1956.051 et seq.

Metal dealer, secondhand, means a place of business in which a person purchases, gathers, collects, solicits or procures scrap metal or where scrap metal is gathered together or kept for shipment, sale, or transfer, under terms and conditions found in V.T.C.A., Occupations Code chapter 1956. (Also see *Junkyard or salvage yard*.)

Microbrewery means a brewery facility established to produce beers and ales in small quantities for sale to local and regional markets.

Microdistillery means a small distillery established to produce beverage grade alcohol in relatively small quantities for on-site retail sale and consumption and for sale to local and regional markets.

Mobile food unit means a vehicle-mounted food establishment, designed to be readily moveable, typically constructed in a truck or trailer. Mobile food units may not be permanently parked in one location.

Mobile food vendor means any person who sells food products or takes food product orders from house to house or from place to place in the city, and who sells such food out of a vehicle, wagon, cart or other conveyance used in the transportation of such food on premises where there is no related business building.

Motel, motor hotel, or motor lodge means a building or group of buildings designed for and occupied as a temporary dwelling place, providing four or more room units for compensation, and where an office and register is maintained separately and apart from any of the rooms or units provided for the customers and where the operation is supervised by a person or persons in charge at all hours. The term "motel," "motor hotel," or "motor lodge" may include restaurants, club rooms, banquet halls, ballrooms and meeting rooms as accessory uses.

Multifamily residence means any building or portion thereof which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Museum or art gallery means an institution for the collection, display, and distribution of objects of art or science and which is sponsored by a public or quasi-public agency and which facility is open to the general public.

Nonconforming building or use means a building, structure or use of land lawfully occupied at the time of the effective date of the ordinance from which this chapter is derived or amendments thereto, and which does not conform to the use regulations of the district in which it is located.

Nonprofit animal shelter means a not-for-profit facility operated to provide a public service by removing unsupervised and potentially dangerous animals from the public domain and providing for the adoption or euthanizing of such animals. A nonprofit animal shelter shall not be considered a kennel.

Nonresidential district means any zoning district included in this chapter in which nonresidential uses constitute the primary permitted use classification, including AG, ~~C-1~~NC, ~~C-2~~RC, ~~M-1~~CF, ~~M-2~~IND, CBDX, and INSX.

Nursery school/kindergarten means a child care facility offering a program four hours or less per day for children who have passed their second birthday but who are under seven years old.

Occupancy means the use or intended use of the land or buildings by proprietors or tenants.

Off-street parking incidental to main use means off-street parking spaces provided in accordance with the requirements specified by this chapter and located on the lot or tract occupied by the main use or within 200 feet of such lot or tract and located within the same zoning district as the main use or in an adjacent parking district.

Off-street parking space means an area for the temporary storage of an automobile which shall be permanently reserved for such purpose and which shall not be within or on any public street, alley or other right-of-way. (See section 42-57(d) for detailed descriptions and regulations.)

Office center means a building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.

Office, professional or general administrative, means a room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations, and associations but excluding medical offices.

Office-showroom/warehouse means an establishment with a minimum of 75 percent of its total floor area devoted to storage and warehousing not accessible to the public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

Open space means area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves, porches and plant material. Also see *Usable open space*.

Open storage means the storage of any equipment, machinery, commodities, raw, semi-finished materials, and building materials, not accessory to a residential use, which is visible from any point on the building lot line when viewed from ground level to six feet above ground level, for more than 24 hours.

Park, playground, or recreation center (private) means a privately owned park, playground, open space or building dedicated to recreational activities, maintained by a community club, property owners' association, or similar organization.

Park, playground, or recreation center (public) means an open recreation facility or park owned and operated by a public agency and available to the general public.

Parking lot or parking garage (automobile) means an area for parking light-load vehicles.

Parking lot or parking garage (truck) means an area for parking heavy-load vehicles.

Parking space means a surfaced area enclosed in the main building or accessory building, or unenclosed, having an area of not less than 180 square feet, exclusive of driveways, used for parking a vehicle, not on a public street or alley, together with a surfaced driveway connecting the area with a street, permitting free ingress and egress without encroachment on the street.

Pawnshop means an establishment where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker).

Commented [A9]: AD: Where are these allowed? Must be listed as a permitted use in at least one zoning district per LGC 211.0035.

LJA Response: Permitted in RC, CF, and RMU zoning districts

Person with a disability means a person whose ability to care for himself, perform manual tasks, learn, work, walk, see, hear, speak, or breathe is substantially limited because the person has:

(1) An orthopedic, visual, speech, or hearing impairment;

(2) Alzheimer's disease;

(3) Pre-senile dementia;

(4) Cerebral palsy;

(5) Epilepsy;

(6) Muscular dystrophy;

(7) Multiple sclerosis;

(8) Cancer;

(9) Heart disease;

(10) Diabetes;

(11) Mental retardation;

(12) Autism; or

(13) Emotional illness.

Personal service shop means an establishment primarily engaged in providing services generally involving the care of the person or his apparel including but not limited to barbershops and beauty shops, dry cleaning and laundry pick-up stations and reducing salons/health clubs.

Pet shop means a retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.

Plat means a complete and exact subdivision plan submitted to the city council which if approved shall be submitted to the county clerk.

Plumbing, heating, refrigeration, or air conditioning business means an establishment primarily engaged in the sales, service, or installation of equipment pertaining to plumbing, heating, refrigeration, or air conditioning. (Also see *Air conditioning and refrigeration contractor*.)

Plumbing service means the operation of a business which involves only retail sales and off-premises service, installation, and repair of units and fixtures. The premises shall not include a workshop for repair or fabrication of parts, fixtures, or units. Sheetmetal work of any type shall not be permitted.

Storage shall be permitted for units and supplies incidental to retail sales, off-premises service and repair only. No outside storage shall be permitted. This section shall not be interpreted to allow a plumbing, heating, refrigeration, or air conditioning contractor or similar type wholesale operation.

Portable building sales means an establishment which displays and sells structures which are capable of being carried and transported to another location, not including manufactured housing.

Post office, government or private, means a local branch of the United States Postal Service or private commercial venture engaged in the distribution of mail and incidental services.

Printshop means an establishment which reproduces printed or photographic impressions including but not limited to the process of composition, binding, platemaking, microform, type casting, presswork, and printmaking.

Public or private franchised utility means a utility such as one distributing heat, chilled water, closed circuit television, or similar service and requiring a franchise to operate in the city. Such utility usually requires special facilities in residential areas or on public property such as heating, cooling, or communications.

Quick oil change facility means a business engaging in the changing of oil, oil filters, and the chassis lubrication of motor vehicles. All new oil shall be dispensed from drums and all old oil shall be kept in sumps until removed by pumper trucks. Such a facility shall not repair or replace carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.

Quick tune-up facility means a business engaging in engine adjustment and minor part replacement for motor vehicles, limited to spark plugs, condensers, spark plug wires, distributor caps, distributor points, PVC valves, air cleaners, fan belts and radiator hoses. Such a facility shall not repair or replace carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.

Racetrack means a facility used for the racing of motor-driven vehicles and/or animals.

Racquetball facilities means courts housed in an acoustically treated building and designed for one to four persons to play racquetball, plus subsidiary uses to include office, pro shops, locker rooms, sauna, exercise rooms, waiting area, child nursery, and related uses up to a maximum of 40 percent of the total floor area.

Radio, television, or microwave communications operations (amateur) means the transmission, retransmission, or reception of radio, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

Radio, television, or microwave communications operations (commercial) means the transmission, retransmission, or reception of radio, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or financial gain.

Radio, television, or microwave towers means structures supporting antennas for transmitting or receiving any portion of the radio spectrum but excluding noncommercial antenna installations for home use of radio or television.

Railroad station means any premises for the transient parking of trains and the loading and unloading of passengers.

Railroad team track and right-of-way means a facility/place for the loading and unloading of materials on trains.

Railroad track and right-of-way includes track and undeveloped right-of-way, but does not include

railroad stations, sidings, team tracks, loading facilities, dock yards, or maintenance areas.

Registered family home means a child care facility that regularly provides care in the caretaker's own residence for not more than six children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own, does not exceed 12 at any given time. (Also see *Child care center*.)

Residence means same as dwelling; when used with district, an area of residential regulations.

Residence hotel means a multi-dwelling unit extended stay lodging facility consisting of efficiency units or suites with a complete kitchen suitable for long-term occupancy. Customary hotel services, such as, linen, maid service, telephone, and upkeep of furniture shall be provided. Meeting room, club house and recreational facilities intended for the use of residents and their guests are permitted. The term "residence hotel" shall not include other dwelling units as defined in this chapter.

Residential district means any zoning district included in this chapter in which residential use constitutes the primary permitted use classification, including the SF-1, SF-2, GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3XX, DD~~TF~~, and MFX district classifications.

Restaurant or cafeteria, with drive-in or drive-through service, means an eating establishment where service is primarily to customers at tables and/or providing service of food or drink to customers in automobiles and/or providing facilities for the consumption of food in automobiles on or near the restaurant premises.

Restaurant or cafeteria, without drive-in or drive-through service, means an eating establishment where service is primarily to customers at tables and not providing service of food or drink to customers in automobiles or facilities for the consumption of food in automobiles on or near the restaurant premises.

Retail stores and shops means establishments offering all types of consumer goods for sale, not elsewhere classified, but excluding the display and sale in the open, outside a building, of new or used automobiles, heavy machinery, building materials, used appliances, furniture, or salvage materials.

Retirement housing means a development providing dwelling units specifically designed for the needs of ambulatory retired persons. The following subsidiary uses shall be permitted to provide on- site goods and services for residents and their guests, but are not intended for use by the general public:

(1) Cafeteria and/or dining room.

(2) Library.

(3) Game room.

(4) Swimming pool and/or jacuzzi.

(5) Exercise room.

(6) Arts and crafts facilities.

(7) Greenhouse.

(8) Housekeeping service.

(9) Transportation service.

(10) Snack bar with a maximum of 350 square feet per 100 dwelling units.

(11) Beauty shop/barbershop with a maximum of 250 square feet per 100 dwelling units or a maximum of 450 square feet per 100 dwelling units.

(12) Convenience retail shop with maximum of 350 square feet per 100 dwelling units to provide for sale of food items, nonprescription drugs, small household items, and gifts.

Room means a building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters, but not including toilet or cooking facilities.

Sand, gravel, stone or earth sales means an establishment for the selling of sand, gravel, stone, earth or similar natural materials, for which the extraction process for such materials occurs off-premises.

School, commercial means an establishment organized to offer instruction and training in a service or art such as secretarial school, art school, cake decorating, or flower arranging, but not including manual trade schools.

School, private (primary or secondary) means an institution of learning having a curriculum equivalent to public schools but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

School, public (primary or secondary) means an institution under the sponsorship of a public agency which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of Texas but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

School, trade means an establishment organized to offer instruction and training in a trade such as welding, brick laying, machinery operation, and similar manual trades.

Scrap tire facility means a facility that stores, processes, conducts energy recovery, recycles, splits, shreds, or quarters used tires, scrap tires, or tire pieces for use or disposal as solid waste, recyclable materials, or inert fill materials. A scrap tire is a whole tire that can no longer be used for its original intended purpose. A whole used tire that can be used, reused or legally modified to be reused, for its original intended purpose is not a scrap tire. A tire piece is a particle of a scrap tire or scrap tire piece that has been split, quartered or shredded to a usable size such as two-inch minus, or other size required by an industry user or recycler.

Screening device. See *Landscape screen*.

Secondhand store, furniture or clothing, means an establishment offering for sale used merchandise, with the storage and display of such items wholly contained inside a building or structure.

Self-storage, mini-warehouse means a facility used only for storage of goods, materials, boats and operable vehicles with separate access to individual storage units or areas by persons renting the individual units or areas. This term shall not include storage of "junked vehicles."

Servant's, caretaker's, or guard's residence means an accessory building or portion of an accessory building located on the same lot or grounds with the main building, containing not more than one set of kitchen and bathroom facilities and used as living quarters for a person employed on the premises for not less than 50 percent of his actual working time, and not otherwise used or designed as a separate place of abode, provided the living area of such quarters shall not exceed 600 square feet. (see also guesthouse)

Commented [A10]: Added by Justin

Service, retail, means an establishment engaged in the selling and/or servicing of goods where a minimum of 80 percent of the floor area is devoted to service, repair or fabrication of such goods. The service area must not be accessible to the general public. Automotive uses and rental stores are

specifically excluded.

Service yard of governmental agency means an area for the servicing and storage of vehicles or other property of a governmental agency.

Setback means the minimum horizontal distance between the front wall of any projection of the building, excluding steps and unenclosed porch, and the side street.

Sexually oriented businesses:

(1) Means an adult arcade, adult bookstore, adult cabaret, adult motel, adult movie theater, adult novelty store, adult service establishment, adult theater, adult video store, escort agency, nude modeling studio, sex parlor, sexual encounter center, or other commercial enterprise, or any combination thereof:

a. A principal business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to its customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas; or

b. Whose employees or customers appear in a state of nudity.

(2) The businesses listed above shall be defined as follows:

a. Adult arcade. Any place to which the public is permitted or invited wherein coin-operated, token-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.

b. Adult bookstore. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration books, magazines, periodicals or other printed matters, or any combination thereof, which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

c. Adult cabaret. A nightclub, bar, restaurant, or similar commercial establishment which regularly features persons who appear in a state of nudity or give live performances which are distinguished or characterized by an emphasis on the exposure of specified anatomical areas or by an emphasis on specified sexual activities.

d. Adult motel. A hotel, motel or similar commercial establishment which:

1. Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other pornographic reproductions which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or

2. Offers a sleeping room for rent for a period of time that is less than ten hours;

or

3. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours.

e. Adult movie theater. A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, video reproductions, slides or other visual representations, or any combination thereof, are regularly shown which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

f. Adult novelty store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides, objects, or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or

2. Instruments, devices, or paraphernalia which are designed or manufactured for use in connection with specified sexual activities. This does not include items used for birth control or for prevention of sexually transmitted diseases.

g. Adult service establishment. A commercial establishment which offers services or sells products to customers and in which one or more of the employees or the customer appears in a state of nudity or simulated nudity.

h. Adult theater. A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

i. Adult video store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration photographs, films, motion pictures, video cassettes, video reproductions, slides or other visual representations, or any combination thereof, which are distinguished or characterized by an emphasis on matters depicting or describing specified sexual activities or specified anatomical areas.

j. Escort agency. A person who, as one of its principal business purposes, furnishes, offers to furnish, or advertises to furnish escorts, or any combination thereof, for a fee, tip, or other consideration.

k. Nude modeling studio. Any place where a person who appears in a state of nudity or displays specified anatomical areas is provided or allowed to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.

l. Sex parlor. An establishment that is operated for the purpose of giving massages, at the establishment or on a home-call basis, that are intended to provide sexual stimulation or sexual gratification in combination with a massage.

m. Sexual encounter center. A business or commercial enterprise that offers for any form of consideration physical contact in the form of wrestling or tumbling between persons of the opposite sex, or activities between male and female persons and/or

persons of the same sex, when one or more of the persons is in a state of nudity or simulated nudity.

(3) Definitions of terms used in subsection (1) of this definition shall be as follows:

a. Nudity means less than completely or opaquely covered:

1. Human genitals, pubic region, or pubic hair;

2. All portions of the female breast below a point immediately above the top of the areola continuing downward to the lowest portion of the breast;

3. Human buttock; or

4. Any combination of the above.

b. Principal means over 35 percent of either customers, volume of sales, stock in trade, display areas, or presentation time, or any combination thereof in any three-month increment period beginning from the date of issuance of a certificate of occupancy. Stock in trade shall be measured with all titles or objects available on the premises for sale or rental including those that are identical, considered a separate title or object.

c. Simulated nudity means a state of dress in which any device or covering is worn and exposed to view that simulates any part of the genitals, buttocks, anus, pubic region, or areola of the female breast.

d. Specified anatomical areas means human genitals, pubic regions, buttocks and female breast below a point immediately above the top of the areola.

e. Specified sexual activity means:

1. The fondling or other erotic touching of human genitals, pubic regions, pubic hair, perineum, buttocks, anus, or female breasts;

2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, or bestiality;

3. Masturbation, actual or simulated; or

4. Excretory functions as part of or in connection with any of the activities set forth in subsections 1 through 3. of this definition.

(4) The following activities are exempted from the definition of a sexually oriented business:

a. Any business operated by or employing licensed psychologists, licensed physical therapists, registered massage therapists, registered nurses, or licensed athletic trainers engaged in practicing such licensed professions;

b. Any business operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts;

c. Any retail establishment whose principal business is the offering of wearing apparel for sale to customers and which does not exhibit merchandise on live models; or

d. Any activity conducted or sponsored by any Texas independent school district, licensed or accredited private school, or public or private college or university.

Shopping center means a group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

Shops, office, and/or storage area of public or private utility means the pole yard, maintenance yard, and/or administrative offices of a municipality or franchised utility.

Sign means any identification, description, illustration, or device illuminated or non-illuminated which is visible to the general public and directs attention to a project, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise, or facsimile, or any emblem, painting, flag, banner, pennant, or placard designed to advertise, identify or convey information.

Site plan means a detailed line drawing, to scale, showing scale used, north arrow, date and title of project, clearly describing the project and showing the following information:

(1) Property lines, location and widths of all streets, alleys, and easements.

(2) Proper dimensions on all fundamental features such as lots, buildings, parking spaces, and landscaped areas.

(3) The location of setback lines, driveway openings, and sidewalks.

(4) All proposed buildings, freestanding sign locations, parking areas and open spaces.

(5) All required landscaping, together with a description of type of material to be used.

(6) A cross-section of any required or proposed screening.

(7) Total square footage of the development lot; total square footage of proposed structures; total footage of landscaped areas; total percentage of coverage; density of floor area ratio where applicable; height of all structures; number of parking spaces; square footage and design features of all signs; and solid waste collection facilities.

(8) Name, address and telephone number of the proponent.

Solid waste transfer station means a facility and/or premises at which solid waste is temporarily deposited prior to ultimate removal to a permanent solid waste storage site.

Stable, commercial, means a structure housing horses which are boarded or rented to the public or any stable other than a private stable, but not including a sale barn, auction, or similar trading activity.

Stable, private, means an accessory building set back from adjacent property lines a minimum distance of 100 feet and used for quartering horses, not to exceed one horse per one and one-half acre area of a farm or lot.

Stadium or playfield, public, means an athletic field or stadium owned and operated by a public agency for the general public including a baseball field, golf course, football field or stadium which may be lighted for nighttime play.

Storage or wholesale warehouse, heavy, means a building used primarily for the storage of goods and materials, containing more than 5,000 square feet of floor space.

Storage or wholesale warehouse, light, means a building used primarily for the storage of goods and materials, containing less than 5,000 square feet of floor space.

Story means the height between the successive floors of a building from the top floor to the roof. The standard height for a story is 11 feet, six inches.

Street means a way for vehicular traffic and other public uses, whether designated a street, highway, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

Street line means a dividing line between a lot, tract or parcel of land and a contiguous street; the right-of-way.

Street, local or residential, means those streets that are used primarily for access to abutting properties.

Street, major, means streets used primarily for fast or heavy traffic as designated in the thoroughfare plan.

Street, secondary or collector, means those streets which carry traffic from minor streets to major system of arterial streets and highways, including the principal entrance streets of a residential development or business park and those streets for circulation within such a development as designated on the thoroughfare plan.

Structural alterations means any change in the supporting member of a building, such as a bearing wall, column, beams, or girders.

Structure. Same as "building."

Swimming pool, commercial, means a swimming pool with accessory facilities, not part of the municipal or public recreational system and not a private swim club, but where the facilities are available to the general public for a fee.

Swimming pool, private, means a swimming pool constructed for the exclusive use of the residents of a single-family, two-family or multifamily dwelling and located within the required rear or permitted side yards.

Tattoo parlor/body piercing studio means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

(1) Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin;

(2) Creating of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Teen club shall include teen night clubs, teen dance clubs or any entertainment establishment where the intended occupancy is in excess of 70 percent minors between 13 and 19 years of age unaccompanied by an adult parent or guardian.

Telephone exchange means a switching or transmitting station owned by a public utility but not including business offices, storage, or repair shops or yards.

Tennis court, private, means a surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas, except as may be otherwise provided or restricted by the specific use permit.

Theater, outdoor, means an open lot with its appurtenant facilities devoted primarily to the showing

of motion picture or theatrical productions on a paid admission basis to patrons seated in automobiles.

Tobacco sales means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the sale of tobacco products.

Townhouse or row dwelling means one of a series of not less than three nor more than ten attached one-family dwellings under common roof with common exterior wall, and separated from one another by single partition walls without openings from basement to roof. No townhouse dwelling unit is to be constructed above another townhouse dwelling unit.

Trailer rental means the display and offering for rent of trailers designed to be towed by passenger cars or other prime movers.

Travel trailer, manufactured housing, display and sales, means the offering for sale or display of travel trailers or manufactured housing, on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis. This use shall also allow the sale or display of major recreational vehicles, boat trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles, but excluding pick-up shells not designed or used for camping purposes), motorized dwellings, tent trailers, house trailers, and utility trailers.

Travel trailer park means any tract of land under single ownership, two acres or more, where commercial accommodation is provided for temporary lodging in travel trailers and/or other recreational vehicles and not permanent residency.

Commented [A11]: Added by Justin

Truck and bus leasing means the rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.

Truck and bus repair means an establishment providing major and minor automobile repair services to heavy load vehicles.

Truck or motor freight terminal means a building or area in which freight brought by motor truck is assembled and/or stored for shipping by motor truck.

Truck sales means buildings and associated open area other than a street or required automobile parking space used for the display or sale of primarily new heavy load vehicles to be displayed and sold on-premises, and where no repair work is done except minor reconditioning of the vehicles to be displayed and sold on the premises, and no dismantling of vehicles for sale or keeping of used vehicle parts or junk on the premises.

Two-family dwelling means a building designed for occupancy by two families living independently of each other within separate units which have a common wall and are under one roof. (see also Duplex)

Commented [A12]: Added by Justin

Usable open space means an open area which is designed and intended to be used for outdoor living and/or recreation. An area of common usable open space shall have a slope not exceeding ten percent, shall have no dimension of less than ten feet, and may include landscaping, walks, water features and decorative objects. The term "usable open space" shall not include rooftops, accessory buildings, parking areas, driveways, turnaround areas, or right-of-way or easement for streets or alleys.

Variance means an adjustment in the application of the specific regulations of this chapter to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

Vendor, stationary means a vendor who sets up a temporary building, vehicle, trailer, or other mobile unit on private property to engage in the sale of food items, merchandise or services.

Vertically mixed use commercial and residential means a building designed for ground floor commercial uses and upper floor residential units.

Washateria means a building or place where clothes and linens are washed and thoroughly dried by the use of not exceeding three employees and four automatic single-family machines and where the operation of washing and/or drying and/or mangle machines is done exclusively by the customer on a self-service basis, and where the fuel and power for the heating of water and drying shall be smokeless and odorless.

Wholesale means the sale of goods, merchandise, services and/or commodities for resale by the purchaser and does not offer retail sales to the general public.

Yard means an open space, other than a court, on the lot in which a building is situated and which is not obstructed from a point 40 inches above the general ground level of the graded lot to the sky, except as provided for roof overhangs and similar special architectural features and plant material.

Yard, front, means an open, unoccupied space on a lot facing a street extending across the front of a lot between the side lot lines and from the main building to the front lot or street line with the minimum horizontal distance between the street line and the main building line as specified for the district in which it is located.

Yard, rear, means an open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line.

Yard, side, means an open, unoccupied space or spaces on one side or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear yard. Any lot line not the rear line or front line shall be deemed a side line.

Zero lot line house means a residence allowed to have little or no side yard on one side, where the wall on that side has no doors, windows, or other openings and which otherwise qualifies for a one-hour fire rating as defined in the building code.

Zoning district map means the official certified map upon which the boundaries of the various zoning districts are drawn.

Zoning administrator means the official designated by the city manager to administer and enforce this chapter, or his designee.

§ 42-10. Classification of new and unlisted uses.

(a) Classification of new and unlisted uses.It is recognized that new types of land uses will develop and forms of land use not anticipated may seek to locate in the city. The zoning administrator shall review any request for approval of a use that is not specifically listed as a permitted use in any zoning district. If in the determination of the zoning administrator the use is substantially similar in nature and impact to a listed use, the zoning administrator may make a determination, under his authority to render interpretations of the provisions of this chapter, of the district or districts where such use is appropriate to locate. The determination of the zoning administrator is subject to review by the board of adjustment in accordance with the provisions of section 42-95.

(b) Determination of classification by planning and zoning commission.If the zoning administrator determines that such new or unlisted use is not substantially similar in nature and impact to a listed use, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

(1) The zoning administrator shall refer the question concerning any new or unlisted use to the planning and zoning commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves

dwelling activity, sales, processing, type of product, storage, and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated, and the general requirements for public utilities such as water and sanitary sewer. Notice of the request for interpretation shall be given in the manner provided for zoning text amendments in order for the ultimate determination of classification to be considered as a text amendment.

(2) The planning and zoning commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts, and determine the zoning district or districts within which such use should be permitted.

(3) The planning and zoning commission shall transmit its findings and recommendations to the city council as to the classification proposed for any new or unlisted use. The city council may, by ordinance, approve the recommendation of the commission or make such determination concerning the classification of such use as is determined appropriate.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-11. through § 42-19. (Reserved)

§ 42-20. A ~~a~~Agricultural district.

(a) Purpose. The A district is intended to apply to land situated on the fringe of an urban area which is currently used for agricultural purposes, and which may become an urban area in the future. Therefore, the agricultural activities conducted in the A district should not be detrimental to urban land uses and the intensity of use permitted in this district is intended to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made.

(b) Permitted uses and parking regulations. In the A agricultural district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory buildings and structures clearly incidental to agricultural operations, including but not limited to barns, stables, equipment sheds, granaries, private garages, pump houses, and servant's quarters not for rent, provided that the total area of buildings and structures shall be limited to ten percent of the gross land area of the tract.	1 space per employee to be occupying the building
Carport, private	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Farm, ranch, or orchard	1 space per employee
Garage, private	0 spaces
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Home occupation	0 spaces

Use	Parking Regulations
Kennel	1 space per 200 square feet of floor area
Local utility distribution lines	0 spaces
Nonprofit animal shelter	1 space per 200 square feet of floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Riding academy or other equestrian related activities	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Sewage pumping station	0 spaces
Single-family dwellings on building lots of two acres or more in areas where said dwellings can be adequately served by city utilities or septic tanks located on the building lot provided	2 enclosed spaces per unit, must be attached to the main structure
Stable, private	1 space per employee
Swimming pool, private	0 spaces
Telephone exchange	1 space per employee
Telephone line	0 spaces
Temporary metal buildings of less than 600 square feet which are used for tool and supply storage	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces

(c) Development requirements.

Minimum lot area:	5 acres[1]
Minimum lot width at front building line:	100 linear feet
Minimum lot depth, average:	120 linear feet
Front setback:	50 linear feet
Side setback:	8/10/15 linear feet[2]

Rear setback:	50 linear feet
Maximum ground coverage:	10% of lot area
Maximum density per acre:	0.50 DU
Height:	45 linear feet

[1] Single-family dwellings require building lots of two acres or more.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

(d) Specific uses. The following specific uses are allowed in the A district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Community home	1 space per employee, plus 1 space for each 6 beds
Electric power generating plant	1 space per employee
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Feedlot, livestock	1 space per employee
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Guest house	1 space per unit

Use	Parking Regulations
Hatchery	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Heliport or helistop	1 space if located on the ground
Landfill	1 space per employee
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2000 square feet of floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Racetrack	1 space for every 4 seats or bench seating
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Radio, TV or microwave operation, commercial. (See further regulations in section 42-55(i).)	1 space per employee
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area
Shops, office and/or storage area of public or private utility	1 space per employee
Solid waste transfer station	1 space per employee
Water treatment plant	1 space per employee

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-21. SF-1 Ssingle-family residential district.

(a) Purpose. The SF-1 district is the most restrictive of residential zones and should be applied in areas of larger lots, more contemporary subdivision design and layout, and for areas that are designed solely for residential uses. This zoning classification should be applied in areas of the city to conserve neighborhood character and value of buildings. This district can be appropriately located in proximity to multifamily residential areas and certain neighborhood local retail and office uses.

(b) Permitted uses and parking regulations. In the SF-1 single-family residential district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	7,500 square feet[1]
Minimum lot width:	60 linear feet

Minimum lot depth:	125 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	4.0 DU
Height:	35 linear feet

[1] A lot of less than 7,500 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific uses are allowed in the SF-1 district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Commented [A13]: AD: *Austin Indep Sch Dist v Sunset Valley* requires that the City allow schools in residential districts. Given the language in this case I think this would apply to colleges and universities as well. Even if we delete this use in the chart, this case requires us to allow it.

LJA Response: Added use back in.

Use	Parking Regulations
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
Home occupation	0 spaces
~~Hospital (chronic care); long-term health care facility~~	~~1 space for each 2 beds~~
~~Library~~	~~10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.~~
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee

Use	Parking Regulations
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(5) ~~Living space.All residential structures must have at least 1,200 square feet of living space.~~

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A14]: Highlighting to defer to AD on whether ordinance reference should remain or be deleted.

§ 42-22. SF-2 Ssingle-family residential district.

(a) Purpose. The SF-2 district is not as restrictive as the SF-1 district. This district is to be applied in areas where smaller residential lots are appropriate and in areas of transition between nonresidential uses and the SF-1 single-family residential district. This district also functions as a buffer or transition between major streets and the SF-1 district.

(b) Permitted uses and parking regulations. In the SF-2 single-family residential district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces

Use	Parking Regulations
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	45/55[5]
Maximum density per acre:	6.00 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific uses are allowed in the SF-2 district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee

Commented [A15]: AD: *Austin Indep Sch Dist v Sunset Valley* requires that the City allow schools in residential districts. Given the language in this case I think this would apply to colleges and universities as well. Even if we delete this use in the chart, this case requires us to allow it.

LJA Response: Added use back in.

Use	Parking Regulations
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
~~Hospital (chronic care); long-term health care facility~~	~~1 space for each 2 beds~~
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee
Zero lot line house	2 enclosed spaces per unit

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential

structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

~~(5) Living space. All residential structures must have at least 1,200 square feet of living space.~~ (Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A16]: Highlighting to defer to AD on whether ordinance reference should remain or be deleted.

§ 42-23. GH Ggarden home district.

(a) Purpose. The GH district provides for the construction of detached single-family homes on zero lot line lots. In all other respects, the GH district is intended to provide the same benefits and atmosphere as other single-family districts. This district can be appropriately located in proximity to multifamily residential areas and certain neighborhood local retail and office uses.

(b) Permitted uses and parking regulations.

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required

Use	Parking Regulations
Railroad track and right-of-way	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	2,800 square feet[1]
Minimum lot width:	25 linear feet on residential streets and 35 linear feet on collector and major streets
Minimum lot depth:	120 linear feet
Minimum front yard:	15 linear feet[2]
Minimum side yard:	0 linear feet[3]
Minimum rear yard:	5 linear feet[4]
Maximum ground coverage:	45/65[5]
Maximum density per acre:	12 DU
Height:	35 linear feet

[1] A lot of less than 2,800 square feet may be used for a garden home or other single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The minimum front yard shall be 15 feet, provided that in no case shall a garage or carport fronting onto a street be less than 20 feet from the property line adjacent to the street. The front yard setback may be staggered, varied, or reduced to a minimum setback of ten feet for lots facing cul-de-sac or loop streets not exceeding 400 feet in length, with the approval of a site plan or subdivision plat. Under this provision the maximum setback shall be 25 feet. A minimum lot depth of 65 feet, as measured from front building line to rear lot line, shall be maintained.

[3] The minimum side yard shall be zero feet except that there shall be at least ten feet of separation between structures. When garden (patio) homes are constructed with a zero side yard, five feet on the lot adjacent to the zero setback shall be dedicated as an access/maintenance easement for the zero setback garden home. There shall be a minimum side yard setback of 20 feet from any property line adjacent to a street. Side yard setbacks and access/maintenance easements shall be shown on the subdivision plat.

[4] The minimum rear yard shall be five feet for a single-story structure and 15 feet for any two-story structure. If access is from an alley, the minimum setback will be 20 feet for garages or carports. A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required for each application for the development of a garden home in the GH district.

(e) Specific uses. The following specific uses are allowed in the GH district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee, plus 1 space for each 6 beds
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit

Commented [A17]: AD: *Austin Indep Sch Dist v Sunset Valley* requires that the City allow schools in residential districts. Given the language in this case I think this would apply to colleges and universities as well. Even if we delete this use in the chart, this case requires us to allow it.

LJA Response: Added use back in.

Use	Parking Regulations
~~Hospital (chronic care); long-term health care facility~~	~~1 space for each 2 beds~~
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains,
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(f) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious

material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. T-hese construction regulations shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

~~(5) Living space. All residential structures must have at least 1,200 square feet of living space.~~

(g) Common area maintenance. To ensure the long-term maintenance of common land and facilities in garden home developments, the following shall be required:

(1) Plats and site plans shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas and other commonly owned facilities. No such instrument shall be acceptable until approved by the city attorney as to legal form and effect. A homeowners' association (HOA) is the most widely accepted technique for managing commonly owned property. Such association shall provide proof of incorporation prior to issuance of a construction permit.

(2) The HOA or other similar management entity shall be organized as a nonprofit corporation with automatic membership in the management entity when property is purchased. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Included in the maintenance covenants shall be procedures for changing them at stated intervals. Deeds shall also reference the rights and responsibilities of property owners to the management entity. The management entity shall also be responsible for liability insurance, local taxes, and the maintenance of all commonly held facilities through the use of a pro rata formula for all property owners.

(h) Usable open space requirements. Each parcel of land developed under garden home standards shall provide usable open space totaling 15 percent of the area of the parcel. Such open space shall have a maximum slope of ten percent and shall be exclusive of street and alley rights-of-way and/or easements, individually platted lots without open space easements, private yards and patios. The 15 percent shall be computed on the percentage of total platted area in a garden home subdivision, excluding right-of-way for major and secondary streets (as described in the current comprehensive plan). At the time of site plan and/or subdivision plat approval, the city council may give full or partial credit for open areas that exceed the maximum slope or which are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.

(i) Additional landscaping. In addition to any required landscaping for common areas, the front yard and parkway areas shall be landscaped and permanently maintained.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A18]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

§ 42-24. ~~MH-1~~MH-1X M~~m~~anufactured home park district (X).

(a) Purpose. The ~~MH-1~~MH-1X district is established to allow for the development of quality manufactured home park developments which create lots or units of land under single ownership where the

individual lots or units of land are rented or leased for the placement of a single manufactured home. This district provides adequate space and restrictions for the placement of manufactured housing in the city where adequate streets and other community facilities are available for present and future needs. The ~~MH-1~~MH-1X district is established to provide housing densities compatible with single-family neighborhoods and to promote the most desirable use of land; to promote stability of development; to preserve the value of the land and improvements; and to protect the city's tax base. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No. ___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-1X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No. ___ on ___. Any MH-1X zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. In the ~~MH-1~~MH-1X district, no building or land shall be used and no building shall be hereafter erected or placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	5,000 square feet[1]
Minimum lot width:	40 linear feet
Minimum lot depth:	125 linear feet
Minimum front yard:	5/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet (25 feet street side)[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 5,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required for each application for the development of a manufactured home park in the ~~MH-1~~MH-1X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district.

(f) Specific uses. The following specific uses are allowed in the ~~MH-1~~MH-1X district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home park district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community

Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and must be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-25. ~~MH-2~~MH-2X M~~m~~anufactured home subdivision district (X).

Commented [A19]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

(a) Purpose. The ~~MH-2~~MH-2X district is intended to provide for quality manufactured home subdivision development containing most of the characteristics and atmosphere of a standard single-family residential subdivision. The development is designed in a similar manner as a single-family residential subdivision with lots being platted for separate ownership. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No. ___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-2X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No. ___ on ___. Any MH-2X zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations. In the ~~MH-2~~MH-2X ~~manufactured housing district~~, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	1 space per employee to be occupying the carport
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided

Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	40/50[5]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required prior to a manufactured home subdivision development in the ~~MH-2~~MH-2X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district or use.

(f) Specific uses. The following specific uses are allowed in the ~~MH-2~~MH-2X district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit

Use	Parking Regulations
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Travel trailer park	1 space per unit
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home subdivision district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and will be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-26. ~~MH-3~~MH-3X M~~m~~anufactured home subdivision district (X).

Commented [A20]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

(a) Purpose. The ~~MH-3~~MH-3X district is intended to provide for quality manufactured home subdivision development containing most of the characteristics and atmosphere of a standard single-family residential subdivision. The development is designed in a similar manner as a single-family residential subdivision with lots being platted for separate ownership. The ~~MH-3~~MH-3X district allows more flexible design standards than the ~~MH-2~~MH-2X district. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No.___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MH-3X zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No.___ on ___. Any MH-3X zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(b) Permitted uses and parking regulations .In the ~~MH-3~~MH-3X manufactured housing district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	1 space per employee to be occupying the carport
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Manufactured home, HUD-code	1 space per unit
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	6,000 square feet[1]
Minimum lot width:	50 linear feet
Minimum lot depth:	120 linear feet
Minimum front yard:	12 linear feet
Minimum side yard:	8/10 linear feet[2]
Minimum rear yard:	10 linear feet
Maximum ground coverage***:	40/50[3]
Maximum density per acre:	6.0 DU
Height:	35 linear feet

[1] A lot of less than 6,000 square feet may be used for a manufactured home residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a street.

[3] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Site plan required. A site plan meeting the requirements of section 42-56 shall be required prior to a manufactured home subdivision development in the ~~MH-3~~MH-3X district.

(e) Screening. A landscape buffer meeting the requirements of section 42-58 will be required when this use is located adjacent to any residential district.

(f) Specific uses. The following specific uses are allowed in the ~~MH-3~~MH-3X district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Gas metering station	1 space per employee

Use	Parking Regulations
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Travel trailer park	1 space per unit
Water storage, elevated	0 spaces
Water storage, ground	0 spaces
Water treatment plant	1 space per employee

(g) Additional restrictions applicable to manufactured home subdivision district.

(1) Manufactured housing design and construction must comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(2) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(3) Tie-downs are required and must be secured prior to occupancy.

(4) Underpinning and skirting are required and must be installed prior to occupancy. Upon determination by the city manager that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(5) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(6) All manufactured homes shall comply with all regulations of the state and such regulations are hereby incorporated into this section.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-27. ~~TF~~ DD ~~two-family residential (D~~duplex~~)~~ district.

(a) Purpose. The DD~~TF~~ district is designed to promote stable, quality residential development ~~of slightly increased densities~~. This district is the most restrictive of the multifamily districts and is intended for two-family use. This district is intended for zones of transition from the single-family zones to higher density multifamily or nonresidential zones.

(b) Permitted uses and parking regulations. In the DD~~TF~~ district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Water pumping station or well	0 spaces

(c) Development requirements.

Minimum lot area:	7,500 square feet[1]
Minimum lot width:	60 linear feet

Minimum lot depth:	125 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/10/15 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	50/60[5]
Maximum density per acre:	8.0 DU
Height:	35 feet

[1] A lot of less than 7,500 square feet may be used for a single-family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

[4] A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) Specific uses. The following specific exception uses are allowed in the DD~~TF~~ district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Commented [A21]: AD: *Austin Indep Sch Dist v Sunset Valley* requires that the City allow schools in residential districts. Given the language in this case I think this would apply to colleges and universities as well. Even if we delete this use in the chart, this case requires us to allow it.

LJA Response: Added use back in.

Use	Parking Regulations
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
~~Hospital (chronic care); long-term health care facility~~	~~1 space for each 2 beds~~
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

Use	Parking Regulations
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Townhouse or row dwelling	2 spaces per unit, 1 covered
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(e) Special construction requirements.

(1) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other materials shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

~~(5) Living space. All residential structures must have at least 1,000 square feet of living space per unit.~~

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A22]: Highlighting to defer to AD on whether ordinance reference should remain or be deleted.

§ 42-28. MFX M~~m~~ultifamily residential district (X).

Commented [A23]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

(a) Purpose. The MFX district allows medium to high density multifamily development. This district is intended to be a buffer or transition zone from major streets and nonresidential uses to lower density residential zones. Density in this district does not ordinarily exceed 15 units per gross acre but can reach a maximum of 25 units per gross acre if special fire protection requirements are observed. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No. ___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any MFX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No. ___ on ___. Any MFX zoned property may also be considered for rezoning to a non-legacy district, not marked with an

"x" in the district name.

~~(a)~~(b) Permitted uses and parking regulations. In the MFX district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise
provided in this chapter, except for the following uses:

~~(b)(c) Permitted uses and parking regulations. In the MFX district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise
provided in this chapter, except for the following uses:~~

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, attached or detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Townhouse or row dwelling	2 spaces per unit, 1 covered

Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Water pumping station or well	0 spaces

~~(c)~~(d) Development requirements.

Minimum lot area:	10,000 square feet or 1,500 square feet per DU, whichever is greater[1]
Minimum lot width:	For multifamily, townhouse and zero lot line lots, 20 linear feet per ground floor unit plus the side yard setback. For all other permitted uses, 60 linear feet.
Minimum lot depth:	120 linear feet
Minimum front yard:	25/35 linear feet[2]
Minimum side yard:	8/25 linear feet[3]
Minimum rear yard:	25 linear feet[4]
Maximum ground coverage:	60/65[5]
Maximum density:	15.0/25.0 dwelling units per acre[7]
Height:	45 feet[6]

[1] Minimum lot size for townhouses shall be 3,000 square feet per dwelling unit. Minimum lot size for all other permitted uses shall be 10,000 square feet or 1,500 square feet per dwelling unit, whichever is greater.

[2] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[3] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a street. If a side yard is adjacent to a single-family residential district, there shall be a 25-foot setback and a 60-foot setback from the adjacent property line for buildings in excess of one story in height. If more than one building is located on the same lot, there shall be a ten-foot separation between buildings without openings (windows) and a 15-foot separation between buildings with openings.

[4] If a rear yard is adjacent to a single-family residential district, there shall be a 25-foot setback and a 60-foot setback from the adjacent property line for buildings in excess of one story in height. If more than one building is located on the same lot, there shall be a ten-foot separation between buildings without openings (windows) and a 15-foot separation between buildings with openings.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

[6] The height of any multifamily building sited on a lot adjacent to an area zoned or used for single-family dwellings or where single-family dwellings of one story in height exist shall be limited to one story for a distance of 60 feet from the single-family district boundary or the lot on which the single- family dwelling is located.

[7] The first number in the column is the maximum density for a multifamily development fronting a residential street; the second number in the column is the maximum density for a multifamily development fronting a collector or major street.

~~(d)~~(e) Specific uses. The following specific uses are allowed in the MFX district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Assisted living facility	1 space per employee to be occupying the building

Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community home	1 space per employee to be occupying the building
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Dormitory	1 space for each 2 beds
Electrical substation	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds

Use	Parking Regulations
Household care facility	1 space per employee
Household care institution	1 space per employee
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

~~(e)~~(f) Additional parking requirements. At least 20 percent of the parking required to be provided shall be designated visitor parking only. A minimum of 50 percent of the required parking spaces of a multifamily development shall be either an attached enclosed garage or a detached multi-car covered parking structure. Detached covered parking shall function unobtrusively and shall be compatible with the main buildings of the multifamily development in terms of materials design, style and color. Detached covered parking structures, if used, shall be located near the building served. No detached covered parking structure shall accommodate more than ten parking spaces or be located closer than ten feet to another parking structure. When garages are used within dwellings, one-car garages shall be a minimum of ten feet wide and 20 feet long.

~~(f)~~(g) Leasing office/clubhouse required. A leasing office shall be constructed with each multifamily development. A clubhouse, which shall be available to all residents of the development, with a minimum of 2,500 square feet in size shall be provided for any multifamily development of 200 units or less; a minimum of 3,500 square feet in size for 201 to 350 units; and 4,000 square feet for 351 or more units.

~~(g)~~(h) General landscaping and screening provisions.

(1) A standard ten-foot-wide landscaped screening buffer meeting the requirements of section 42-58(f) shall be constructed around the entire perimeter of the multifamily lot or premises. Not less than one tree shall be planted and maintained for each 25 linear feet or portion thereof of the landscaped buffer strip. Each tree used in landscaped open space buffer strips shall be not less than six feet in height upon planting and shall have a caliper of not less than two inches measured 12 inches from the ground.

(2) Border fencing of wood or masonry of not less than six feet in height shall be installed by the owner, builder or developer at the time of construction of any multifamily complex, along the property line on any perimeter not abutting a public street or right-of-way. This screening shall be maintained throughout the existence of the multifamily complex by the owner of the complex.

~~(h)~~(i) Refuse facilities. Every dwelling unit in a multifamily complex shall be located within 250 feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. There shall be available at all times at least six cubic yards of refuse container per 30 multifamily dwelling units. For complexes with less than 30 units, no less than four cubic yards of refuse container shall be provided. Each refuse facility shall be screened from view on three sides from persons standing at ground level on the site or immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six feet nor more than eight feet in height or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies.

~~(i)~~(j) Special fire protection requirements.

(1) For multifamily densities of greater than 15 units per acre, each building in the development shall contain an automatic sprinkler system to be installed at the time of construction, and thereafter operated in accordance with currently applicable fire safety codes.

(2) In addition, each unit in any multistory design, regardless of density, shall be provided with a minimum of two points of entry and exit with each providing separate access to places of safety in the event of fire or other emergency.

Commented [A24]: Added by AD

~~(j)~~(k) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the MFX district shall have at least 75 percent of the exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the MFX district shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the MFX district shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane.

~~(k)~~(l) Courts and open space requirements.

(1) Courts. Where an apartment building is erected so as to create inner courts, the faces of all opposite walls in such courts shall be a minimum distance of 30 feet apart and no balcony or canopy shall extend into such court area for a distance greater than five feet.

(2) Usable open space. Each lot or parcel of land which is used for multifamily residences shall provide on the same lot or parcel of land usable open space in accordance with the table below:

a. Usable open space requirements are as follows:

Number of Bedrooms or Sleeping Rooms	Square Feet
One or less	600
Each additional bedroom over one	300

b. In those instances where a parcel of land has been zoned for multifamily use with a specific use permit or planned development classification and the permitted densities do not conform exactly with those permitted in the MFX district, usable open space shall be provided in accordance with that required for the multifamily zoning district which most closely approximates the density permitted under the SUP or PD.

c. In meeting this requirement, a credit of three square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within ten feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings. Tennis courts are specifically excluded from this increased credit allowance. At the time of site plan approval, the city council may allow a credit not to exceed ten percent of the total required usable open space for adjacent and immediately accessible public parks. The combined credit for areas calculated at a three-to-one basis and for public parks shall not exceed 50 percent of the total usable open space for an individual lot or parcel of land.

d. At the time of site plan approval, the city council may give full or partial credit for open areas that exceed the maximum slope, if it is determined that such areas are environmentally significant and that their preservation would enhance the development.

~~(l)~~(m) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the MFX district.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-29. ~~C-1~~NC Neighborhood commercial district~~—Office, light retail and neighborhood services~~.

(a) Purpose. The ~~C-1~~NC district is a low~~er~~ intensity commercial category providing a uniform set of standards for office facilities, neighborhood-type retail shopping facilities and general commercial activities of a service character. The ~~C-1~~NC district is established to accommodate the daily and frequent needs of the community at a neighborhood scale. It is intended that properties in this zoning district be served by appropriate streets and be of such size that all parking and traffic maneuvering can take place on the commercial site.

(b) Permitted uses and parking regulations. In the ~~C-1~~NC district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Automobile service station (no garage or automobile repair facilities)	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
~~Candle manufacturing~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
~~Construction yard (temporary)~~	~~1 space per employee to be occupying the area~~

Use	Parking Regulations
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store of not greater than 20,000 square feet floor space	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store with floor space not greater than 20,000 square feet	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Garage, private	1 space per employee to be occupying the garage
Gas metering station	1 space per employee
General merchandise ~~indoor auction~~	1 space per ~~3~~2200 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
~~Metal dealer, crafted precious~~	~~1 space per 300 square feet of gross floor area~~

Use	Parking Regulations
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center ~~(public)~~	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Personal service shop	1 space per 200 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Racquetball facilities	4 spaces for each court
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

Use	Parking Regulations
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Tanning salon	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, ground	0 spaces

(c) District restrictions. The following restrictions shall apply to uses in the ~~C-1~~NC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to the ~~C-1~~NC district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of eight feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Drive-in type establishments.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and shall be maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading of materials or products shall be permitted in the required front yard.

(e) Development requirements.

Minimum lot area:	~~None~~2,500 square feet
Minimum lot width:	~~None~~50 feet
Minimum lot depth:	~~80~~ 50 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district ~~even when separated by an alley~~.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet ~~or 20 percent of the depth of the lot, whichever is lesser~~, shall be provided upon that portion of a lot abutting ~~or across a rear alley or street from~~ a residential use or district.
Maximum ground coverage:	90 percent~~None~~
Maximum density per acre:	NA
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Specific uses. The following specific uses are allowed in the ~~C-1~~NC district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto laundry	1 space per 200 square feet of floor space

Use	Parking Regulations
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
~~Automobile and trailer sales area, new or used~~	~~1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater~~
~~Boat sales and storage~~	~~1 space per 300 square feet of gross floor area~~
~~Building materials, hardware (outside storage)~~	~~2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet~~
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Carwash	1 space per employee
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Feed and farm supply (inside sales/ storage)	1 space per 300 square feet of gross floor area
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garden center (retail sales)	1 space per 200 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee

Use	Parking Regulations
~~Heliport or helistop~~	~~1 space if located on the ground~~
Hospital (acute care)	1 space for every 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Kennel (no outside pens)	1 space per 200 square feet of floor area
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Pet shop	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
~~Prison, jail or place of incarceration~~	~~1 space per employee plus 1 space for every 200 square feet of visitor floor area~~
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second-hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage treatment plant	1 space per employee

Use	Parking Regulations
~~Shooting range, target range~~	~~1 space per employee plus 1 space for every 5,000 square feet of floor area~~
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
~~Taxidermist~~	~~1 space per 200 square feet of gross floor area~~
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water storage, elevated	0 spaces
Water treatment plant	1 space per employee

(g) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, ~~TF~~ DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry ~~or wood~~ wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the ~~C-1~~NC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the ~~C-1~~NC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-30. ~~C-2~~RC ~~general~~ Regional commercial district.

~~(a)~~ Purpose. The ~~C-2~~RC district is intended to allow the development of areas that provide a greater number and mix of retail and commercial uses. The uses permitted in the ~~C-2~~RC district are still intended to be ~~not~~ generally carried on completely within a building or structure, but some outside areas and an expanded range of service and repair uses could be~~is~~ permitted. This district is reserved for areas of adequate size and location so that its broad range of high intensity land uses will not cause or create nuisances to adjoining zoning districts.

~~(b)~~(a) Permitted uses and parking regulations. In the ~~C-2~~RC district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (indoor or outdoor sales)	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Auto laundry	1 space per 200 square feet of floor space
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boat sales and storage	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Child care center	1 space per ten pupils/clients (design capacity)
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area

Use	Parking Regulations
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Feed and farm supply (inside sales/storage)	1 space per 300 square feet of gross floor area
Feed and farm supply (outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center ~~(public)~~	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Pet shop	1 space per 300 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area

Use	Parking Regulations
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Shops, office and/or storage area of public or private utility	1 space per employee
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Tanning salon	1 space per 200 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Taxidermist	1 space per 200 square feet of gross floor area
Teen club	1 space for every 1,000 square feet of floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces

Use	Parking Regulations
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

~~(c)~~(b) District restrictions. The following restrictions shall apply to uses in the ~~C-2~~RC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

~~(d)~~(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

~~(e)~~(d) Specific uses. The following specific uses are allowed in the ~~C-2~~RC district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Brew pub	1 space per 100 square feet of gross floor area
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Electric power generating plant	1 space per employee
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
~~Hotel, motel, motor hotel, or motor lodge~~	~~1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area~~
Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Microbrewery	1 space per 200 square feet of floor area
Microdistillery	1 space per 200 square feet of floor area
Newspaper printing	1 space per 300 square feet of gross floor area
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Print shop	1 space per 300 square feet of gross floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Self storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area

Use	Parking Regulations
Solid waste transfer station	1 space per employee
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Theater (outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (no outside storage)	1 space for every 200 square feet of floor area
~~Tire retreading and recapping~~	~~1 space per employee~~
Tobacco sales	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area

~~(f)~~(e) Development requirements.

Minimum lot area:	~~None~~2,500 square feet
Minimum lot width:	~~None~~50 feet
Minimum lot depth:	50~~80~~ linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district ~~even when separated by an alley~~.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet ~~or 20 percent of the depth of the lot, whichever is lesser~~, shall be provided upon that portion of a lot abutting ~~or across a rear alley or street from~~ a residential use or district.
Maximum ground coverage:	~~None~~90 percent
Maximum density per acre:	NA

Height:	455 linear feet [2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] No building shall exceed 455 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

~~(g)~~(f) Screening devices. In the event that the ~~C-2~~RC district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, DD~~TF~~, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

~~(h)~~(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the ~~C-2~~RC district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the ~~C-2~~RC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the ~~C-2~~RC district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-31. ~~M-1~~CF ~~light manufacturing/industrial~~Commerce flex district.

(a) Purpose. The ~~M-1~~CF district permits and regulates those uses of the land that cause the manufacturing, assembly, processing, storage, distribution, sale or repair of materials, goods, parts, products, equipment, machinery, and other such operations incidental to industrial uses. This district is intended to allow certain storage, wholesale and industrial uses such as the fabrication of materials and specialized manufacturing and research institutions. Clean and quiet flex-space development that takes advantage of convenient access to Highways I-35 and US 67 is highly encouraged. All uses in the ~~M-1~~CF district must be compatible with surrounding uses so as not to adversely affect the use, development or enjoyment of surrounding properties.

(b) Permitted uses and parking regulations. In the ~~M-1~~CF district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Advertising displays manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Amusement, commercial (outdoor)	1 space for every 1,000 square feet of gross floor area
Apparel and other products assembled from finished textiles	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Arts, crafts store (outdoor sales)	1 space for every 200 square feet of floor area or
Auto laundry	1 space per 200 square feet of floor space
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Auto paint and body shop	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto parts sales (inside or outside)	1 space for every 200 square feet of floor area
Auto repair, major	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto storage	1 space per employee, plus 1 space per vehicle to be stored
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

Use	Parking Regulations
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Boat sales and storage	1 space per 300 square feet of gross floor area
Boats, building or repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bookbinding, except hand binding	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bottling works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bowling alley	6 spaces for each lane
Brooms or brushes, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials (inside or outside storage)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials, hardware (inside or outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cameras or other photographic equipment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Carpet manufacturing or cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Ceramics, stone, glass, marble or porcelain products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
Cleaning and dyeing; dry cleaning plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Contractor's shop and storage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Cosmetic manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Dance hall	1 space per 100 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical appliances, supplies, and machinery, assembly or manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Electronic products, assembly	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Farm, ranch, or orchard	1 space per employee
Feed and farm supply (inside or outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee

Use	Parking Regulation
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Fur good manufacturing (not including tanning and dyeing)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture and upholstery manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General commercial plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
General manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Golf course	Minimum of 30 spaces

Use	Parking Regulations
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Hatchery	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Household appliance products assembly and manufacturing from prefabricated parts	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ice production, dry or natural	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Industrial park	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Jute, hemp, sisal or oakum products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laboratory, scientific or research	1 space per 300 square feet of gross floor area
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Laundry plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Light manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Mattress manufacturing or renovation	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Meat processing/locker plant/frozen food products~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal dealer, secondhand	1 space per 300 square feet of gross floor area

Use	Parking Regulations
~~Metal fabrication~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Mobile food vendor	0 spaces
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Newspaper printing	1 space per 300 square feet of gross floor area
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Orthopedic or medical appliance manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Portable building sales	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area

Use	Parking Regulations
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
~~Scrap tire facility~~	~~1 space per employee~~
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Sexually oriented business	1 space per 200 square feet of gross floor area
Shops, office and/or storage area of public or private utility	1 space per employee

Use	Parking Regulations
Sporting and athletic equipment manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Telephone exchange	1 space per employee
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Telephone line	0 spaces
Theater (indoor or outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with or without outside storage)	1 space for every 200 square feet of floor area
~~Tire retreading and recapping~~	~~1 space per employee~~
Tool rental shop	1 space per 200 square feet of gross floor area
Tools or hardware manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Toys and novelty products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Trailer rental	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated

Use	Parking Regulation
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee
Window shade, awnings, venetian blind manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first 15 feet of the required front yard setback, measured from the property line shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

~~(3)~~(4) Pedestrian walkways shall be provided along the perimeter of the building (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(d) Specific uses. The following specific uses are allowed in the ~~M-1~~CF district when authorized by the ~~board of adjustment under the~~ provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto wrecking yard or junkyard	1 space for every 1,000 square feet of floor area
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Brick, tile, pottery or terra-cotta manufacturing, other than handcraft	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Coal, coke or wood yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Concrete, asphalt batching plant (permanent)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area
Dairy products processing, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drugs or pharmaceutical products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Dyestuff manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electric power generating plant	1 space per employee
Electronic products, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Factory outlet retail or wholesale store on same premises as manufacturing company	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/ storage (outside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Florist	1 space per 300 square feet of gross floor area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
~~Junkyard or salvage yard~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Mill (grain, flour, food products)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Oil field service	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Oilcloth or linoleum manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Paint, oil, shellac, turpentine or varnish manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Petroleum products, sales (wholesale)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Plastic products manufacturing (not including processing of raw materials)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Racetrack	1 space for every 4 seats or bench seating
Railroad freight terminals, railroad switching and classification yards, repair shops and roundhouses	1 space per employee
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Self-storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Sewage treatment plant	1 space per employee
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area

Use	Parking Regulations
Solid waste transfer station	1 space per employee
Solid waste transfer station	1 space per employee
~~Steel fabrication~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Storage/wholesale warehouse, heavy	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
Taxidermist	1 space per 200 square feet of gross floor area
~~Tire recapping, vulcanizing~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater~~
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vendor, stationary	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area

(e) Development requirements.

Minimum lot area:	~~None~~4,000 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	A 25-foot front yard is required except that a front yard of not less than 50 feet shall be provided upon that portion of a lot abutting ~~or across a street or alley from property in~~ a residential or commercial use or district (other than industrial).
Minimum side yard:	No side yard is required except that a side yard or a side street yard of not less than 25 feet in width shall be provided on the side of the lot abutting a residential or commercial use or district (other than industrial).
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 50 feet in depth shall be provided upon that portion of a lot abutting ~~or across a rear street or alley from~~ a residential use or district~~, except that such rear yard requirement shall be 25 feet in depth where the property in the residential district backs up to the rear~~

	~~street~~.
Maximum ground coverage:	~~None~~90 percent
Maximum density per acre:	NA
Height:	45 linear feet[1]

[1] No building shall exceed 45 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Screening devices. In the event that the ~~M-1~~CF district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, DD~~TF~~, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry ~~or wood~~ wall shall be constructed on the nonresidential property adjacent to the common property line with any residential use or district. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the manufacturing/-industrial use by the owner of the property.

(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in this district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(h) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the ~~M-1~~CF district.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2023-0016 adopted 7/17/2023; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-32. ~~M-2~~IND ~~heavy manufacturing/li~~industrial district.

(a) Purpose. The ~~M-2~~IND district is designed to accommodate most industrial uses and is the most intensive zoning~~use~~ classification within the city. This district is intended for those uses that without proper regulation would manifest clear negative impacts on surrounding land uses and as such must be sited to avoid environmental degradation.

(b) Permitted uses and parking regulations. In the ~~M-2~~IND district, no building or land shall be used and no building shall be hereafter erected or placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Acetylene gas manufacturing or storage	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Acid manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Advertising displays manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Alcohol manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ammonia, bleach or chlorine manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Apparel and other products assembled from finished textiles	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Arsenal	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Asphalt manufacturing or refining	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Auto paint and body shop	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto storage	1 space per employee, plus 1 space per vehicle to be stored
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Bag cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Blast furnace	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Boats, building or repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Boiler works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Bookbinding, except hand binding	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Bottling works	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Brick, tile, pottery or terra-cotta manufacturing, other than handcraft	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Brooms or brushes, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials (inside or outside storage)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cameras or other photographic equipment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carpet manufacturing or cleaning	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Celluloid manufacturing or treatment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cement, lime, gypsum or plaster of Paris manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ceramics, stone, glass, marble or porcelain products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
Cleaning and dyeing; dry cleaning plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Coal, coke or wood yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Contractor's shop and storage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Cosmetic manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cotton seed oil manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dairy products processing, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dance hall	1 space per 100 square feet of gross floor area
Disinfectant manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Distillation of bones, coal or wood	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Drugs or pharmaceutical products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Dyestuff manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electric power generating plant	1 space per employee
Electrical appliances, supplies, and machinery, assembly or manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electrical substation	1 space per employee

Use	Parking Regulations
Electrical transmission line	0 spaces
Electronic products, assembly	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Electronic products, manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Emery cloth and sandpaper manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Farm seed and/or fertilizer sales/storage (inside or outside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Farm, ranch, or orchard	1 space per employee
Fat rendering	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Feed and farm supply (inside or outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Fish smoking and curing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Food products processing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Food store; grocery store	1 space per 300 square feet of gross floor area
Forge plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Foundry (iron, steel, brass or copper)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fur good manufacturing (not including tanning and dyeing)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture and upholstery manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Gas manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Gas metering station	1 space per employee

Use	Parking Regulations
General commercial plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
General manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glue or gelatin manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Golf course	Minimum of 30 spaces
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
~~Hatchery~~	~~1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater~~
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Heliport or helistop	1 space if located on the ground
Household appliance products assembly and manufacturing from prefabricated parts	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ice production, dry or natural	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Industrial park	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Jute, hemp, sisal or oakum products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Kennel (with or without outside pens)~~	~~1 space per 200 square feet of floor area~~
Laboratory, scientific or research	1 space per 300 square feet of gross floor area
Laundry plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Light manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Mattress manufacturing or renovation	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Meat processing/locker plant/frozen food products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal dealer, secondhand	1 space per 300 square feet of gross floor area
Metal fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

Use	Parking Regulations
Mill (grain, flour, food products)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mobile food vendor	0 spaces
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Newspaper printing	1 space per 300 square feet of gross floor area
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil field service	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Oilcloth or linoleum manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Ore reduction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Orthopedic or medical appliance manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

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LJA response: We are okay leaving this in.

Use	Parking Regulations
Paint, oil, shellac, turpentine or varnish manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Paper products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Petroleum products, bulk quantities	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Petroleum products, sales (wholesale)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Plastic products manufacturing (not including processing of raw materials)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Post office, government and private	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee

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LJA Response: We are okay leaving this in.

Use	Parking Regulations
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel
Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
~~Rodeo arena and grounds~~	~~1 space for every 4 seats or bench seating~~
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
~~School, commercial~~	~~1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area~~
~~School, trade~~	~~1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area~~
~~School, trade or commercial~~	~~1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area~~
Scrap metal sales and storage	1 space for each 2 employees or 1 space per 1,000 square feet of gross floor area, whichever is greater
Scrap tire facility	1 space per employee
Service yards of government agency	1 space per employee
Sewage pumping station	0 spaces
Shops, office and/or storage area of public or private utility	1 space per employee
Solid waste transfer station	1 space per employee
Sporting and athletic equipment manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Stadium or playfield~~	~~1 parking space for each 4 seats or bench seating spaces~~

Use	Parking Regulations
Steel fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Storage/wholesale warehouse, light or heavy	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
~~Theater (indoor or outdoor)~~	~~1 space for each 4 seats or bench seating spaces~~
Tire recapping, vulcanizing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Tire retreading and recapping	1 space per employee
Tools or hardware manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Toys and novelty products manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Transit station or turnaround	1 space per intended user
Truck and bus repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces

Use	Parking Regulations
Water treatment plant	1 space per employee
Window shade, awnings, venetian blind manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Yeast manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(c) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Except as provided below, every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yard. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) No loading or storage of material or products shall be permitted in the required front yard.

(3) All uses permitted in the ~~M-2~~IND district must meet the following performance standards and any appropriate city ordinances:

a. Smoke. No operation shall be conducted unless it conforms to the standards established by any applicable state and federal health rules and regulations pertaining to smoke emission;

b. Particulate matter. No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to emission of particulate matter;

c. Dust, odor, gas, fumes, glare, or vibration. No emission of these matters shall result in a concentration at or beyond the property line which is detrimental to the public health, safety or general welfare or which causes injury or damage to property; said emissions shall in all cases conform to the standards established by applicable state and federal health rules and regulations pertaining to said emissions;

d. Radiation hazards and electrical disturbances. No operation shall be conducted unless it

conforms to the standards established by applicable state and federal health rules and regulations pertaining to radiation control;

e. Noise. No operation shall be conducted in a manner so that any noise produced is objectionable due to intermittence, beat frequency, or shrillness. Sound levels of noise at the property line shall not exceed 75 dB(A) permitted for a maximum of 15 minutes in any one hour; said operation shall in all cases conform to the standards established by applicable state and federal health rules and regulations and to other city ordinances pertaining to noise; and

f. Water pollution. No water pollution shall be emitted by manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the appropriate state and national health and environmental protection agencies prior to issuance of a certificate of occupancy. The applicant shall have the burden of establishing that said safeguards are acceptable to said agency.

(4) The first 15 feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(d) Specific uses. The following specific uses are allowed in the ~~M-2~~IND district when authorized by the board of adjustment under the provisions of section 42-45:

Use	Parking Regulations
Arcade	1 space for every 200 square feet of floor area
Auto parts sales (outside)	1 space for every 1,000 square feet of floor area
Auto repair, major or minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Auto wrecking yard or junkyard	1 space for every 1,000 square feet of floor area
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Chemical manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~College or university~~	~~1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area~~

Use	Parking Regulations
~~Community home~~	~~1 space per employee to be occupying the building~~
Concrete, asphalt batching plant (permanent)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Cotton gin	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Creosote treatment	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Explosive or fireworks manufacturing or storage	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fertilizer manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Fiberglass manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Fraternal organization, lodge~~	~~1.25 spaces per 200 square feet~~
~~Fraternal organization, lodge or civic club~~	~~1.25 spaces per 200 square feet~~
Garbage, offal or dead animal reduction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Golf driving range~~	~~1 space per employee plus 1 space per 5,000 square feet of floor area~~

Use	Parking Regulations
Grain elevator	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Herbicide manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
~~Hospital (acute care)~~	~~1 space for every 2 beds~~
~~Hospital (chronic care); long-term health care facility~~	~~1 space for each 2 beds~~
Insect poison manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Junkyard or salvage yard	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Livestock feed yards	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Mines and quarries	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Portable building sales	1 space per 300 square feet of gross floor area
~~Prison, jail or place of incarceration~~	~~1 space per employee plus 1 space for every 200 square feet of visitor floor area~~
~~Racetrack~~	~~1 space for every 4 seats or bench seating~~

Use	Parking Regulations
Self-storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Sewage treatment plant	1 space per employee
Shooting range, target range	1 space per employee plus 1 space for every 5,000 square feet of floor area
~~Stable, commercial~~	~~1 space per employee plus 1 space for every 1,0000 square feet of floor area~~
~~Swimming pool, commercial or private~~	~~1 space for each 100 square feet of gross water surface and deck area~~
Tire dealer (with or without outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area
Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vendor, stationary	1 space per 200 square feet of gross floor area
~~Veterinarian clinic (with or without outside pens)~~	~~1 space per 200 square feet of gross floor area~~
Wrecking yard (junkyard or salvage yard)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater

(e) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the ~~M-2~~IND district.

(f) Development requirements.

Minimum lot area:	~~None~~4,000 square feet
Minimum lot width:	50 linear feet
Minimum lot depth:	80 linear feet

Minimum front yard:	A 25-foot front yard is required except that a front yard of not less than 50 feet shall be provided upon that portion of a lot abutting ~~or across a street or alley from property in~~ a residential or commercial use or district (other than industrial).
Minimum side yard:	No side yard is required except that a side yard or a side street yard of not less than 50 feet in width shall be provided on the side of the lot abutting a residential or commercial use or district (other than industrial).
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 50 feet in depth shall be provided upon that portion of a lot abutting ~~or across a rear street or alley from~~ a residential use or district~~, except that such rear yard requirement shall be 25 feet in depth where the property in the residential district backs up to the rear street~~.
Maximum ground coverage:	~~None~~90 percent
Maximum density per acre:	NA
Height:	45 linear feet

(g) Screening devices. In the event that the ~~M-2~~IND district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, DD~~TF~~, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry ~~or wood wall~~ shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the manufacturing/industrial use by the owner of the property.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the ~~M-2~~IND district shall have at least 75 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the ~~M-2~~IND district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the ~~M-2~~IND district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2023-0016 adopted 7/17/2023; Ordinance 2024-0001 adopted 1/22/2024)

§ 42-33. CBDX Ccentral ~~b~~business ~~d~~district (X).

(a) Purpose. The CBDX district is established to accommodate the unique characteristic of the historical center of the city and to ensure that future development in the CBDX district is compatible with maintaining the economic and historic integrity of the area. The Ccentral B~~b~~usiness D~~d~~istrict (X) is designed to provide an area for shopping, dining, working, residing, and entertainment which will remain active during evenings and weekends as well as standard work hours. Historically, the retail and cultural core of the city, the CBDX district includes the

Commented [A27]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

central downtown area of the city, extending ~~from~~from Patton Street to Atchley Street and from Spears Street to Sparks Street. The CBDX is projected as a mixed-use district that will including residential, retail and commercial uses as set forth in this section. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No. ___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any CBDX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No. ___ on ___. Any CBDX zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

~~(a)~~(b) Permitted uses and parking regulations. The CBDX allows commercial, retail and residential-above- retail/commercial uses. Where a residential use occurs above a retail or commercial use, the facade of the building should differentiate between the two uses with architectural features, e.g., different window designs, contrasting exterior surfaces, harmonizing colors or other subtle distinctions. The minimum area for a residential unit that is located over a commercial/retail/office use shall be 650 square feet. In the CBDX business district, no buildings or land shall be used or undertaken, and no buildings shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barbershop	1 space per 200 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bowling alley	6 spaces for each lane
Building materials, hardware sales (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Building materials, hardware sales (outside and inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Custom personal service shop	1 space per 200 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Florist	1 space per 300 square feet of gross floor area

Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Mobile food vendor	0 spaces
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces

~~(b)~~(c) Site plan required.A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the CBDX district.

(d) Dimensional standards.

Minimum lot area:	1600'
Minimum lot width:	20'
Minimum lot depth:	80'
Minimum front yard:	Setback averaging[1]
Minimum side yard for interior unit:	0'
Minimum side yard not abutting street:	5'
Minimum side yard abutting residential street:	10'
Minimum side yard abutting collector or major street:	15'
Minimum rear yard setback adjacent to DT boundary properties:	10'
Max imperious coverage:	90%
Max density/acre:	8 DU/A
Max height:	45'

Notes:

1 The proposed building shall be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face. On a corner lot, the range of setbacks is measured on the basis of the three closest lots along the block face.

~~(c) Development requirements.~~

~~Minimum lot area:~~	~~None~~
~~Minimum lot width:~~	~~None~~
~~Minimum lot depth:~~	~~None~~
~~Minimum front yard:~~	~~None~~
~~Minimum side yard:~~	~~None~~
~~Minimum rear yard:~~	~~None~~
~~Maximum ground coverage:~~	~~None~~
~~Maximum density per acre:~~	~~None~~
~~Height:~~	~~None~~

~~(d)~~(e) Specific uses. The following specific uses are allowed in the CBDX district when authorized under the provisions of section 42-45:

Commented [A28]: This section was added by AD, but appears to be different than current CBD regulations. LJA recommends existing CBD dimensional standards here.

Commented [A29]: This note was added by AD, but LJA recommends keeping existing CBD regulations here and not including the note.

Commented [A30]: This section was removed by AD, but appears to be different than current CBD regulations. LJA recommends keeping the existing CBD dimensional standards here.

Use	Parking Regulations
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Arcade	1 space for every 200 square feet of floor area
Arts, crafts store (outdoor sales)	1 space for every 200 square feet of floor area or
Bakery and confectionery, commercial	1 space per 300 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Dance hall	1 space per 100 square feet of gross floor area
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Food store; grocery store	1 space per 300 square feet of gross floor area
Forge plant	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Foundry (iron, steel, brass or copper)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Glass products	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Metal fabrication	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Musical instrument manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all

	vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area

~~(e)~~(f) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the CBDX district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the CBDX district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the CBDX district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

~~(f)~~(g) Signs. Projection signs may be erected in the CBDX in accordance with the requirements of this subsection. The horizontal portion of any projecting sign shall not be more than six feet in length measured from the building face and shall not be closer than two feet from the back of the curb line. The height of a projection sign shall not exceed four feet and shall be an integral part of the architectural design of the attached building. The vertical clearance of a projection sign shall be as shown below:

Vertical Clearance	Maximum Projection
7 feet or less	3 inches
7 - 8 feet	12 inches
8 feet or more	4 inches

Signs on commercial buildings should fit within existing features of the building's facade and not detract from or hide significant architectural details of the building. Sign styles common between the 1880's and 1950's are appropriate for the CBDX.

~~(g)~~(h) Architectural guidelines.

(1) New development sites within the CBDX shall not be permitted unless integrated with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.

(2) Buildings within the CBDX shall be oriented toward the streets and pedestrian traffic in order to create a cohesive, pedestrian-oriented development plan. Building fronts and sidewalks may also be maintained for outdoor uses such as cafes, restaurant seating, street side seating, etc. Parking areas may be located in the front or rear of buildings to improve the overall appearance of the development from the street.

(3) New development/renovation in the CBDX may incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner

treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the state environment, e.g., tan, ochre, beige and terra-cotta.

(4) A high quality durable base material, such as terra-cotta, natural stone, cast stone, clay fired tile, or other approved masonry material, is suggested for building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the facade of the building.

~~(h)~~(i) Design. A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the CBDX:

(1) Overhangs.

(2) Cornices.

(3) String courses.

(4) Peaked roof forms.

(5) Arches.

(6) Lintels.

(7) Pilasters.

(8) Rustication.

(9) Canopies.

(10) Awnings or porticos.

(11) Outdoor patios.

~~(i)~~(j) Pedestrian circulation requirements. Each lot within the CBDX must provide on-site pedestrian facilities or public plazas or spaces that encourage pedestrian traffic on and to adjacent properties.

~~(j)~~(k) Street furnishings and lighting. Private new developments and expansions to existing developments within the CBDX shall coordinate the selection and installation of street furniture and lighting in accordance with the standards approved by the city for the public areas adjacent to streets, in order to maintain design continuity.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2022-004, sec. 1, adopted 3/21/2022; Ordinance 2024-0018 adopted 9/16/2024)

§ 42-34. INSX Iinstitutional district (X).

Purpose. The INSX district is an overlay zone that is intended to provide for uses of a generally noncommercial institutional and/or group quarters character. Such uses typically involve densities or arrangements which are not permitted by right in low and medium density residential areas but which often have residential characteristics or have symbiotic relationships with residential neighborhoods. The INSX district is approved as a prefix on other zoning districts to allow in appropriate circumstances for institutional type uses that are typically regulated by state or federal law. This district is a legacy district that is not intended to be added to or expanded. Effective upon the adoption of Ordinance No. ___ on ___ no additional rezoning applications will be considered for rezoning to this district. Any INSX zoned property may continue to operate as configured in accordance with the regulations applicable prior to the adoption of Ordinance No. ___ on ___. Any INSX zoned property may also be considered for rezoning to a non-legacy district, not marked with an "x" in the district name.

(a) Permitted uses and parking regulations. When a zoning district is overlayed with the INSX institutional prefix, buildings or land may be used for the following uses, in addition to those uses

Commented [A31]: Since this is a Legacy District, any previously proposed changes have been removed to preserve the existing standards.

allowed in the underlying zoning district:

(b)

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Assisted living facility	1 space per employee to be occupying the building
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Dormitory	1 space for each 2 beds
Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Garage, private	1 space per employee to be occupying the garage
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Mobile food vendor	0 spaces

Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Retirement housing	1 space for each 6 beds per unit
Rodeo arena and grounds	1 space for every 4 seats or bench seating
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Sewage pumping station	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(c) Specific uses. The following specific uses are allowed in the INSX district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Boarding home facility	1 space per employee to be occupying the building
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Community home	1 space per employee to be occupying the building
Electrical substation	1 space per employee
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load

Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Gas metering station	1 space per employee
Heliport or helistop	1 space if located on the ground
Household care facility	1 space per employee
Household care institution	1 space per employee
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Racetrack	1 space for every 4 seats or bench seating
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Vendor, stationary	1 space per 200 square feet of gross floor area

(d) Site plan required. A site plan, meeting the requirements of section 42-56, site plan requirements, shall be required for each development application for any permitted use in the INSX district.

(e) Development requirements.

Minimum lot area:	None
Minimum lot width:	60 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	Footnote [sic] 13/10/15 linear feet[2]
Minimum rear yard:	Footnote [sic] 18
Maximum ground coverage:	None
Maximum density per acre:	NA
Height:	35 linear feet

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] The first number in the column is the required setback for a side yard not abutting a street; the second number is the required setback for a side yard abutting a residential street; the third number is the required setback for a side yard abutting a collector or major street.

(f) Development criteria. Unless otherwise specifically provided in this section, every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

(1) Off-street parking of motor vehicles in operable condition;

(2) Off-street loading; and

(3) Permitted display of merchandise for sale to the public.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-35. PD Pplanned development district.

(a) Purpose. The PD district is intended to permit flexibility and encourage a more creative, efficient, and aesthetically desirable design and placement of buildings, open spaces and circulation patterns, and to best utilize special site features such as topography, size and shape. It is intended that the flexibility permitted by this zoning category extends to discretionary approval, in conjunction with development plan review, not limited to, but including such requirements as those relating to parking, building setbacks, square footage of buildings and structures, protective screening, sign placement, and other specifications in order to achieve the purposes and objectives stated in conformance with good planning practices. The PD district allows for combining and mixing of uses allowed in various zoning districts with appropriate regulations to govern the development of specific sites. The PD district may be a prefix to other zoning districts or a separate zoning district approved for a particular development.

(b) Base zoning. PD districts shall have base zoning, of one or more straight zoning district(s) of this article, that correspond with the concept plan, development standards, and other potential exhibits and studies.

~~(b)~~(c) Permitted uses. The uses to be permitted in any PD district shall be consistent with the uses permitted in the base zoning district(s) as specified, unless otherwise enumerated in the PD district's development standards. The city council may approve any use or combination of uses in a PD district that are proposed to be developed under development controlled conditions designed to assure quality development and meet the purposes and requirements of this section. ~~The uses may be for an entire of class of uses such as general retail or for specific types of uses such as restaurants.~~ In reviewing an application for a PD district, the planning and zoning commission shall consider the nature and described performance of the proposed use and shall transmit its findings and recommendations to the city council.

~~(c)~~(d) Development standards.

(1) Development standards for each separate PD district shall be set forth in the ordinance granting the PD district and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, 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 may deem appropriate.

(2) When a PD district is approved as a prefix to another zoning district, the particular district to which uses specified in the PD are most similar shall be stated in the granting ordinance. All PD applications shall list all requested variances from the standard requirements set forth throughout this chapter.

(3) The ordinance granting a PD district shall include a statement as to the purpose and intent of the

PD granted therein. A specific list ~~is required~~ of ~~variances~~ deviations in each district and a general statement citing the reason for the PD request.

(4) The PD district shall conform to all other sections of this chapter, unless specifically exempted in the granting ordinance.

(e) Design. PD districts shall provide design and standards consistent with the following:

(1) Where development is adjacent to or has floodplains and/or large easements included, they shall be activated with a minimum eight-foot wide trail, a minimum of one trailhead, and off-spots spaced at a minimum of every quarter mile.

(2) PD districts shall include activated open spaces or parks that provide a park or activated open space within a quarter mile of each proposed dwelling unit. Golf courses, parks, and public open space areas near the PD district can assist in meeting the quarter mile walk shed requirement. Low-impact passive uses shall be permitted to meet the quarter mile walk shed requirement and include conservation of open land in its natural state (for example, woodland, fallow field, or meadow), neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, and similar low-impact passive recreational uses. Active recreation uses shall also be permitted (and are encouraged) to meet the requirement and include recreational playing fields, playgrounds, pickleball courts, neighborhood pools, and clubhouse structures. Each activated open space or park shall include, at minimum the following:

a. One shaded bench, water fountain, trash receptacle, and a path that connects to a public sidewalk;

b. For developments 10 acres or larger, a minimum of one playground to include play or recreation equipment shall be provided each half mile.

c. Areas consistent with or similar to the following shall not be utilized to meet the quarter mile walk shed requirement:

Land areas reserved for the exclusive use and benefit of an individual owner or tenant;

Public or private street right-of-way, parkways, alleys, driveways, parking or loading areas;

Religious institutions or private school sites; or

Street medians or islands.

d. The maximum amount of activated amenity used to meet the quarter mile walk shed requirement for stormwater detention or retention purposes shall not exceed twenty-five [percent] (25%) of the activated amenity area. If the activated amenity area contains a retention pond, the pond shall include at least one (1) aeration device, such as a fountain, waterfall or underwater device.

e. Activated amenity areas adjacent to street rights-of-way shall be a minimum depth of twenty five (25) feet and shall be landscaped to include the retention or planting of one (1) three inch (3") caliper tree per each fifty (50) feet of street frontage, which may be clustered or distributed within the activated amenity area.

~~(d)~~(f) Conceptual and development plans. In establishing a PD district, the city council shall approve as part of the granting ordinance appropriate plans and standards for each PD district. During the review and public hearing process, the city council shall require a conceptual plan and a development plan (or detailed site plan).

(1) Conceptual plan. This plan shall be submitted by the applicant. The plan shall show the

applicant's intent for the use of the land within the proposed planned development district in a graphic manner and shall be supported by written documentation of proposals and standards for development.

a. A conceptual plan for residential land use shall show general use, streets, and preliminary plotting arrangements. For residential development which does not propose platted lots, the conceptual plan shall set forth the size, type, and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and other pertinent development data.

b. A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the city council, may include but is not limited to the types of use, topography, and boundary of the PD area, physical features of the site, existing streets, alleys, and easements, location of future public facilities, building heights and locations, parking ratios, and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final development plan.

c. After approval of a conceptual plan by the city council, changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, building height, or coverage of the site and which do not decrease the off-street parking ratio, reduce the yards provided at the boundary of the site, or significantly alter the landscape plans as indicated on the approved conceptual plan may be authorized by the zoning administrator. If an agreement cannot be reached regarding whether or not a detail site plan conforms to the original concept plan, the city council shall determine the conformity.

(2) Development plan or detailed site plan. This plan shall set forth the final plans for development of the planned development district and shall conform to the data presented and approved on the conceptual plan. Approval of the development plan shall be the basis for issuance of a building permit. The development plan may be submitted for the total area of the PD or for any section or part as approved on the conceptual plan. The development plan must be approved by the city council after a recommendation of the planning and zoning commission. A public hearing on approval of the development plan shall be required at the council level, unless such a hearing is waived pursuant to section 42-56 at the time of conceptual plan approval in the original granting ordinance. The development plan shall include:

a. A site inventory analysis including a scale drawing showing existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood-prone areas.

b. A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of not more than five feet.

c. A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.

d. A landscape plan showing screening walls, ornamental planting, wooded areas, and trees

to be planted.

e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the city council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the building official or his designated representative.

(3) Procedure for establishment. The procedure for establishing a PD district shall follow the procedure for zoning amendments as set forth in section 42-96. This procedure is expanded as follows for approval of conceptual and development plans.

a. An application for a PD district shall be made to the planning and zoning commission in the same manner as an application for a zoning change. The application shall include and be accompanied by a conceptual plan, development standards, parks and amenity exhibit, and all other applicable exhibits/plans.

b. Separate public hearings shall be held by the planning and zoning commission and city council for the approval of the conceptual plan and the development plan, or any section of the development plan, unless such requirement is waived by the city council upon a determination that a single public hearing is adequate. A single public hearing is adequate when:

1. The applicant submits adequate data with the request for the PD district to fulfill the requirements for both plans; or

2. Information on the concept plan is sufficient to determine the appropriate use of the land and the detail site plan will not deviate substantially from it; and

3. The requirement is waived at the time the granting ordinance is approved. If the requirement is waived, the conditions shall be specifically stated in the granting ordinance.

c. The ordinance establishing the planned development district shall not be approved until the conceptual plan is approved. The conceptual plan shall become a part of the granting ordinance.

d. The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the planning and zoning commission and city council for the initial and subsequent sections will be required.

e. An initial development plan shall be submitted for approval within six months from the approval of the PD ordinance. If the development plan is not submitted within six months, the conceptual plan is subject to reapproval by the city council. If the entire project is not completed within two years, the city council may review the original conceptual plan to ensure its continued validity.

f. Regardless of whether the public hearing is waived for the development plan, approval by the city council is still required.

~~(e)~~(g) Written report may be required. When a PD is being considered, a written report may be requested of the applicant discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic. Written comments from the applicable public school district and from private utilities may be submitted to the city council.

~~(f)~~(h) Planned developments to be recorded. All PD districts approved in accordance with the provisions of this chapter shall be referenced on the zoning map, and a list of such PD districts, together with the category of uses permitted therein, shall be maintained in an appendix attached to the zoning ordinance from which this division is derived.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-36. ~~FP~~ FN F~~f~~loodplain and nature district.

(a) Purpose. The ~~FP~~ FN district is ~~an overlay district shown as a prefix on other designated zoning districts. This district is~~intended to ~~-~~manage land use within identified flood hazard areas in a manner that protects public safety, preserves natural floodplain functions, and minimizes flood-related damages.~~designed to allow for reasonable uses of land which has a history of inundation or is determined to be subject to flood hazard while protecting the public health, safety and welfare by preventing the flooding of incompatible uses.~~

(b) Permitted uses and parking regulations. In ~~any zoning district that is overlayed with~~ the ~~FP~~ FN ~~prefix~~zoning district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Bridle, bicycle or nature trail	~~To be determined by the city council~~0 spaces required
Electrical substation	1 space per employee
~~Farm, ranch, or orchard, but excluding the construction of barns or other outbuildings~~	~~1 space per employee~~
Local utilities (all types, including those requiring specific use permits)	1 space per employee
Parks, playgrounds, public golf courses (no structures), and other recreational areas	1 space per acre plus a minimum of 30 spaces for golf courses
Private open space as a part of a planned residential development	0 spaces required
Structures, installations and facilities for flood control purposes	1 space per employee

(c) Development requirements.

Minimum lot area:	~~None~~4,000 square feet
Minimum lot width:	~~None~~50 feet
Minimum lot depth:	~~None~~80 feet
Minimum front yard:	~~None~~20 feet
Minimum side yard:	~~None~~10 feet
Minimum rear yard:	~~None~~10 feet
Maximum ground coverage:	~~None~~30 percent
Maximum density per acre:	None
Height:	~~None~~20 feet

~~(d) Specific uses. The following specific uses are allowed in the FP FN district when authorized under the provisions of section 42-45:~~

~~(1) Any use approved by the city council that is in compliance with the city's floodplain regulations~~

Commented [A32]: AD: What use would be allowed by SUP that isn't listed above in the permitted uses?

LJA Response: Agreed. This section has been deleted.

~~and that is determined to not have an adverse effect on public health, safety and welfare.~~

~~(2)~~(1) ~~Parking regulations are to be established by the city council.~~ (Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A33]: Highlighting to defer to AD on whether ordinance reference should remain or be deleted.

§ 42-37. ~~SFA, single-family-attached~~TH, Townhome Residential ~~dwelling~~ district.

(a) Purpose. The ~~SFA~~TH ~~single-family-attached dwelling~~ district is established to provide adequate space for medium density, single-family attached type residential development, on lots of not less than 1,600 square feet.

(b) Primary uses allowed. In the ~~SFA~~TH ~~single-family-attached dwelling~~ district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this section, except for one or more of the following uses:

Use	Parking Regulations
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (allowed only on a temporary basis in a new subdivision composed of no less than 100 lots, to cease upon completion and dedication of the streets)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 spaces per unit
Swimming pool, private	0 spaces
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(b.1) Development requirements.

Minimum lot area:	1,600 square feet
Minimum lot width:	20 linear feet
Minimum lot depth:	80 linear feet

Minimum front yard:	15/25 linear feet[1]
Minimum side yard:	0/5/10/15 linear feet[2]
Minimum rear yard:	10/25 linear feet[3]
Maximum ground coverage:	60
Height:	35 vertical feet

[1] The first number in the column is the required setback for a front yard abutting a residential street;the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] The first number in the column is the required setback for a side yard for an interior unit, the second number is the required setback for a side yard not abutting a street; the third number is the required setback for a side yard abutting a residential street; the fourth number is the required setback for a side yard abutting a collector or major street.

[3] A one-story wing or extension may be built to within 10 feet of the rear lot line.

(c) Special construction requirements.

(1) All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products, and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) Applicability of regulations. These construction requirements shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(3) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

~~(4) Living space. Each individual unit must have at least 800 square feet of living space.~~

(d) Landscaping. Landscaping shall be in compliance with section 42-834.

(e) Parking. Parking shall be in compliance with Article III—Stopping, Standing and Parking.
(Ordinance 2016-010, sec. 1, adopted 5/16/2016)

§ 42-38. DT Ddowntown overlay district.

(a) Purpose. The downtown overlay district is established to safeguard the core of downtown Alvarado and ensure that any new development is compatible with existing development and also reflects a historic character, is functional, and has organized design. The overlay district is intended to provide a framework for the thoughtful consideration of development and redevelopment, while preserving the downtown area's unique assets and character. Any regulations not mentioned within the overlay district shall default to the underlying zoning district. When there is a conflict, the most restrictive regulations shall apply.

(b) Permitted uses and parking regulations. Within the overlay district encompassing the core of downtown Alvarado, the use and development of buildings and land shall adhere to standards contained herein. No buildings or land shall be used, and no buildings shall be erected, placed, reconstructed, altered, or enlarged, unless otherwise provided herein. Permitted uses include those as specified in the permitted uses and parking requirements table below. Minimum residential unit sizes shall be controlled only by the building code (outside any dimensional standards for lots and structures for any use contained herein). All buildings within the overlay district must harmonize

Commented [A34]: Justin requested removal of the word "overlay." LJA thinks the word "overlay" should stay unless or until Downtown is rezoned because it applies on top of the base zoning designations that are in the Overlay area.

with the downtown character through thoughtful design and architectural features that integrate development harmoniously. In cases where regulations from the underlying zoning districts conflict, the most restrictive requirement shall apply to ensure consistency and preserve the cohesive character of the area. Any land use within the below table that requires a specific use permit (S) shall only be permitted under the provisions of articles III and V of Alvarado's zoning ordinance, as applicable; except that the specific use permit application fee shall be waived for such requests within the downtown overlay district.

Use	Downtown Overlay	Minimum Parking Spaces Required
Accessory building to main use	S	
Amusement, commercial (indoor or outdoor)	S	None
Antique shop	P	None
Arcade	S	None
Arts, crafts store (inside sales)	P	None
Arts, crafts store (outdoor sales)	S	None
Assisted living facility		
Auto laundry		
Auto parts sales (inside)		
Auto repair, minor		
Automobile and trailer sales area, new or used		
Automobile service station (no garage or automobile repair facilities)	S	None
Bakery and confectionary, commercial	S	None
Bakery and confectionary, retail sales	P	None
Bank, savings and loan, credit union	S	None
Bar, tavern, nightclub	S	None
Barber school or college		
Barbershop	P	None
Beauty culture school; cosmetology spec. shop		
Beauty shop	P	None
Bed and breakfast inn	S	None
Boarding home facility	S	None
Boat sales and storage		
Bowling alley	S	None
Use	**Downtown Overlay**	**Minimum Parking Spaces Required**
Building materials, hardware (inside storage)	S	None
Building materials, hardware (outside storage)		
Business service	P	None

Cabinet and upholstery shop		
Candle manufacturing	S	None
Carport	P	None
Carwash		
Cemetery or mausoleum	S	None
Child-care center	S	None
Church, rectory, place of worship	P	None
Civic center	P	None
Cleaning and dyeing, small shop		
Clinic, medical or dental	S	None
College or university		
Community center, private	S	None
Community center, public	S	None
Community home	S	None
Concrete, asphalt batching plant (allowed only on a temporary basis in a new subdivision composed of no less than 100 lots, to cease upon completion and dedication of the streets)		
Concrete, asphalt batching plant (temporary)		
Construction yard (temporary)		
Convenience store	S	None
Country club (private)		
Custom personal service shop	P	None
Dance hall	S	None
Discount, variety, or department store of not greater than 20,000 square feet floor space	S	None
Dormitory		
Drapery, needlework, or weaving shop	P	None
Electrical substation	S	None
Electrical transmission line	S	None
Exhibition area	S	None

Use	Downtown Overlay	Minimum Parking Spaces Required
Fairgrounds	S	None
Farm, ranch, or orchard		
Feed and farm supply (inside sales/storage)		
Field or sales office, temporary	S	None
Florist	P	None
Food store; grocery store with floor space not greater than 20,000 square feet	S	None
Forge plant		
Foundry (iron, steel, brass or copper)		
Fraternal organization, lodge		
Fraternal organization, lodge or civic club		
Furniture, appliance store	S	None
Garage, private		
Garden center (retail sales)	S	None
Gas metering station	S	None
General merchandise indoor auction		
General merchandise store	P	None
Glass products		
Golf course		
Golf driving range		
Greenhouse or plant nursery, commercial		
Greenhouse or plant nursery, noncommercial		
Guest house	S	None
Gymnastic or dance studio	S	None
Handcraft shop	P	None
Health club; gymnasium	S	None
Heliport or helistop		
Home occupation	P	None
Hospital (acute care)		
Hospital (chronic care); long-term health care facility		
Hotel, motel, motor hotel, or motor lodge	S	None
Household care facility		

Use	Downtown Overlay	Minimum Parking Spaces Required
Household care institution		
Kennel (no outside pens)		
Laboratory, medical or dental		
Laundry and cleaning, commercial		
Library	P	None
Local utility distribution lines	P	None
Medical supplies, sales and service		
Metal dealer, crafted precious	S	None
Metal fabrication		
Mobile food vendor	S	None
Mortuary or funeral home		
Motorcycle sales and service		
Museum or art gallery	P	None
Musical instrument manufacturing		
Nonprofit animal shelter		
Nursery school, kindergarten	S	None
Office center	S	None
Office, professional or general administrative	S	None
Office-showroom/warehouse		
Oil, gas, other mineral extraction		
Park, playground or recreation center (private)	S	None
Park, playground or recreation center (public)	S	None
Parking lot or parking garage, automobile	S	None
Personal service shop	S	None
Pet shop		
Pharmacy		
Post office, government and private		
Print shop	S	None
Prison, jail or place of incarceration		
Private open space as a part of a planned residential development	P	None

Use	Downtown Overlay	Minimum Parking Spaces Required
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	S	None
Racetrack		
Racquetball facilities		
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i))	S	None
Railroad track and right-of-way	S	None
Registered family home	S	None
Residence hotel		
Restaurant or cafeteria, with drive-in or drive-through service		
Restaurant or cafeteria, without drive-in or drive-through service	P	None
Retirement housing	S	None
Rodeo arena and grounds		
School, commercial		
School, private (primary and/or secondary)		
School, public (primary and/or secondary)		
School, trade	S	None
School, trade or commercial	S	None
Second hand store, furniture/clothing	S	None
Servant's, caretaker's or guard's residence	S	None
Service yards of government agency	S	None
Service, retail	S	None
Sewage pumping station	S	None
Sewage treatment plant		
Shooting range, target range		
Shopping center	S	None
Single-family dwelling, attached		
Single-family dwelling, detached	S	None
Stadium or playfield		
Studio (photographer, musician, artist)	P	None

Commented [A35]: AD: *Austin Indep Sch Dist v Sunset Valley* requires that the City allow schools in residential districts. Since residential is allowed in the DT district, I think schools will be allowed even if not listed as P in this chart.

LJA Response: Does AD recommend allowing by SUP?

Use	Downtown Overlay	Minimum Parking Spaces Required
Studio for radio and television		
Swimming pool, commercial	S	None
Swimming pool, private	S	None
Tanning salon		
Tattoo parlor/body piercing studio	S	None
Taxidermist		
Telephone exchange		
Telephone line	P	None
Theater (indoor)	S	None
Tire dealer (with outside storage)		
Tobacco sales		
Tool rental shop		
Townhouse or row dwelling	S	None
Transit station or turnaround	S	None
Two-family dwelling	S	None
Vendor, stationary	S	None
Veterinarian clinic (no outside pens)		
Washateria		
Water pumping station or well	S	None
Water storage, elevated	S	None
Water storage, ground		
Water treatment plant	S	None
Zero lot line house		

(c) Shipping, Conex, and cargo containers. Shipping containers, Conex boxes, cargo containers, and like containers are limited to three days within any 30-day period throughout the downtown overlay district.

(d) Dimensional standards.

Minimum lot area:	1600'
Minimum lot width:	20'
Minimum lot depth:	80'
Minimum front yard:	Setback averaging[1]

Minimum side yard for interior unit:	0'
Minimum side yard not abutting street:	5'
Minimum side yard abutting residential street:	10'
Minimum side yard abutting collector or major street:	15'
Minimum rear yard setback adjacent to overlay boundary properties:	10'
Minimum rear yard setback adjacent to overlay boundary properties:	25'
Max imperious coverage:	90%
Max density/acre:	8 DU/A
Max height:	~~3~~4~~5~~'

Notes:

1 The proposed building shall be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face. On a corner lot, the range of setbacks is measured on the basis of the three closest lots along the block face.

(e) Masonry requirements.

(1) Masonry shall mean and include that form of construction defined below and composed of brick, stone, granite, marble, stucco (three-step hard coat), and exterior insulation finish systems (EIFS).

(2) All single-story buildings hereafter constructed or placed in the overlay district shall have at least 75% of their front exterior wall surface constructed of masonry and/or glass pane.

(3) All buildings having more than a single-story hereafter constructed or placed in the overlay district shall have at least 50% of their front exterior wall surface constructed of masonry and/ or glass pane.

(4) All additions hereafter constructed to buildings in the overlay district shall have at least 50% of their front exterior wall surface, if any, constructed of masonry and/or glass pane.

(f) Architectural guidelines.

(1) New development sites, signage, and other structural elements within the overlay district shall not be permitted unless architecturally consistent with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.

(2) Buildings within the overlay district shall be oriented toward the street in order to create a cohesive, pedestrian-oriented development plan. Front building facades and sidewalks may be utilized for outdoor uses such as cafes, restaurant seating, street-side seating, etc., provided these uses do not obstruct pedestrian movement or disrupt the streetscape's aesthetic continuity. Parking areas shall be located primarily in the rear of buildings to preserve the visual integrity of the streetscape and minimize disruptions to the pedestrian environment.

(3) New development/renovation in the overlay district shall incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the natural environment, e.g., tan, ochre, beige, and terra cotta.

(4) A high quality durable base material, such as terra cotta, natural stone, cast stone, clay fired tile, or other approved masonry material is suggested for front building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the front facade of the building.

(g) Design. A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the overlay district:

(1) Overhangs.

(2) Cornices.

(3) String courses.

(4) Peaked roof forms.

(5) Arches.

(6) Lintels.

(7) Pilasters.

(8) Rustication.

(9) Canopies.

(10) Awnings or porticos.

(11) Outdoor patios.

(h) Window transparency. The following transparency standards apply to building facades to ensure visibility and engagement at the street level:

(1) Transparency percentages refer to the area of clear, unobstructed glass that allows views into the building interior.

(2) Reflective, mirrored, or opaque treatments that obstruct visibility shall not qualify as transparent.

(3) The remaining window area may be used for signage, decorative elements, or illustrative graphics, provided they do not obstruct transparency minimums.

Level	Minimum Transparency Requirement
Floor 1	65%
Floor 2	30%

(i) Signage. The types of signage listed in the table below shall be permitted within the overlay district,

Commented [A36]: AD: Chapter 30 of Alvarado code governs signs, is there anything in here for DT that is intended to override or conflicts with chapter 30? If not, I propose that we add language incorporating chapter 30 requirements here.

LJA Response: Recommend adding that to the second zoning amendment list since this round of amendments is just for Comprehensive Plan consistency.

provided all applicable requirements of this section are met.

(1) Any permanent signage not explicitly listed herein shall be prohibited within the overlay district.

(2) All permitted signage shall comply with the size, placement, design, and operational standards established by this section.

(3) Any sign authorized by this section is allowed to contain a noncommercial message in place of any other authorized message.

Sign Regulation/Sign Type	Permit Required	Maximum Gross Surface Area (sq. ft.)	Sign Height	Number of Signs	Setback	Spacing of Signs
Wall	Yes	25% of wall	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total	—	—
Ground	Yes	Off-premises 150'; on-premises 300'	Off-premises 20' On-premises 25' 10' from bottom of sign to ground. [sic] On-premises signs on property with 1-35 or Hwy 67 frontage 70'	One for each premises, or for each street frontage	10' (any portion of the sign)	100' separation from adjacent ground sign on each premises. Minimum of 50' on adjacent premises
Wall—Residential	Yes	1'	Attached to structure and not to exceed the roofline	One sign for each exterior wall; not to exceed four in total.	—	—
Canopy, marquee or projection	Yes	50% of canopy, marquee or projection	—	One for each premises, or for each street frontage	—	—
Window	No	See window transparency standard listed in (g) above	—	—	—	—

Monument	Yes	Off-premises 150'; on-premises 300'	8 feet	One for each premises (multitenant sites see § 30-12)	10' (any portion of the sign)	No restrictions
Nameplate	No	5 sf in SF-1, -2, -3, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, MFX, DD~~TF~~ 10 sf in ~~C-1~~NC, ~~C-2~~RC, ~~M-1~~CF, ~~M-2~~IND	10' from top of roof, not to exceed a total distance of 40' from ground	One for each premises, or for each street frontage	—	—
Roof	Yes	200 sf in ~~C-1~~NC, ~~C-2~~RC, CBDX, ~~M-1~~CF, ~~M-2~~IND	10' from top of roof, not to exceed a total distance of 40' from ground	One for each main structure	—	—

(Ordinance 2025-0005 adopted 2/17/2025)

§ 42-39. NMU Neighborhood Mixed Use district ~~through § 42-44. (Reserved)~~

(a) Purpose. The NMU district is to provide for low intensity mixed uses, including local shopping and dining destinations, residential, community amenity, and entertainment uses. It is intended for development in this district to be compatible with adjacent or nearby residential land uses. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

(b) Permitted uses and parking regulations. In the NMU district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (inside sales)	1 space for every 200 square feet of floor area
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Automobile service station (no garage or automobile repair facilities)	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area
Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Business service	1 space per 300 square feet of gross floor area
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store of not greater than 20,000 square feet floor space	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee

Electrical transmission line	0 spaces
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store with floor space not greater than 20,000 square feet	1 space per 300 square feet of gross floor area
Fraternal organization, lodge	1.25 spaces per 200 square feet
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Garage, private	1 space per employee to be occupying the garage
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Local utility distribution lines	0 spaces
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.

Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Personal service shop	1 space per 200 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Racquetball facilities	4 spaces for each court
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Sewage pumping station	0 spaces

Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Tanning salon	1 space per 200 square feet of gross floor area
Telephone exchange	1 space per employee
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Two-family dwelling	2 spaces per unit, 1 covered
Vertically mixed--use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Veterinarian clinic (no outside pens)	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, ground	0 spaces

(c) District restrictions. The following restrictions shall apply to uses in the NMU district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to the NMU district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of eight feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;
b. Off-street loading;
c. Permitted display of merchandise for sale to the public; and
d. Drive-in type establishments.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and shall be maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading of materials or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(e) Development requirements.

Minimum lot area:	~~None~~4,000 square feet
Minimum lot width:	~~None~~50 feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	~~None~~90 percent
Maximum density per acre:	20 du/ac
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(f) Specific uses. The following specific uses are allowed in the NMU district when authorized under the provisions of section 42-45:

Use	**Parking Regulations**
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto laundry	1 space per 200 square feet of floor space
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area

Carwash	1 space per employee
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Feed and farm supply (inside sales/ storage)	1 space per 300 square feet of gross floor area
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garden center (retail sales)	1 space per 200 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Hospital (acute care)	1 space for every 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Kennel (no outside pens)	1 space per 200 square feet of floor area
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area

Pet shop	1 space per 300 square feet of gross floor area
Print shop	1 space per 300 square feet of gross floor area
Prison, jail or place of incarceration	1 space per employee plus 1 space for every 200 square feet of visitor floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Service, retail	1 space per 200 square feet of gross floor area
Sewage treatment plant	1 space per employee
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial or private	1 space for each 100 square feet of gross water surface and deck area
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Vendor, stationary	1 space per 200 square feet of gross floor area
Washateria	1 space per 200 square feet of gross floor area
Water storage, elevated	0 spaces
Water treatment plant	1 space per employee

(g) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, MFX, or TH, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be

maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the NMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the NMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-40. RMU Regional Mixed Use district

(a) Purpose. The RMU district is intended to provide for high intensity mixed uses, including highway-oriented commercial, residential, and hospitality uses. The uses permitted in the RMU district are not generally carried on completely within a building or structure and an expanded range of commercial uses is permitted. This district is reserved for areas adjacent to major highways and corridors.

(b) Permitted uses and parking regulations. In the RMU district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Use	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Amusement, commercial (indoor or outdoor)	1 space for every 1,000 square feet of gross floor area
Antique shop	1 space for every 200 square feet of floor area
Arts, crafts store (indoor or outdoor sales)	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Auto laundry	1 space per 200 square feet of floor space
Auto parts sales (inside)	1 space for every 200 square feet of floor area
Auto repair, minor	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Automobile and trailer sales area, new or used	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Automobile service station	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Bakery and confectionery, retail sales	1 space per 300 square feet of gross floor area
Bank, savings and loan, credit union	1 space per 200 square feet of gross floor area

Bar, tavern, nightclub	1 space per 300 square feet of gross floor area
Barber school or college	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Barbershop	1 space per 200 square feet of gross floor area
Beauty culture school; cosmetology spec. shop	6 or 1 space per 300 square feet of gross floor area
Beauty shop	1 space per 200 square feet of gross floor area
Bed and breakfast inn	2 enclosed spaces per unit, must be attached to main structure
Boat sales and storage	1 space per 300 square feet of gross floor area
Bowling alley	6 spaces for each lane
Building materials, hardware (inside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Bus terminal	1 space per intended user
Business service	1 space per 300 square feet of gross floor area
Candle manufacturing	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Carwash	1 space per employee
Child care center	1 space per ten pupils/clients (design capacity)
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Clinic, medical or dental	1 space per 200 square feet of gross floor area
Community center, private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Community center, public	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.

Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Construction yard (temporary)	1 space per employee to be occupying the area
Convenience store	1 space per 300 square feet of gross floor area or 32 [sic]
Custom personal service shop	1 space per 200 square feet of gross floor area
Dance hall	1 space per 100 square feet of gross floor area
Discount, variety, or department store	1 space per 200 square feet of gross floor area
Drapery, needlework, or weaving shop	1 space per 300 square feet of gross floor area
Electrical substation	1 space per employee
Electrical transmission line	0 spaces
Engine and motor repair	3 spaces per service bay, plus 1 space per employee (maximum shift), plus 1 space per tow truck or other service vehicle
Exhibition area	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm equipment, sales and service	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Feed and farm supply (inside sales/storage)	1 space per 300 square feet of gross floor area
Feed and farm supply (outside sales/storage)	1 space per 300 square feet of gross floor area
Field or sales office, temporary	1 space per employee
Florist	1 space per 300 square feet of gross floor area
Food store; grocery store	1 space per 300 square feet of gross floor area
Fraternal organization, lodge or civic club	1.25 spaces per 200 square feet
Furniture and appliance repair and storage	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Furniture, appliance store	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Garage, private	1 space per employee to be occupying the garage
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Garden center (retail sales)	1 space per 200 square feet of gross floor area
Gas metering station	1 space per employee
General merchandise indoor auction	1 space per 300 square feet of gross floor area
General merchandise store	1 space per 200 square feet of gross floor area

Greenhouse or plant nursery, commercial	1 space per 200 square feet of floor area
Greenhouse or plant nursery, noncommercial	1 space per employee
Gymnastic or dance studio	1 space for each three seats at maximum seating capacity, plus 1 space for each 200 square feet
Handcraft shop	1 space per 300 square feet of gross floor area
Health club; gymnasium	1 space per employee plus 1 space per 100 square feet of floor area
Heliport or helistop	1 space if located on the ground
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Hotel, motel, motor hotel, or motor lodge	1 space for each sleeping room, unit or guest accommodation, plus 1 space for each 300 square feet of commercial floor area
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Laundry and cleaning, commercial	1 space per 300 square feet of gross floor area
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Liquefied petroleum gas, storage and sale (no bulk plants)	1 space per employee plus 1 space for every 2,000 square feet of floor area
Local utility distribution lines	0 spaces
Medical supplies, sales and service	1 space per 300 square feet of gross floor area
Metal dealer, crafted precious	1 space per 300 square feet of gross floor area
Mobile food vendor	0 spaces
Mortuary or funeral home	1 space per 500 square feet of gross floor space in slumber rooms, parlors, or individual funeral service rooms
Motorcycle sales and service	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Multiple-family residence	For residence 1-99 units, 1.5 spaces per unit. For residence over 100 units, 1.5 spaces per unit with 20% being a covered space.

Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Nonprofit animal shelter	1 space per 200 square feet of floor area
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Office center	1 space per 300 square feet of gross floor area
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Oil, gas, other mineral extraction	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Park, playground or recreation center (public)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Pawn shop	1 space per 300 square feet of gross floor area
Personal service shop	1 space per 200 square feet of gross floor area
Pet shop	1 space per 300 square feet of gross floor area
Pharmacy	1 space per 300 square feet of gross floor area
Plumbing service	1 space per 300 square feet of gross floor area
Plumbing, heating, refrigeration or air conditioning business	1 space per 300 square feet of gross floor area
Post office, government and private	1 space per 300 square feet of gross floor area
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Quick oil change facility	1 space per employee
Quick tune-up facility	1 space per employee
Racquetball facilities	4 spaces for each court
Radio, TV or microwave operation, amateur or commercial. (See further regulations in section 42-55(i).)	1 space per employee
Railroad station	1 space per employee, and if station is for public travel, 1 space for every 1,000 square feet of areas meant for public travel

Railroad team track and right-of-way	1 space per employee
Railroad track and right-of-way	1 space per employee
Residence hotel	1 space for each sleeping room per unit, plus 1 space for each 300 square feet of commercial floor area
Restaurant or cafeteria, with drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Second hand store, furniture/clothing	1 space per 200 square feet of gross floor area
Service, retail	1 space per 200 square feet of gross floor area
Sewage pumping station	0 spaces
Shopping center	1 space per 200 square feet of gross floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds 10 percent of the shopping center floor area, shall require an additional 1 parking space per 100 square feet of gross floor area.
Shops, office and/or storage area of public or private utility	1 space per employee
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Stadium or playfield	1 parking space for each 4 seats or bench seating spaces
Studio (photographer, musician, artist)	1 space per 200 square feet of gross floor area
Studio for radio and television	1 space per 200 square feet of gross floor area
Swimming pool, commercial	1 space for each 100 square feet of gross water surface and deck area
Tanning salon	1 space per 200 square feet of gross floor area
Tattoo parlor/body piercing studio	1 space per 200 square feet of gross floor area
Teen club	1 space for every 1,000 square feet of floor area
Telephone exchange	1 space per employee

Telephone line	0 spaces
Theater (indoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (with outside storage)	1 space for every 200 square feet of floor area
Tool rental shop	1 space per 200 square feet of gross floor area
Transit station or turnaround	1 space per intended user
Truck sales	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Vertically mixed--use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Washateria	1 space per 200 square feet of gross floor area
Water pumping station or well	0 spaces
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(c) District restrictions. The following restrictions shall apply to uses in the RC district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) All merchandise shall be sold at retail on the premises; and

(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(d) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(e) Specific uses. The following specific uses are allowed in the RMU district when authorized under the provisions of section 42-45:

Use	Parking Regulations
Air conditioning and refrigeration contractor	1 space for every 200 square feet of floor area
Airport, landing field	1 space per employee, plus 1 space per stored vehicle
Arcade	1 space for every 200 square feet of floor area
Assisted living facility	1 space per employee to be occupying the building
Auto leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Brew pub	1 space per 100 square feet of gross floor area
Building materials, hardware (outside storage)	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet
Cabinet and upholstery shop	1 space per 300 square feet of gross floor area
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Cleaning and dyeing, small shop	1 space per 300 square feet of gross floor area
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community home	1 space per employee to be occupying the building
Electric power generating plant	1 space per employee
Fairgrounds	1 space per employee, plus 1 space for each 2 patrons based on maximum patron load
Farm seed and/or fertilizer sales/storage (inside)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Flea market	1.5 spaces for each 200 square feet of gross floor area or market area
Golf driving range	1 space per employee plus 1 space per 5,000 square feet of floor area
Heavy machinery sales	2 spaces plus 1 additional parking space for each 500 square feet of gross floor area over 1,000 square feet

Kennel (with or without outside pens)	1 space per 200 square feet of floor area
Microbrewery	1 space per 200 square feet of floor area
Microdistillery	1 space per 200 square feet of floor area
Newspaper printing	1 space per 300 square feet of gross floor area
Parking lot or parking garage, truck parking	1 space per employee, plus 1 space per vehicle to be parked
Pipe sales and supply	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Print shop	1 space per 300 square feet of gross floor area
Pump sales, repair and maintenance	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space per 1,000 square feet of gross floor area, whichever is greater
Registered family home	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sand, gravel, stone or earth sales	1 space per 300 square feet of gross floor area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Self storage; mini-warehouse	4 spaces per complex, plus 1 space per 5,000 square feet of storage area
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Sewage treatment plant	1 space per employee
Solid waste transfer station	1 space per employee
Storage/wholesale warehouse, light	1 space for each 2 employees, or 1 space per 1,000 square feet of total gross floor area, whichever is greater
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Theater (outdoor)	1 space for each 4 seats or bench seating spaces
Tire dealer (no outside storage)	1 space for every 200 square feet of floor area
Tobacco sales	1 space per 200 square feet of gross floor area
Trailer rental	1 space per 200 square feet of gross floor area
Travel trailer, manufactured housing or manufactured home display and sales	1 space per 200 square feet of gross floor area

Truck and bus leasing	1 space per employee, plus 1 space per stored vehicle, plus 1 space for each 500 square feet of indoor floor area or 1 space for each 1,000 square feet of outdoor area, whichever is greater
Truck or motor freight terminal	1 space per employee plus one space for each intended vehicle to be accommodated
Vendor, stationary	1 space per 200 square feet of gross floor area
Veterinarian clinic (with or without outside pens)	1 space per 200 square feet of gross floor area

(f) Development requirements.

Minimum lot area:	~~None~~4,000 square feet
Minimum lot width:	~~None~~50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	90 percent
Maximum density per acre:	45 du/ac
Height	55 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street; the second number in the column is the required setback for a front yard abutting a collector or major street.

[2] No building shall exceed 55 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(g) Screening devices. In the event that the RC district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, TH, or MFX, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(h) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in the RMU district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the RMU district

shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the RMU district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-41. INN Innovation district

(a) Purpose. The INN district is intended to promote research, education, technology development, and emerging business creation by providing flexible, campus-style land use opportunities. Development within this district should foster a high-quality built environment and reinforce a connected and vibrant employment and institutional center. Uses are scaled to minimize off-site impacts and ensure compatibility with surrounding neighborhoods.

(b) Permitted uses and parking regulations. In the INN district, no building or land shall be used and no building shall be hereafter erected, placed, reconstructed, altered or enlarged, unless otherwise provided in this chapter, except for the following uses:

Uses	Parking Regulations
Accessory building to main use	1 space per employee to be occupying the building
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
Civic center	10 spaces plus 1 space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Dormitory	1 space for each 2 beds
Garage, private	1 space per employee to be occupying the garage
General merchandise store	1 space per 200 square feet of gross floor

	area
Hospital (acute care)	1 space for every 2 beds
Hospital (chronic care); long-term health care facility	1 space for each 2 beds
Laboratory, medical or dental	1 space per 300 square feet of gross floor area or 1 of the clinics
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Mobile food vendor	0 spaces
Museum or art gallery	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains.
Office, professional or general administrative	1 space per 300 square feet of gross floor area
Office-showroom/warehouse	1 space per 1,000 square feet of gross floor area for storage and warehousing, plus 1 space for each 100 square feet of office, sales or display area
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Parking lot or parking garage, automobile	1 space per employee, plus 1 space per vehicle to be parked
Restaurant or cafeteria, without drive-in or drive-through service	1 parking space per 100 square feet of gross floor area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater

School, trade	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, trade or commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
School, commercial	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Single-family dwelling, attached	2 enclosed spaces per unit, must be attached to the main structure
Two-family dwelling	2 spaces per unit, 1 covered
Vertically mixed-use commercial and residential	The sum of the parking ratio for commercial use(s) and the parking ratio for residential uses within the building
Zero lot line house	2 enclosed spaces per unit, must be attached to the main structure

(c) District restrictions. The following restrictions shall apply to uses in the INN district.

(1) The business shall be conducted wholly within an enclosed building;

(2) Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or refuse facilities;

(3) Loading docks must be screened and oriented to interior drives; and

~~(1)~~(4) Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

(5) Any development or phase of development containing residential units shall include a commercial component consisting of a minimum of ten percent of the total gross floor area of the development.

(d) Development requirements.

Minimum lot area:	~~None~~2,500 square feet
Minimum lot width:	~~None~~50 linear feet
Minimum lot depth:	80 linear feet
Minimum front yard:	25/35 linear feet[1]
Minimum side yard:	No side yard is required except that a side yard of not less than 15 feet shall be provided on the side of a lot abutting a residential use or district.
Minimum rear yard:	No rear yard is required except that a rear yard of not less than 25 feet shall be provided upon that portion of a lot abutting a residential use or district.
Maximum ground coverage:	~~None~~80 percent

Commented [A37]: AD: This raises some concerns for me if it has the effect of discouraging multi-family residential. I'd prefer to allow the Council to use their discretion to deny projects that don't include commercial components than to require all of them to include it in the ordinance, particularly if this is the only area where multi-family is allowed.

LJA Response: Multi-family residential is allowed in other zoning districts. Since straight MF is not permitted, this standard is intended to help ensure the vertical mixed-use contains a commercial component, as the district intends.

Maximum density per acre:	~~NA~~8 du/ac
Height:	35 linear feet[2]

[1] The first number in the column is the required setback for a front yard abutting a residential street the second number in the column is the required setback for a front yard abutting a collector or major street. The front yard setback shall be 45 feet where parking is allowed in front of the building. Accessory buildings shall have a 60-foot front yard setback.

[2] No building shall exceed 35 feet in height, except cooling towers, roof gables, chimneys, vent stacks, or mechanical equipment rooms, which may project not more than 12 feet beyond the maximum building height. The height restrictions of this district shall not apply to church steeples.

(e) Development criteria. Unless otherwise specifically provided in this section, the following development criteria shall apply to this district:

(1) Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of ten feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any of the required yards. All outside storage shall be placed upon an all-weather hard surface. The screening requirements set forth above shall not apply to:

a. Off-street parking of motor vehicles in operable condition;

b. Off-street loading;

c. Permitted display of merchandise for sale to the public; and

d. Establishments of the drive-in type.

(2) The first ten feet of the required front yard setback, measured from the property line, shall be landscaped with trees, grass and shrubs, provided with pedestrian walks to the front of the building and maintained in a neat and attractive condition. The balance of said required setback may be utilized for off-street parking.

(3) No loading or storage of material or products shall be permitted in the required front yard.

(4) Pedestrian walkways shall be provided along the perimeter of buildings (where feasible) and connect to walkways, sidewalks, and/or trails within the development.

(f) Screening devices. In the event that this district abuts or is adjacent to a lot zoned SF-1, SF-2, GH, MH-1X, MH-2X, MH-3X, DD, MFX, or TH, no windows shall be permitted above ten feet on the building sides facing such residential district. In addition, a masonry or wood wall shall be constructed on the nonresidential property adjacent to the common property line. Except as provided by section 42-59, the wall shall have a minimum height of six feet above the average grade and shall taper to a height of three feet at the front building setback. Screening located exclusively along the front building setback must be an irrigated earthen berm, hedge, or decorative fencing only. This screening shall be maintained throughout the existence of the commercial use by the owner of the property or an associated property owners association.

(g) Masonry requirements.

(1) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of their exterior wall surface constructed of masonry and/or glass pane.

(2) All buildings having more than a single story hereafter constructed or placed in the INN district shall have at least 50 percent of their exterior wall surface constructed of masonry and/or glass pane.

(3) All additions hereafter constructed to buildings in the INN district shall have at least 50 percent

of their exterior wall surface constructed of masonry and/or glass pane.

§ 42-42. through § 42-44 (Reserved)

§ 42-45. Additional regulations for special uses.

(a) Generally. The following uses, where permitted in the various zoning districts, shall be operated only in accordance with the requirements set forth below.

(b) Child care centers.

(1) No portion of a child care center site may be located within 300 feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive or highly combustible materials.

(2) Child care centers shall be located adjacent to a street having a pavement width of 27 feet or greater.

(3) Site plan approval by the planning and zoning commission and city council shall be required for all child care center sites, whether or not a specific use permit is required.

(4) Child care centers located within any single-family or two-family residential district shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum district requirements and must be platted in a configuration which can be converted into standard lots for residential development.

(5) All child care centers shall comply with the following standards:

a. All vehicular entrances and exits shall be clearly visible from the street.

b. All passenger loading and unloading areas shall be located so as to avoid safety hazards from vehicular traffic and adequate walkways shall be provided.

c. Outdoor play areas shall be provided at a rate of 65 square feet per child based on maximum design capacity of the center. This requirement may be waived by the planning and zoning commission if the child care is provided for less than four hours per day for an individual person.

d. In residential districts, a maximum of one-half of the required outdoor play space may be provided off-site. When off-premises outdoor play area is utilized, it must be located within 100 feet of the child care facility premises and safely accessible without crossing, at-grade, any major or secondary street.

e. No child care center shall be part of a one-family or two-family dwelling.

(c) Construction yards, field offices, and other temporary buildings. ~~t~~Temporary permits for construction yards and field offices shall be issued for a period of time not to exceed 18 months. Extensions may be granted by the city council. Upon due notice and hearing before the city council, any such permit may be revoked if the city council finds the use is contrary to the intent of this chapter or results in noise, traffic, or other conditions considered to be a nuisance or hazard.

(d) Residence hotels. Residence hotels shall be designed to allow for their potential conversion to multifamily residences and as such shall comply with all minimum standards set forth in section 42-28. Residence hotels constructed in the MFX, NC, RC, DT, NMU, and RMU districts shall comply with the MFX, NC, RC, DT, NMU, and RMU district

requirements. Open space shall be provided in sufficient quantity and locations to allow for required additional parking should the residence hotel convert to multifamily residences.

(e) Automobile service stations. Gasoline pump islands at automobile service stations and convenience stores may not be located nearer than 18 feet to the front property line. An unenclosed canopy for a gasoline pump island may extend beyond the front building line but shall not be closer than ten feet to the property line.

(f) Swimming pools. It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly, or commercially owned or operated.

(1) No swimming pool shall be constructed or used until a swimming pool building permit has been issued therefor. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and state health department regulations.

(2) A swimming pool may be constructed and operated when:

a. The pool is not located in any required front yard or side yard abutting a street;

b. A wall or fence, not less than four feet in height, with self-enclosing and self-latching gates at all entrances, completely encloses either the pool area or the surrounding yard area;

c. All lighting of the pool is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible from adjacent properties;

d. No broadcasting system is used for the purpose of advertising the operation of the pool or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the pool and the safety of swimmers;

e. The swimming pool is no closer than eight feet from any property line for all public and commercially owned pools; and

f. For private residential pools, the swimming pool is no closer than:

1. Three feet from any property line, and

2. Five feet from the main building.

(g) Teen clubs. In order to provide a safe and secure environment, at least one uniformed security officer or off-duty police officer for every 100 occupants shall be working in the club during all hours of operation of a teen club; provided, however, the first security officer or off-duty police officer shall not be required until the building occupancy reaches 50.

(h) Regulation of sexually oriented businesses.

(1) No sexually oriented business shall be allowed within 1,000 feet of:

a. A church, rectory or place of worship;

b. A public or private elementary or secondary school;

c. A boundary of a residential district;

d. A public park;

e. A child care center;

f. The property line of a lot devoted to a residential use; or

g. Another sexually oriented business.

(2) For the purpose of subsections (h)(1)a. through f., measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in subsections (h)(1)a. through f.. For the purpose of subsection (h)(1)g., the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

(3) No sexually oriented business shall be operated in any building or structure containing another sexually oriented business.

(4) No sexually oriented business shall begin operations until the applicant thereof provides proof of compliance with V.T.C.A., Local Government Code section 243.0075.

(5) Any sexually oriented business that is in violation of subsection (h)(1) or any other location requirement of any other city ordinance, that was legally operating on the effective date of adoption or amendment of such ordinance or regulation, shall be deemed a nonconforming use, except if two or more sexually oriented businesses are within 1,000 feet of each other, or are located in the same building or structure, and otherwise in a permissible location, the sexually oriented business that was first established and continually operating as a sexually oriented business at a particular location (regardless of which business was first located in the city), even if operating under a different name, ownership, or selling different sexually oriented merchandise or services, is the conforming use and the later-established business is nonconforming. The provisions of this subsection shall also apply to legally operating sexually oriented businesses made nonconforming by annexation into the city limits.

(6) Any sexually oriented business that is lawfully operating within the city as a conforming use on or after March 16, 2015 shall not be rendered a nonconforming use by the subsequent location of a protected use listed in subsection (h)(1) within 1,000 feet of the sexually oriented business.

(7) Nothing in this section shall be construed to limit the amortization of a nonconforming sexually oriented businesses pursuant to the procedures set forth in this chapter.

(8) A nonconforming sexually oriented business shall not be increased, enlarged, extended or altered except that the use may be changed to a use other than a sexually oriented business to the extent allowed by this chapter. A person commits an offense if he increases, enlarges, extends or alters, or causes to be increased, enlarged, extended or altered a nonconforming sexually oriented business.

(i) Mobile food vendors.

(1) Vehicle requirements.

a. All mobile food units shall be readily identifiable by business name, printed in bold letters

not less than three inches in height, not less than one and one-half inches in width, permanently affixed, and prominently displayed upon at least two sides of the unit.

b. All mobile food units shall maintain a current state motor vehicle inspection sticker and a current Texas motor vehicle license plate registration sticker.

c. All mobile food units must be readily moveable (capable of moving immediately upon the request of the code enforcement officer).

d. Mobile food vendors who only sell prepackaged goods on their mobile food units shall not remain parked in one location for longer than three hours. No time restriction shall apply for mobile food vendors who prepare food on their mobile food unit.

(2) Restroom access and trash receptacles. Mobile food vendors who prepare food on their mobile food unit shall:

a. Provide one or more trash receptacles for disposal of waste from customers, and shall provide for the disposal of such waste; and

b. Provide access to restroom facilities for customers within 300 feet of the mobile food unit.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-46. through § 42-54. (Reserved)

§ 42-55. Supplementary district regulations.

(a) Generally. To the extent applicable, the regulations set forth in this section shall supplement the general regulations set forth in the various zoning districts, and to the extent there is a conflict between such general regulations and these supplementary district regulations, these supplementary district regulations shall supersede them.

(b) Calculation of setbacks.

(1) Front yards. The front yard setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than 30 inches above the average grade of the yard.

a. On corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless shown specifically otherwise on a final plat.

b. Where a building line has been established by a plat approved by the city council or by ordinance and such line requires a greater or lesser front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat provided no such building line shall be less than 20 feet, except as approved under a planned development. The board of adjustment may grant a variance to the required front yard as in other case.

c. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.

d. Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

e. On any corner lot for which front and side yards are required, no wall, fence, structure, sign, tree, or other planting or sloped terrace or embankment may be maintained higher than three feet above the street grade so as to cause danger or hazard to traffic by obstructing the view of the intersection from a point 30 feet back from the right-of-way corner. Visual clearance shall be provided in all zoning districts so that no fence, wall, vegetation, architectural screen, earth mounding, or landscaping obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection.

f. Where a future right-of-way line has been established on a plat for future widening or opening of a street upon which a lot abuts, the front or side yard shall be measured from the future right-of-way line.

(2) Side yards. Every part of a required side yard shall be open and unobstructed except for:

a. Accessory buildings and swimming pools as permitted herein;

b. The ordinary projections of window sills, belt courses, cornices, and other architectural features not more than 12 inches into the required side yard; and

c. Roof eaves projecting not more than 36 inches into the required side yard. Balconies shall not project into the required side yard.

When a non-residentially zoned lot or tract abuts upon a residentially zoned lot or tract, a minimum side yard of ten feet shall be provided on the nonresidential property. An opaque wood fence or masonry wall having a minimum height of six feet above the average grade of the residential property shall be constructed on nonresidential property adjacent to the common side or rear property line.

(3) Rear yards. The required rear yard shall be open and unobstructed by any object that is greater than 30 inches in height above the average grade of the yard, except for accessory buildings as permitted herein. Eaves, covered porches, and roof extensions without structural support in the rear yard may extend into the rear yard a distance not to exceed four feet. Balconies shall not project into the required rear yard.

(c) Exceptions to yard regulations. Chimneys shall be permitted to encroach 30 inches into any required yard in residential zoning districts.

(d) Exceptions to height regulations. The general height limitations contained in the various zoning district height and area regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(e) Exceptions to lot width regulations. This chapter shall not prohibit the use of a lot that has less width than required in the applicable zoning district if such lot was a lot of record and in separate ownership at the time of adoption of this chapter.

(f) Structure to have access. Every building hereafter erected, placed, reconstructed, altered or enlarged shall be on a lot adjacent to a public street, or with access to any approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

(g) Accessory buildings.

(1) Permanent accessory buildings, residential. Permanent accessory buildings which are placed on a permanent foundation shall be allowed in residential zoning districts subject to the following regulations:

a. Accessory buildings shall not exceed one story in height and must be located behind the primary structure.

b. Setbacks:

1. Front yard: Must be located behind the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Minimum of five feet.

c. No separate accessory building shall be erected within six feet of any other building.

d. No accessory building shall be used as a place of habitation or for commercial purposes.

e. The total floor area of the accessory building on one lot shall not exceed 30 percent of the floor area of the main building on the lot, except that this requirement shall not limit the floor area of an accessory building to less than 200 square feet.

f. Accessory buildings shall not occupy more than 50 percent of the rear yard.

g. An accessory building that exceeds 200 square feet must meet the masonry requirement of the primary structure.

h. An accessory building may be constructed as part of the main building, in which case the regulations controlling the primary structure shall apply.

i. No accessory building will be permitted without a primary structure being located on the same premises.

j. No such building shall be located within or encroach upon any utility or drainage easement.

k. No accessory building shall be placed or constructed on a lot until construction of the principal building has commenced, and no accessory building shall be occupied until the principal building is completed and is being used or occupied.

(2) Temporary and portable type accessory buildings, residential. Temporary and portable accessory buildings which are not placed on a permanent foundation shall be allowed in any residential district subject to the following regulations:

a. Accessory buildings shall not exceed 12 feet in height and must be located behind the primary structure.

b. Setbacks:

1. Front yard: Must be located behind the primary structure and may not be located with the front yard or side yard adjacent to a street.

2. Side yard: Minimum of five feet.

3. Rear yard: Minimum of five feet.

c. Maximum floor area of 200 square feet.

d. Two per lot. Total area of accessory buildings shall not exceed 50 percent of the area behind the rear building face.

e. No separate accessory building shall be erected within six feet of any other building.

f. Construction material. Each accessory building must have an exterior finish of materials similar to the principal building on the lot on which it is located. A portable building less than 120 square feet may be of metal commercial kit construction and must be properly secured to prevent overturning, utilizing a method acceptable to the building official.

g. No accessory building will be permitted without a primary structure being located on the premises.

(3) Residential detached garage and carport regulations.In all residential districts, detached garages shall not exceed 25 feet in height and must be located behind the primary structure:

Commented [A38]: Added by Justin

a. Setbacks:

1. Front yard: Must be located behind the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Minimum of five feet.

b. No separate detached garage shall be erected within six feet of any other building.

c. No detached garage or carport shall be used as a place of habitation or for commercial purposes.

d. The total floor area of the detached garage on one lot shall not exceed 30 percent of the floor area of the main building on the lot, except that this requirement shall not limit the floor area of an accessory building to less than 600 square feet.

e. A detached garage shall not occupy more than 50 percent of the rear yard.

f. A detached garage that exceeds 600 square feet must meet the masonry requirement of the primary structure. This requirement does not apply to lots greater than one-half acre.

g. No detached garage or carport~~will be~~is permitted without a primary structure being located on the same premises.

h. A detached garage shall provide space for not more than one motor vehicle for each 3,000 square feet of lot area.

(4) Permanent accessory buildings, nonresidential.The following accessory building and use regulations apply only to property in a nonresidential zoning district.

a. The height of accessory buildings shall be the same as the primary structure.

b. Setbacks:

1. Front yard: Same as the primary structure.

2. Side yard: Same as the primary structure.

3. Rear yard: Same as the primary structure.

c. No separate accessory building shall be erected within six feet of any other building.

d. An accessory building shall meet the masonry requirements of the primary structure.

e. No accessory building will be permitted without a primary structure being located on the same premises.

f. No permanent accessory building shall be located within or encroach upon any utility or drainage easement.

g. The building may be used for any permitted accessory use allowed in the district in which the accessory building is located.

(5) Nonresidential temporary and portable type accessory buildings.Temporary and portable accessory buildings which are not placed on a permanent foundation shall be allowed in any nonresidential district as follows:

a. Construction purposes only.In all nonresidential zoning districts, a temporary building shall be permitted for construction purposes only, provided the building shall be removed upon completion or abandonment of construction work or removed upon request of the city manager.

b. Permit required.Permits shall be issued for temporary buildings on construction sites for a period of six months only, with a renewal clause for a similar period.

(h) Performance standards.The following are maximum accepted levels of noise, vibration, smoke, particulate matter, and toxic and noxious matter allowable for all uses. To the extent these levels conflict with the levels of performance set forth in a specific zoning district, the more stringent

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level shall apply. These levels shall be shown on the performance standards report submitted with the required site plan unless the submission of all or part of the report is waived by the zoning administrator, based upon his determination that the proposed use will not produce the listed effects.

(1) Noise.The day-night average sound level at the property line shall not exceed 75 decibels, unless the property line abuts property zoned for residential uses where the maximum day-night average sound level shall not exceed 65 decibels. The day-night average sound level (LDN) is the 24-hour average sound level, in decibels, obtained after addition of ten sound decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

(2) Vibration.At the point of measurement taken on the property line of the source property which has the highest reading, the sound pressure level or impact level of any operation or plant shall not exceed the decibel limits for the octave bands designated in column I below, unless the point of measurement is located on a property line which is also the boundary line of a residential district in which case the limits set forth in column II shall apply.

Frequency (cycles/second)	Column I Displacement (in.)	Column II* Displacement (in.)
0 to 10	.0022	.0008
11 to 20	.0016	.0005
21 to 30	.0010	.0002
31 and Over	.0005	.0001

*Steady state—Vibrations, for the purpose of this chapter, which are continuous or, if in discrete pulses, are more frequent than 60 per minute. Impact vibrations, that is, discrete pulses which do not exceed 60 pulses per minute, shall not cause in excess of twice the displacement stipulated.

(3) Smoke, particulate matter and visible emissions.Smoke or visible emissions emitted from any vent, stack, chimney, skylight, or window shall not exceed an opacity of 20 percent averaged over a five-minute period. Any emission of air pollutant must be in accordance with the requirements of the state. Emissions shall not exceed any of the following net ground level concentrations:

a. One hundred micrograms per cubic meter of air sampled averaged over any five consecutive hours.

b. Two hundred micrograms per cubic meter of air sampled, averaged over any three consecutive hours.

c. Four hundred micrograms per cubic meter of air sampled, averaged over any one hour.

(4) Toxic and noxious matter.The handling processing, storage and disposal of hazardous, toxic, or noxious materials shall be in accordance with applicable state and federal laws and regulations. In addition, the city council may establish additional performance standards, including setbacks, berms, and buffers, for the siting of facilities which handle, treat, store, or dispose of potentially hazardous or dangerous materials.

(5) Odor.No operation shall permit odors to be released which are detectable at the property line and which offensively affect the sense of smell.

(6) Glare.All artificial light sources shall be shielded so as to prevent direct rays of light from

crossing a zoning district boundary line.

(7) Effluent.If the proposed use is to emit sanitary sewage effluent containing industrial wastes or other effluent into the city's sanitary sewer system which is considered by the city engineer to be unusual to or be damaging to the sanitary sewer system, a description of methods of pretreatment of the effluent must accompany the development site plan.

(8) Additional standards.The city council may establish additional performance standards to protect neighboring areas and land uses from potential uses which may be hazards and nuisances.

(i) Transmitting and receiving antennas and antenna facilities.

(1) Purpose.The purpose of these regulations is to establish general guidelines for the siting of antennas and antenna facilities, including telecommunications antennas and towers, and to:

a. Protect residential areas and land uses from potential adverse impacts of antennas and antenna facilities;

b. Encourage the location of antenna facilities in nonresidential areas;

c. Minimize the total number of antenna facilities throughout the community;

d. Strongly encourage co-location on both new and existing antenna facility sites as a primary option rather than construction of additional single-use facilities;

e. Encourage the users of antenna facilities to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

f. Encourage users of antenna facilities to configure them in a way that minimizes the adverse visual impact of the facility through careful design, siting, landscape screening, and innovative camouflaging techniques;

g. Enhance the ability of the providers of telecommunication services to provide such services to the community quickly, effectively, and efficiently;

h. Consider the public health and safety of antenna facilities; and

i. Avoid potential damage to adjacent properties from facility failure through engineering and careful siting of facilities. In furtherance of these purposes, the city shall give due consideration to the city comprehensive land use plan, zoning map, existing land uses, and environmentally sensitive areas in considering sites for the location of antenna facilities.

(2) Amateur radio equipment and TV antennas (including ham radio and CB equipment but not including commercial uses) shall be permitted as a special exception within residential zoning districts in accordance with the following regulations:

a. Antenna facilities may be building attached, monopoles, or lattice towers;

b. Only one antenna facility per lot of record;

c. An antenna that is attached to a building shall not extend more than ten feet above the building on which it is mounted;

d. An antenna facility shall be limited to having the number and size of antenna attached to it that are allowed by the antenna facility manufacturer's designs and specifications for maximum wind load requirements;

e. Setbacks:

1. Antennas and antenna facilities shall not be permitted in front or side yards. Guy wires are not permitted in front yards. Guy wires are permitted in required side and rear yards;

2. Setback for antenna facilities shall be the same as is required for accessory buildings in residential districts;

f. Separation. There will be no minimum or maximum separation requirements for antenna facilities from other structures on the same lot of record;

g. Antenna facilities shall not be permitted in any easement;

h. Lights. No auxiliary or outdoor lighting shall be allowed on antenna facilities located on residentially zoned property except such lights or lighting as may be required by the Federal Aviation Administration or the Federal Communications Commission;

i. A building permit must be obtained prior to the construction and/or installation of an antenna facility except TV antennas;

j. No part of an antenna, antenna facility or any attachment thereto may extend beyond the property line of the owner of such antenna or antenna facility.

(3) Satellite receive-only antennas.

a. Satellite receive-only antennas are permitted as an accessory use as follows:

1. Less than one meter in diameter: in any zoning district;

2. Less than two meters in diameter: in a nonresidential district;

b. A special exception is required for:

1. A satellite receive-only antenna which exceeds one meter in diameter to be located in a residential zoning district;

2. A satellite receive-only antenna which exceeds two meters in diameter to be located in a nonresidential zoning district except governmental antennas; and

3. Any non-governmental independently supported commercial antenna facility.

(4) Commercial radio, television and microwave towers.

a. No commercial radio, television, or microwave tower shall be located within a distance equal to at least the height of such tower from any residential structure or from any residential district. Such distance shall be measured as the shortest possible distance in a straight line from the closest point of the tower to the closest point of such area or residence.

b. No commercial radio, television, or microwave reflector antenna support structure shall be closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the structure above two stories. Such distance shall be measured as the shortest possible distance in a straight line from the structure to the closest point of such area or residence.

c. The location of commercial radio, television, or microwave reflectors, antennas, or support structures and associated foundations and any support structures and associated foundations and any support wires shall be prohibited within any required front or side yard.

d. All commercial communication operations or radio, television, or microwave reflectors, antennas, or structures shall be prohibited in residential districts.

e. All commercial signs, flags, lights and attachments other than those required for communications operations, structural stability, or as required by the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) shall be prohibited.

(5) Telecommunications antennas and towers. Telecommunications antennas and towers shall be permitted as a special exception in accordance with the provisions in section 42-95(h).

(j) Outdoor display. The outside display or sale of goods, products, or inventory is not permitted within the nonresidential zoning districts except as set forth herein or as specifically authorized in each district.

(1) ~~C-1~~NC and ~~C-2~~RC commercial districts.

a. Outside display or sale of goods, products, or inventory shall be permitted only on the sidewalk adjacent to the building; provided such goods, products or inventory shall not extend more than ten feet from the building and shall not be more than five feet in height; and provided further, that there shall be at least five feet in width of unobstructed sidewalk remaining.

b. The restrictions in subsection (j)(1)a. shall not be construed to prohibit the following, provided the sidewalk clearances as stated in subsection (j)(1)a. are met:

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.

5. "Sidewalk sales" for periods not exceeding five days in each month.

c. The accessory seasonal display of plant and related landscape materials such as fertilizer, peat moss, and ornamental landscape items by a permitted retail use may be displayed upon approval by the zoning administrator only under the following conditions:

1. The plants and related materials shall be located on an all-weather hard surface.

2. All of the plants and related materials shall be located behind the front and side building lines.

3. The storage area for display of plants and related materials shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements in this subsection (j) are met.

4. The storage area for display of plants shall not occupy more than five percent of the total lot area.

d. The restrictions in subsection (j)(1)a. shall be construed to prohibit the storage and display of rental trailers and trucks except in districts where such uses are indicated as permitted uses.

(2) ~~M-1~~CF and ~~M-2~~IND districts not abutting residential district. In districts ~~M-1~~CF and ~~M-2~~IND

that do not abut a residential district, the following regulations shall apply:

a. Outdoor display shall not be located in any required parking/loading space.

b. If display is located within the required front yard setback, the stacking height of merchandise/inventory shall not exceed five feet nor shall merchandise/inventory be located within the public open space easement or visibility triangle of a corner lot.

c. The restrictions in subsection (j)(2)b. shall not be construed to prohibit the following, provided the height restrictions as stated in subsection (j)(2)b. are met.

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.

(3) ~~M-1~~CF and ~~M-2~~IND districts abutting residential district.In districts ~~M-1~~CF and ~~M-2~~IND that abut a residential district, the following regulations shall apply:

a. Outdoor display shall not be located in any required parking/loading space.

b. Any property line of the nonresidential district adjacent to a residential district shall be screened from view with a screening device as defined in this chapter.

c. No stacking of outdoor displays shall exceed the height of the required screening device.

d. If display is located within the required front yard setback, the stacking height of merchandise/inventory shall not exceed five feet nor shall merchandise/inventory be located within the public open space easement or visibility triangle on a corner lot.

e. A ten-foot landscaped buffer strip shall be installed adjacent to the screening device. Said landscaped buffer strip shall consist of dense evergreen shrubs, each shrub being from no less than a five-gallon container, capable of growing a minimum of six feet in height within two years of planting. A combination of evergreen shrubs and trees accomplishing the same effect as stated above may be used.

f. The prohibition in subsection (j)(3)d. shall not apply to:

1. Storage and display of Christmas trees for a period not to exceed 60 days prior to and five business days after Christmas Day each year.

2. Merchandise dispensing units placed adjacent to a building.

3. Storage and display of merchandise normally placed on gasoline pump islands.

4. Storage display and sale of newspapers in newspaper racks.

(4) In the CBDX, the following regulations shall apply:

a. No less than fifty percent (50%) of all outdoor display and outdoor storage must be located on a paved concrete surface.

(k) Sand, gravel, stone or earth sales.No sand, gravel, stone, earth or similar natural materials (materials) shall be stored or displayed for sale without such materials being placed in or upon

a bunker, bin, or other man-made impervious surface. The materials may not be placed for sale or stored upon any unimproved surface.

(l) Garage sales.

(1) Definition.A garage sale is the sale of items normally accumulated by a household.

(2) Permits and conditions of sales.

a. No person or business shall conduct a garage sale without a city-issued garage sale permit. A garage sale permit fee as adopted by resolution of the city council from time to time shall be paid to the city at the time application is made. The permit applicant must be at least 18 years of age, present a state-issued form of identification and provide a valid mailing address when obtaining a garage sale permit.

b. No more than three garage sales shall be permitted for the same residence during any 12-month period. The duration of the garage sale shall not exceed three consecutive days.

c. Garage sales are to be held on a lot that has a physical structure such as a home or business with a city utility account.

d. No items shall be purchased for a garage sale for the purpose of resale.

e. Signs advertising the garage sale shall comply with the sign code of the city.

f. If a garage sale permit was purchased and the majority of the scheduled dates for the sale are affected by rain or other inclement weather, as determined by the city manager, a rain-out permit may be issued at no cost provided the applicant notifies the city the next business day following the expiration of the garage sale permit. A rain-out permit shall authorize the continuation of the garage sale for the number of days the sale was disrupted by inclement weather, as determined by the city manager. The new permit must be issued within 30 days of the date of issuance of the original permit. If the permit was issued for two or three days and the rain or inclement weather affects only one day during the permit period, a rain-out permit shall not be issued.

(m) Parking of major recreational vehicles in street or public right-of-way.In all residential districts, major recreational vehicles may be parked on a street for the express purpose of being loaded or unloaded only. Such vehicles shall not be parked in any street or public right-of-way for a period exceeding 24 hours.

(n) Parking of vehicles for the purpose of sale.No vehicle shall be parked on any property within the city for the principal purpose of displaying such vehicle for sale except:

(1) On a property that is zoned and licensed for vehicle sales; or

(2) On residentially zoned property not more than one vehicle may be displayed for sale at any time if such vehicle is owned by a resident on the residential premises. There shall be a rebuttable presumption that a vehicle is parked for the principal purpose of displaying said vehicle for sale if it is parked in such a location with a "for sale" sign or other indication that the vehicle is for sale.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015; Ordinance 2022-0020, sec. 1, adopted 11/21/2022; Ordinance 2024-0018 adopted 9/16/2024)

§ 42-56. Site plans.

(a) Generally.Whenever a site plan is required by this chapter, the site plan must conform to the requirements of this section.

(b) Administrative site plans.Site plans may be approved administratively by the zoning administrator unless approval is required under subsection 42-56(c). An aggrieved party may appeal the decision of the zoning administrator to the board of adjustment in accordance with the provisions of this chapter.

(c) City council approval.The following site plans must be acted upon by the city council after recommendation by the planning and zoning commission:

(1) A site plan submitted in conjunction with an application for a specific use permit in any zoning district (public hearing required);

(2) A site plan submitted in conjunction with an application for a zoning change to GH, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, MFX, ~~M-1~~CF, ~~M-2~~IND, CBDX, or I.

Changes in any site plan approved by the city council shall be processed the same as the original approval of the site plan, unless a determination is made by the zoning administrator that a proposed change of detail does not alter the basic relationship of the proposed development to adjacent property, and does not alter the uses permitted or increase the density, floor-area ratio, height ratio, or reduce the yards provided at the boundary of the site as indicated on the approved site plan. Such changes may be authorized by the zoning administrator. An aggrieved party may appeal the decision of the zoning administrator to the zoning board of adjustment in accordance with the provisions of this chapter.

(d) Site plan review.The purpose of site plan review is:

(1) To insure compliance with the zoning ordinance, while allowing for design flexibility;

(2) To assist in the orderly and harmonious development of the city;

(3) To protect adjacent uses from obstructions to light, air, and visibility;

(4) To provide protection from fire;

(5) To avoid undue concentrations of population and overcrowding of land; and

(6) To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.

(e) Notice and hearing.The following notice and hearing requirements shall apply to site plans requiring city council approval:

(1) Owners of record of property within 200 feet of the property under consideration will be notified of site plan consideration by the planning and zoning commission.

(2) The zoning administrator shall have at least one sign erected on the property for which site plan consideration of the planning and zoning commission has been requested. The sign shall have total area of at least four square feet and shall be located adjacent to streets, if possible. Such sign shall be erected on or before the first date of the first notice to property owners and shall be removed immediately after final action by the city council, or when the applicant withdraws the request, whichever comes first. The sign shall contain a notice of hearing on a site plan and the telephone number of the public official from whom dates of public hearing may be obtained. The erection or continued maintenance of signs shall not be deemed a condition precedent to the

review or approval of any site plan or the holding of any public hearing.

(3) Hearings held by the city council for consideration of site plans for specific use permits shall be conducted in accordance with the provisions of state law and section 42-96. An approved site plan for a specific use permit shall become part of the amending ordinance.

(4) A separate notice and hearing shall not be required for site plan approval in connection with a zoning change or other action requiring notice and a hearing.

(f) Form and content.The site plan shall contain the information listed below, as determined applicable by the zoning administrator. Any or all of the required features may be incorporated on a single drawing, if such drawing is clear and capable of evaluation by the planning and zoning commission, the city council, and the officers required to enforce and interpret this chapter.

(1) A scale drawing on a minimum sheet size of 18 inches by 24 inches is required, showing any proposed public or private street(s) and alley(s); building site(s) or building lot(s); any area(s) proposed for dedication, or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes; the points of ingress and egress from existing public streets and an accurate survey of the boundary of tract, as well as a ledger size (11 inches by 17 inches) for file purposes.

(2) Topography with contour interval of not less than two-foot intervals.

(3) Where multiple types of land use are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be required.

(4) Where building(s) are proposed, a site plan showing the location of each building and the minimum distance between building(s), and between building(s) and the property lines, street lines and/or alley lines, shall be submitted.

(5) The square footage of each proposed building on the site.

(6) Front, side, and rear building elevations of all proposed structures.

(7) The height of the building(s) and type of construction materials.

(8) A plan indicating the arrangement and provision of off-street parking, off-street loading, and points of entry from adjoining streets.

(9) Landscape plan.

(10) Fire lanes as designated by the fire department.

(11) The location of all fire hydrants.

(12) A table showing land area, building area, parking area and a ratio of building area and land area, and a ratio of building/parking area and land area.

(13) The location of all outside facilities for waste disposal.

(14) The type, location, height, and orientation of all external illumination facilities.

(15) The location, size, height, and orientation of all proposed signs.

(16) The 100-year floodplain and floodway limit locations and showing the floodplain map number and date.

(17) A drainage plan shall be made a part of the site plan for development projects influenced by or containing major drainageways or containing flood-prone areas as determined by the city

engineer.

(18) A performance standards report if deemed necessary by the zoning administrator because of the characteristics of the activities to be conducted on the site.

(19) All pedestrian walks, malls, and open area(s) for use by tenants or the public; the types of surfacing of such paving or turfing to be used at all locations on the site.

(20) Scale, north arrow, date of site plan preparation, and name(s) and address(es) of those responsible for the preparation of the site plan.

(21) Title block, name of owner/applicant, developer, land planner, and/or other relevant participant.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-57. Parking regulations.

(a) General provisions. In all zoning districts there shall be provided, in connection with appropriate allowable use, off-street vehicle parking space in connection with the following requirements. In any case where specific requirements result in a fraction of a parking space the next larger whole number of spaces shall be required.

(b) Certificate of occupancy. All land uses must provide paved parking areas at the time of the issuance of the certificate of occupancy. In situations that demonstrate unique and unusual circumstances, as determined by the zoning administrator, an administrative, one time extension may be given for an additional six-month period.

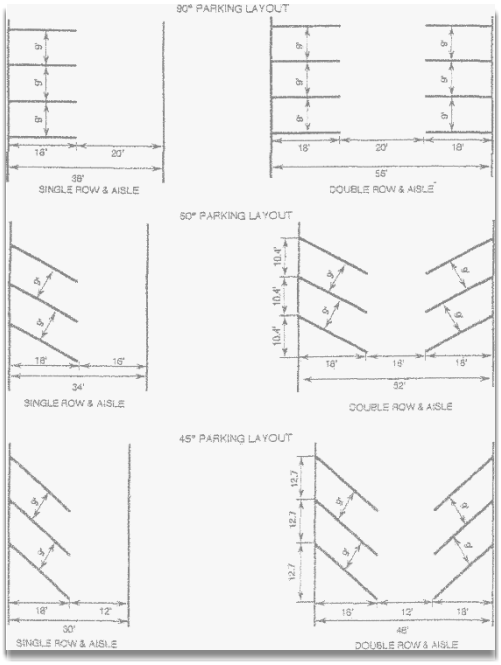
(c) Off-street parking. Shall mean all areas dedicated to parking and maneuvering that are located on- site. Off-street parking will not be permitted in any street right-of-way.

(d) Requirements for off-street parking spaces. For the purpose of this section, an off-street parking space shall be a minimum of nine feet in width and 18 feet in length as set forth below (see figure 57-1, which is incorporated in and made a part of this chapter).

Type and Angle	Length (ft.)	Width (ft.)
Single row 90 degree	18	38 including drive lane
Two rows 90 degree	18	56 including drive lane
Single row 60	18	34 including drive lane
Two rows 60	18	52 including drive lane
Single row 45	18	30 including drive lane
Two rows 45	18	48 including drive lane
Single parallel to aisle	20	9

(See also figure 57-1, which is incorporated in and made a part of this chapter.)

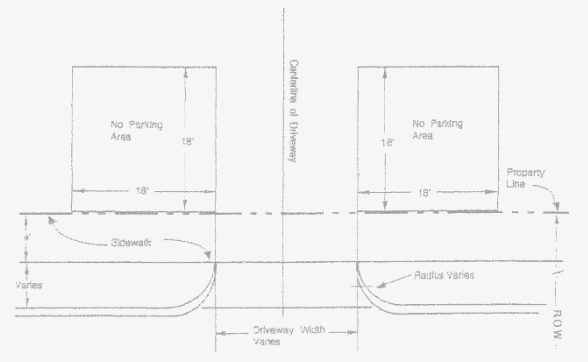
FIGURE 57-1 PARKING LOT LAYOUT



(e) Entrances, exits, and internal circulation in nonresidential districts. In nonresidential districts, when driveways are less than 20 feet in width, separate marked entrances and exits shall be provided so that traffic shall flow in one direction only. Entrances and exits to an alley may be provided if prior approval is obtained in writing from the city. When more than one aisle is provided, adequate internal circulation shall be provided between the aisles to allow movement between the aisles without using public right-of-way.

(f) Non-parking areas and maneuvering space. No parking shall be allowed in nonresidential districts within an area measuring 18 feet square with one side of the square along a property line and a second side of the square along the width limit of a drive approach in any district. The above noted 18-foot square area of no parking shall be behind the property line and adjacent to the throat of a driveway. The requirements of this subsection are depicted on figure 57-2, which is incorporated in and made a part of this chapter. Maneuvering space shall be completely off the right-of-way of a public street, place or court.

FIGURE 57-2



(g) General parking surfaces. In all zoning districts, parking areas, vehicle maneuvering areas, loading areas, driveways and approaches for all uses, including one- and two-family dwellings, shall be a paved surface, unless otherwise specified in this chapter. All parking requirements applying to a stated unit of measurement shall be understood to include a parking space for each unit or fraction thereof.

(h) Change in use. In nonresidential zoning districts, when the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this section for the new use.

(i) Parking areas that utilize rights-of-way. In nonresidential districts, parking areas which would require the use of public rights-of-way for maneuvering shall not be acceptable for the furnishing of required off-street parking spaces other than for one- and two-family dwellings. Parking parallel to the curb on a public street shall not be substituted for off-street requirements. Parking is limited to private property; the use of rights-of-way area between the property line and the back of the curb is contrary to this chapter.

(j) Loading and unloading requirements. In nonresidential districts, all business uses shall provide and maintain, in addition to other parking requirements, off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a public alley or private service drive to facilitate the movement of traffic on the public street. The loading and unloading zone must be distinct from the drive lane. No portion of the drive lane shall be included as part of the loading and unloading zone. Such space shall consist of a minimum area of ten feet by 25 feet and be provided as follows:

Gross Floor Space (sq. ft.)	Loading or Unloading Berths
25,000 feet or less	1
25,001 to 84,000	2
84,001 to 156,000	3
156,001 to 236,000	4
Each 100,000 additional	1 additional

(k) Handicapped parking spaces.In each parking facility in districts MFX, ~~C-1~~NC, ~~C-2~~RC, ~~M-1~~CF, ~~M-2~~IND, CBDX, and I, a portion of the total parking shall be specifically designed, located, and reserved for vehicles licensed by the state for use by the handicapped. These spaces will be provided according to the following schedule:

Total Spaces in Lot	Minimum No. of Handicapped Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
Over 501	2% of total

Each parking space designated for use by the handicapped shall consist of a rectangular area not less than 13 feet wide by 18 feet long, with a vertical clearance of 7.5 feet, shall be located in an area not exceeding two percent slope, and shall be located near and convenient to a level or ramped entrance accessible to handicapped persons. Parking spaces for the handicapped shall be signed in accordance with state law and restricted for use by the handicapped only.

(l) Landscaping of parking lots. It is the purpose of this section to require incorporation of landscaping into the design and construction of parking areas while maintaining standards necessary for safe parking and maneuvering space. Within parking lots, landscaping shall be provided as follows:

(1) New trees from the approved tree list contained in section 42-58(g).

(2) Unless otherwise approved by the zoning administrator, trees planted to satisfy parking lot landscape requirements shall be chosen from the species specified by section 42-58(g).

(3) Existing, on-site trees of any species that are of six inches minimum caliper, measured 12 inches above grade may be counted towards landscaping requirements established for parking lots.

(4) An irrigation system must be provided with all landscape plans. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(5) Landscaping adjacent to public rights-of-way.

a. A ~~five~~ten-foot landscaped strip shall be provided adjacent to all public and private rights-of- way on lots with an area greater than one acre, but less than five acres.

b. A t~~en~~wenty-foot landscaped strip shall be provided adjacent to all public and private rights-of- way on lots with an area greater than five acres.

c. Within landscaped strips adjacent to rights-of-way, landscaping shall be required as follows:

1. One canopy tree or two ornamental trees, at a minimum three-inch caliper, for each 60 linear feet of frontage.

2. An average density of one five-gallon evergreen shrub for each five linear feet of frontage; provided, however, that any landscaping materials that will be located within ten feet of any public right-of-way shall not, at ultimate growth, exceed 30 inches in height above street grade unless otherwise permitted by the city. Shrubs may be grouped to provide variety in design.

3. A landscaped berm may be provided in lieu of required shrubs. The berm must be an average height of three feet, but in no case less than 18 inches, above the average grade of the street and parking lot curbs, and must be planted with evergreen groundcover and/or shrubs to provide full plant coverage of the berm surface area. A variation in height of the berm is encouraged. Shrubs may be grouped to provide variety in design. The combined height of the berm and ultimate height of plant materials shall not exceed 30 inches in height from street grade in any area that is within ten feet of a public right-of-way.

(6) Parking lot interior.

a. Developments with an area less than five acres shall be designed with a maximum of 20 parking spaces between landscape islands. Parking aisles of 20 or more spaces in length shall terminate in landscape islands.

b. Developments with an area five acres or greater shall provide one landscaped island at least 162 square feet in area for each 12 parking spaces.

~~b.~~c. Landscape islands are required at the terminus of every parking row.

~~c.~~d. Within parking lot interiors, landscaping shall be provided as follows:

1. One canopy tree or one ornamental tree at a minimum three inches in caliper per landscape island.

2. Grass, evergreen groundcover or shrubs to a maximum ultimate height of 30 inches from parking lot grade, of a type that will provide full coverage of the landscape island shall be provided. Planted area shall be exclusive of the area within 18-inch radius from each required tree.

3. Areas that are not covered with live plant materials shall be permanently maintained with natural mulch materials such as hard wood, pine bark, or other typical mulch materials.

(7) Exception: accessible parking. The design and location of accessible parking spaces shall comply with the State of Texas Architectural Barriers Act. A landscape island may be omitted at an aisle termination for the purpose of providing required access to accessible parking spaces.

(8) Landscape material which is located within the interior of a parking lot shall not create a visibility obstruction. A visibility obstruction within a parking lot is defined as landscaping between 24 inches in height and seven feet in height. No shrubs shall exceed 24 inches in height. Tree canopies shall be at least seven feet in height.

(9) For large existing trees located in the parking area, which are being retained and incorporated into the landscaping plan, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.

(10) For each landscaped island of at least ten feet by 20 feet located within a parking lot, credit for four parking spaces will be provided. Credit for parking spaces cannot reduce the overall parking requirement by more than ten percent or to less than ten total spaces.

(11) Curbing or other protective devices or barriers shall be installed to protect landscaped areas from vehicular encroachment.

(m) Safety standards for off-street parking.

(1) Safety barriers, protective bumpers or curbing shall be provided to prevent encroachment onto abutting public or private property.

(2) Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.

(3) Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.

(4) Lighting. Lights provided to illuminate any parking facility or paved area shall, to the maximum extent feasible, be designed to reflect away from any residential use, and shall not cause glare to traffic on a public roadway.

(5) Fencing and screening. A parking lot in any nonresidential district which abuts residentially zoned property shall have a wall or privacy fence not less than six feet in height located for the length of the common property line. However, such a fence shall not be required within the front or exterior setback area of the nonresidential use.

(6) Noise. Areas used for primary circulation, for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound reduction.

(7) Maintenance. All parking and loading facilities shall be maintained to assure desirability and usefulness of the facility. Such facilities shall be maintained free of refuse, debris, or other accumulated matter and shall at all times be available for the off-street parking or loading use for which they are required or intended.

(8) Drainage. All parking facilities shall be graded and provided with permanent storm drainage facilities, meeting the construction specifications set by the city engineer.

(n) Existing buildings. Nothing in this section shall require the furnishing of additional parking spaces for existing buildings which are not enlarged or changed to a new use.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-58. Landscaping and screening standards.

(a) Purpose.

(1) It is the purpose of this section to establish certain regulations pertaining to landscaping within

the city. These regulations provide standards and criteria for new landscaping and the retention of existing trees, which are intended to:

a. Promote the value of property, enhance the welfare, and improve the physical appearance of the city and protect the character and stability of residential, commercial, institutional and industrial areas within the city;

b. Reduce the negative effects of glare, noise, erosion and sedimentation caused by expanses of impervious and unvegetated surfaces within the urban environment; and

c. Preserve and improve the natural and urban environment by recognizing that the use of landscaping elements and retention of existing trees can contribute to the processes of air purification, oxygen regeneration, groundwater recharge, abatement of noise, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the city.

(2) This section establishes landscaping requirements only in zoning districts ~~C-1~~DT, NC, ~~C-2~~RC, ~~M-1~~CF, ~~M-2~~IND, CBDX, INSX, NMU, RMU,and INN and for all specific uses that specify that the requirements of this section be met.

(3) Single-family, manufactured home subdivision and two-family residential uses shall be required to conform to the requirements of subsection 42-58(i).

(4) Developments within the MFX and ~~MH-1~~MH-1X zoning districts shall be required to comply with the landscaping requirements set forth in section 42-58(j).

(5) Nonresidential uses located within the SF-1, SF-2, GH, DD~~TF~~, MFX, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~and MH-3~~MH-3X, and TH zoning districts, which consist of principal structures, parking areas, and signage, shall be required to comply with the requirements contained in this section.

(6) Parking lot landscaping shall be provided as specified by Table 1, Summary of Landscape Requirements for Nonresidential Uses.

(b) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Artificial plants means a manufactured or assembled representation of live plant material constructed from man-made material for the purpose of closely resembling live plant material and to be used as a substitute to live plant material.

Caliper means the diameter of the trunk of a tree measured 12 inches above the ground.

Canopy tree means a perennial woody plant single or multiple trunk, contributing to the uppermost spreading branch layer of a forest and may be commonly referred to as a shade tree.

Development means the changing of the existing topography in order to promote the construction of structures or infrastructure to accommodate any improvements necessary to erect facilities for dwelling or commercial or industrial uses resulting in developed property.

Grasses means thin and broad-bladed surface material typically planted from seed, sprigs, or plugs with the intention of providing a uniform and aesthetic groundcover very close to the surface of the ground.

Groundcover means and consists of low-growing, dense-spreading plants typically planted from containers.

Hydromulch means a planting process by which seed, water, fertilizer, fiber mulch, and sometimes lime are blended together in a tank and applied onto a prepared lawn area. This process is also known as hydraulic mulch seed, hydromulching, and hydroseeding.

Commented [A41]: This is the provision in Article XII, Section 42-840(2). The table referenced in the provision could not be located in the Code of Ordinances. So, in an abundance of caution, this provision was not deleted with the rest of Article XII but was moved here instead.

Irrigation system means a method of conveyance and application of water to live plant material for the purpose of maintaining said plant material in a live and healthy condition.

Landscaping means the planting, arranging, cultivating, and maintenance of live plant material in such a manner that said material is aesthetically pleasing and contributes to the overall design of a development site.

Landscape area means and consists of an area included in and around a development site that has been planned to complement the development site with natural grass, groundcover, trees, or other natural plant materials.

Shrubs consists of plants that grow vertically in a multi-branched growth pattern from the ground level to heights usually not to exceed six feet. These plants may be sculpted and trimmed to present aesthetic shapes and forms.

Sod means grass and the part of the soil beneath it held together by its roots or another piece of thin material.

Commented [A42]: Justin add

(Ordinance 2005-009, sec. 40.2, adopted 3/21/2005; Ordinance 2018-010, sec. 1, adopted 5/21/2018)

(c) Events requiring compliance. Land uses not previously subject to landscaping requirements shall be required to comply with this section upon issuance of a building permit satisfying either of the following conditions:

(1) Remodeling, alterations or additions for which a site plan is required under the terms of this zoning chapter; or

(2) Remodeling or alterations taking place within a 12-month period the total value of which exceeds 25 percent of the valuation of property improvements (excluding land value) as shown on the current county tax rolls.

(d) Landscaping. Landscape installation is required as follows:

(1) Landscaping of 20 percent of the total lot shall be required, unless credits are obtained by additional plantings as set forth in subsection 42-58(g). Landscaping which includes the planting of new and the retention of existing shrubs, trees, and flowering plants in excess of the minimum standards established in this section may not reduce the landscape requirement to less than ten percent of the total lot area;

(2) Where the construction is to be a single-phase or multi-phase development, only the area being constructed in the current phase shall be required to comply with the landscape regulations. However, each phase will be required to meet the landscaping requirements as it is being developed;

(3) The use of native and adapted, drought-tolerant plants is encouraged to meet requirements of this section;

(4) Artificial plants or artificial turf are expressly prohibited;

(5) An irrigation system must be provided with all landscape plans for nonresidential development. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation;

(6) The term "ornamental tree" shall be defined as a single- or multi-trunk tree with a maximum height of approximately 30 feet and maximum crown diameter of approximately 30 feet, and a minimum height of approximately 20 feet and minimum crown diameter of approximately 15 feet;

(7) Grass, groundcover, trees, shrubs, flowering and non-flowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

a. Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required

landscape area.

b. The credits listed in subsection 42-58(g) shall be used to calculate the area occupied by a tree or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited towards area reduction requirements set forth in subsection 42-58(g).

(8) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited unless approved by the Zoning Administrator after consultation with the City Engineer.

(e) Landscaping plan required.

(1) The landscape plan may be prepared by the applicant or his designee. The landscape design is not required to be prepared by a registered or certified professional. Any required irrigation system must be designed in accordance with the standards of the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(2) The landscape plan may be submitted as a part of the site plan or as a separate submittal. However, a landscape plan meeting the requirements of this section shall be provided and approved prior to the issuance of a building permit.

(3) The landscape plan shall contain the following information:

a. Scale of drawing;

b. Location of all trees to be preserved. The method of preservation during the construction phase of development shall be approved by the zoning administrator;

c. Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features;

d. Species of all plant material to be used;

e. Size of all plant material to be used;

f. Spacing of plant material where appropriate;

g. Layout and description of irrigation, sprinkler or water system, including placement of water sources;

h. Description of a plan that will be implemented to maintain the landscaping and other landscape features shown on the landscape plan; and

i. Persons responsible for the preparation of the landscape plan.

(f) Location criteria.

(1) Not less than 40 percent of the total landscaping shall be located in the designated front yard.

(2) ~~In the M-1~~CF ~~and M-2~~IND ~~districts only the front yard 40 percent of the total 20 percent coverage shall be required. The rear and side yard landscape requirements may be waived upon submittal of a landscape plan showing other requirements~~.

(3) All landscape material shall comply with visibility requirements of the city regulations including the subdivision ordinance and this chapter.

(g) Credits for landscape area reduction. Required landscape area may be reduced to less than the 20 percent specified by subsection 42-58(d). As provided below, the application of credits shall not

reduce the required landscape area to less than ten percent of the total lot area. Reduction of area may be achieved by planting additional trees, shrubs, and flowering plants. Area reduction credits may be granted for additional enhancements in the following manner:

(1) Three-inch caliper tree, planted or saved: 200 sq. ft.

(2) Six-inch tree caliper, planted or saved: 400 sq. ft.

(3) One shrub, less than five gallons: ten sq. ft.

(4) One shrub, five gallons or greater: 25 sq. ft.

(5) For each one square foot of drought tolerant area: two sq. ft.

a. Total landscaping on a lot shall not be reduced through credits by more than 50 percent of the landscaped area required.

b. Drought tolerant area and methodology shall be clearly located and detailed on the site plan.

c. Area reduction credit, based on tree size, shall be granted for all saved trees regardless of species.

d. Unless otherwise approved by the zoning administrator, area reduction credit for newly planted trees shall only be granted for installation of the following species:

Afghan pine

Bald cypress

Bigtooth maple

Bur oak

Caddo maple

Canopy trees

Chinese pistache

Crape myrtle

Dogwood

Eastern red cedar

Eve's necklace

Flowering crabapple

Forest pansy redbud

Lacebark elm

Little gem magnolia

Japanese maple

Mexican plum

Oklahoma redbud

Ornamental pear

Ornamental trees

Osage orange

Pecan

Shumard oak

Southern live oak

Southern magnolia

Texas red oak

Western soapberry

(h) Installation and maintenance.

(1) All required landscaped area shall be permanently landscaped with living plant material, and shall have either have an irrigation system installed or shall be accessible to a hose bib, faucet, or other water source on the same lot or tract. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements.

(2) Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.

(3) All plant materials shall be maintained in a healthy, neat and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.

(4) Plant materials which die shall be replaced with plant materials of similar variety size within 90 days, with a one-time extension not exceeding 90 days being provided upon approval of the zoning administrator.

(i) Landscaping for single-family, manufactured home subdivision and two-family residential uses. The landscaping requirements set forth in this subsection shall apply to SF-1, SF-2, GH, DDTF, MH-2MH-2X and, MH-3MH-3X, and TH residential districts.

(1) Lots shall have a minimum landscaping requirement of one canopy tree located in any required front yard.

(2) Required canopy trees shall be a minimum of three caliper inches.

(3) Existing trees of equal or greater size within the front yard area may be counted toward this requirement.

(4) In cases when the applicant can show that required trees cannot reasonably be placed on the lot due to size, configuration or amenities, the zoning administrator may reduce the required number of trees to a number that can reasonably be accommodated on the subject lot.

(4)(5) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited.

(j) Landscaping in MFX and ~~MH-1~~MH-1X districts. The following minimum requirements shall be observed for development located within the MFX and ~~MH-1~~MH-1X districts.

(1) Landscape buffer of 20 feet will be required along any property line abutting a SF-1, SF-2, GH, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X or DD~~TF~~ residential district.

(2) Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and buffer areas. Open space shall not include areas covered by structures, parking areas, driveways, and internal streets.

(3) Landscaping consisting of the planting of new or retention of existing shrubs, trees, and flowering plants shall be placed in the yard facing any public roadway.

(4) Method of irrigation must be indicated on the site plan.

(5) All landscaping shall be permanently maintained. Should any plant material used in any landscaping required under this chapter die, the owner of the property shall have 90 days after notification from the city to obtain and install a suitable replacement plant material. Landscaped areas shall be kept fee of trash, litter, weeds and other material or plants not a part of the landscaping.

(6) An irrigation system must be provided with all landscape plans in the MFX and ~~MH-1~~MH-1X districts. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in Texas Administrative Code title 30, chapter 344, Landscape Irrigation.

(k) Certificate of occupancy.

(1) All landscaping shall be completed and installed in accordance with the approved landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the zoning administrator.

(2) If landscaping requirements have not been satisfied within the 90-day period from when the certificate of occupancy is issued, the property owner shall be considered in violation of this chapter.

(l) Nonconforming uses and lots. All uses that were in existence at the time of the adoption of this section, which do not meet the landscape requirements, will be considered nonconforming. These nonconforming uses/lots will be subject to the following.

(1) When the owners of properties that do not comply with the landscape requirements of this section are required to provide landscaping, the minimum standards in this subsection shall apply.

(2) A minimum of ten percent of total lot area must be devoted to landscaping. Grass, groundcover, trees, shrubs, flowering and non-flowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

a. Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

b. The credits listed in subsection 42-58(g) shall be used to calculate the area occupied by a tree or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited toward area reduction requirements set forth in subsection 42-58(g).

(m) Modification of landscape requirements. The zoning administrator may approve minor variations in the location of required landscape materials due to unusual topographic constraints, setting requirements, preservation of existing stands of native trees or similar conditions, or to maintain consistency of established front yard setbacks. These minor changes may vary the location of required landscape materials, but may not reduce the amount of required landscape area or the required amount of landscape materials. The landscape plan shall be submitted to the zoning administrator and shall specify the modifications requested and present a justification for such modifications.

(n) Relief from landscaping requirements. The planning and zoning commission and city council may, upon completion of the following, grant relief from landscaping requirements in situations where the individual circumstances, such as the presence of existing facilities or unusual topography, limit the applicant's ability to comply with the landscaping requirements:

(1) Application for relief from landscaping requirements may be made by any property owner, or other person having a proprietary interest in the property for which relief is requested.

(2) Applications shall be made in writing and shall specify the property conditions or considerations that make the requested relief necessary.

(3) Applications shall include a proposed landscape plan, drawn to scale, illustrating the area available for landscaping and specifying proposed plantings by size, type and location. The proposed plan shall indicate the means by which irrigation will be provided and provide a phasing schedule for completion of the plan.

(4) Applications shall be accompanied by an application fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(5) Applications shall be presented to the planning and zoning commission. Applications for relief shall not require a public hearing. The planning and zoning commission, after considering a proposed plan, may recommend that it be approved as presented, approved with modification, or denied.

(6) Following consideration by the planning and zoning commission, a proposed landscape plan shall be forwarded to the city council with the commission's recommendation. The city council shall act to approve a plan, as presented, approve it with modifications, or deny the application.

(7) City council's action regarding a proposed landscape plan shall be documented as follows:

a. If approved, the zoning administrator shall sign two copies of the approved plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

b. If approved with modification, the applicant shall amend the plan to reflect the required modifications. The applicant shall return two copies of the amended plan to the city within 14 calendar days of the city council's action to approve the plan with modifications. The zoning administrator shall sign two copies of the amended plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

c. If disapproved, the zoning administrator shall sign two copies of the plan that have been marked as being disapproved. A letter prepared by the zoning administrator, stating the reasons for disapproval, shall be attached to each signed plan. One copy of the plan shall be returned to the applicant. The second copy shall be retained as permanent record by the

city.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-59. Fences.

(a) No fence or hedge shall exceed four feet in height in the required front yard in any district.

(b) No fence shall exceed eight feet in height, except as otherwise provided in this chapter.

(c) Fences shall be constructed of customary urban fencing materials and shall be aesthetically consistent with buildings and fences in the area.

(d) Notwithstanding any other provision of this section, where subdivisions are platted so that the rear yards of residentially zoned lots, including but not limited to SF-1, SF-2, GH, DDTF, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, MFX, TH, and residential PD, are adjacent and back to a dedicated roadway, the developer shall provide, at his sole expense, a brick or decorative solid masonry wall with a minimum height of six feet located on the street right-of-way line.

(1) When a brick or masonry wall is erected adjacent to a dedicated roadway, the color of the wall shall be uniform and/or compatible on both sides of a street between two intersecting streets. When walls are built in sections, the color shall be as closely similar as possible, but shall in no case be incompatible.

(2) All brick and masonry screening walls shall be placed on an engineered concrete footing, with provision for drainage under the wall. Masonry or brick columns shall be expressed at a minimum of 30 feet on centers and should typically be taller than the remainder of the wall. The exterior of all sides of each wall shall be finished with the same material and shall be similar in appearance. Developers are encouraged to create offsets in brick or decorative masonry walls to provide visual variety. At development and subdivision entry features, all walls and raised planter beds shall be of brick or decorative masonry construction.

(3) Developers are encouraged to create offsets in brick or masonry walls to provide visual variety.

(e) No fence shall impede the visibility of or from any point of ingress or egress to any parking lot or driveway or any intersection of a street or highway.

(f) On any corner lot for which front and side yards are required, no wall or fence shall cause danger or hazard to traffic by obstructing the view of the intersection from a point 30 feet back from the right-of-way corner. Visual clearance shall be provided in all zoning districts so that no fence or wall obstructs the vision of a motor vehicle driver approaching any street, alley or driveway intersection.

(g) Prohibited materials.Electrical fences or electrical attachments of any type designed to administer a shock, shall not be constructed within the legal limits of the city. Permanent barbed wire and razor wire fences of any type or dimension shall not be constructed within the legal limits of the city. Vee arms or base and arms with barbed wire not to exceed three strands will be permitted in all districts except SF-1, SF-2, GH, DDTF, ~~MH-1~~MH-1X, ~~MH-2~~MH-2X, ~~MH-3~~MH-3X, MFX, or any residential planned development and said attachments shall be considered as part of the fence in determining the height of the fence and shall not protrude over property lines. The lowest strand of barbed wire shall be a minimum of six feet above ground level.

(h) Temporary fences.Temporary fencing for the purpose of protecting or securing of construction sites shall be allowed and must be removed at the completion of the project.

(i) Inspection.When a fence is completed it must be inspected. The office of the building official shall be notified upon completion of the fence. The building official will issue a card of acceptance if the fence complies with the provisions of this chapter or it will be rejected. All fences constructed under the provisions of this chapter shall be maintained so as to comply with the requirements of this chapter at all times.

(j) Existing fences.Any fence constructed prior to enactment or amendment of this chapter will not be restricted by this chapter. Any fence constructed at any time on property not within the city, but annexed by the city at a later date will not be restricted by this chapter. Any fence reconstruction, modifications, enlargements, extensions, alterations or any construction other than maintenance of the fence as it existed at the time of enactment or amendment of this chapter or annexation of property containing the fence shall be regulated by this chapter.

(k) Emergency ingress and egress required.In order to allow ingress/egress of emergency and maintenance personnel and equipment, at least one self-closing and self-latching gate or opening not less than three feet in width shall be required with each fence or wall that is adjacent to or running parallel with a public right-of-way, alley, drainage, utility or access easement. One such opening is required for each lot or in cases when the lot frontage is greater than 200 feet, an opening or gate shall be located not more than 200 feet from another opening on the same property. Double frontage lots shall be required to have an opening only on the street used as the frontage for the property.

(l) Property owners' responsibility.The construction of a fence or wall on the property line shall not negate the owners' responsibility to maintain and keep the following specified areas free and clear of debris and high weeds:

(1) The area between the fence and the extension of the property line to the back of curb or edge of pavement.

(2) The area between the fence and the property line or between parallel fences.

(m) Maintenance of fences.The owner or any person who has a fence shall be responsible for maintaining the fence in a neat and functional condition.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-60. through § 42-69. (Reserved)

ARTICLE V SPECIFIC USES PERMITS

§ 42-70. Purpose.

The purpose of the specific use permitting procedure is to allow for review of uses which would not be appropriate generally or without certain restrictions throughout a zoning district, but which, if controlled as to the number, area, location or relation to the neighborhood, would promote the health, safety, and welfare of the community. The procedure is intended to allow broad public review and evaluation of the proposed development and to ensure adequate mitigation of potentially unfavorable impacts.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-71. Submission and approval requirements and procedure.

(a) A property owner may petition the city for a specific use of property, as authorized by the zoning district in which the property is located. An application for a specific use permit shall be submitted to the zoning administrator, along with any applicable fee. The application shall include a site plan meeting the requirements of section 42-56, and showing the general arrangements of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and locations of buildings; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; visual screening such as walls, landscaping, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of 200 feet.

(b) The same notice, hearing and approval requirements as for changes and amendments to a zoning district classification shall apply to approval of a specific use permit; provided, however, that the approval of a specific use permit shall not be considered a change in zoning.

(c) The zoning administrator shall review the application and submit a report to the planning and zoning commission. This report shall be made available to the applicant prior to the public hearing. After proper notice and a public hearing, the planning and zoning commission shall make a recommendation to the city council regarding any application for a specific use permit. The planning and zoning commission may require information, operating data, and expert evaluation concerning the location, function and characteristics of any building or use proposed.

(d) The city council may approve a specific use by adoption of an ordinance. The ordinance shall set forth any limitations or conditions which the city council may place upon the specific use. Only those specific uses authorized in the district in which the property is located may be approved.

(e) The planning and zoning commission and the city council shall review the application against the review and evaluation criteria set forth below and approve, conditionally approve, or deny the specific use application.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-72. Review and evaluation criteria.

The specific use application shall be reviewed and evaluated using the following criteria:

(1) Conformance with applicable regulations and standards in this zoning chapter.

(2) Compatibility with existing or permitted uses on abutting sites in terms of building height, bulk, scale, setbacks, open spaces, landscaping and site development, and access and circulation features.

(3) Potentially unfavorable effects or impacts on existing or permitted uses on adjacent properties, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

(4) Location, lighting, and type of signs and relation of signs to traffic control and adverse effect on adjacent properties.

(5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

(6) The city council shall authorize issuance of a specific use permit only after determining that the proposed use or uses are harmonious with buildings and uses of adjacent property in the vicinity of the premises under consideration and that adequate provisions have been made for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, height of structures, and compatibility of buildings.

(7) No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the permit, as attached to the site plan drawing and approved by the city council.

(8) When the city council approves a specific use permit, the zoning map shall be amended according to its legend to indicate that the property is subject to the specific use permit.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-73. Lapse of approval and modifications.

(a) A specific use permit shall be valid for one year from the date of approval unless prior to such expiration date a building permit is issued and construction is commenced or the actual use, if not requiring a building permit, is commenced. The expiration date may be extended by the city council upon application. An inspection of the property granted a specific use permit shall be performed one year after such grant to determine whether the use has been commenced and whether all conditions of the permit have been complied with.

(b) Approval of a specific use permit automatically expires upon any of the following:

(1) A change in use on the property; or

(2) A relocation of the use.

The city council may grant a continuance of the specific use upon application.

(c) Minor modifications to a specific use permit may be made if the zoning administrator determines that such modifications will not change the intent and effect of the approval by the city council.

(d) A specific use permit for a stationary vendor, as defined in subsection 42-9(b), shall be subject to the following additional conditions:

(1) The permit shall be limited to a period of one year unless additional time is allowed by the city council.

(2) The applicant must show that the applicant has the written permission of the property owner to engage in the vending activities.

(3) Any temporary structures associated with the use must comply with the city's building code and must be removed within two days after the specific use permit expires.

(4) Food vendors must comply with conditions established by the health officer.

(5) The applicant must hold a valid sales and use tax permit from the state.

Exception: A specific use permit is not required for a stationary vendor to make sales at a special event if the city has issued a permit for the special event and the permit holder has authorized the stationary vendor to make sales at the special event.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-74. through § 42-79. (Reserved)

ARTICLE VI NONCONFORMING USES, LOTS AND STRUCTURES

§ 42-80. Purpose and intent.

Within the districts established by this chapter, there may exist buildings or uses of land and buildings (nonconforming uses) which were lawful before this chapter was passed or amended, but which would be prohibited, regulated or restricted under the terms of this chapter or future amendments. Such nonconforming uses may be continued although they do not conform with the provisions of this chapter, subject to the limitations and conditions set forth in this section. However, such nonconforming uses are declared by this chapter to be incompatible with permitted uses in the districts involved. With due regard for the property rights of the persons affected when considered in light of the public welfare, the character of the area surrounding the nonconforming use and the conservation and preservation of surrounding properties and their values, it is the declared purpose of this chapter that nonconforming uses be eliminated and be required to conform to the regulations prescribed in this chapter.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-81. Continuation of use.

(a) Nonconforming uses or structures. Any use or structure that existed as a nonconforming or previously conforming use or structure under applicable zoning regulations prior to adoption of this chapter shall be permitted to continue as a nonconforming use or structure, subject to the provisions of this section.

(b) Exemptions to nonconforming regulations. Any use that does not conform to the provisions of this chapter that require the use to have a specific use permit, but which existed as a conforming use without a specific use permit under applicable zoning regulations prior to the adoption of this chapter, shall be permitted to continue as a nonconforming use. In the event such a use is replaced by or changed to a use conforming to the provisions of this chapter, the nonconforming use shall be considered void and only uses conforming to this chapter will be permitted thereafter. The burden of proof that the exemption provided by this section exists shall rest on the property owner.

(c) Illegal use or structures. By adoption of this chapter, no presently illegal use or structure shall be deemed to have been legalized unless such use or structure falls within a district where the actual use and structure conform to the provisions of this chapter.

(d) ~~Building on nonconforming lots of record. In any zoning district, buildings may be erected on any single lot of record, provided there is access to such buildings from a street and the lot is in the same ownership as recorded on the effective date of the ordinance from which this chapter is derived. This provision shall apply even though the lot fails to meet the minimum requirements for area, width, or depth for the district in which it is located; however, all other requirements shall still apply. All buildings constructed on nonconforming lots of record shall meet all development regulations in the district unless proper variances are granted by the board of adjustment. No building shall be constructed on multiple lots. Whenever construction is desired on multiple lots, the property owner shall replat the property into a single lot.~~

(e) Nonconforming buildings. Repairs and alterations may be made to a nonconforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is brought into conformity with the provisions of this chapter.

(f) Nonconforming use of buildings. A nonconforming use of a building shall not be increased or

Commented [A43]: It is unclear who requested this to be deleted in the back and forth. LJA recommends leaving in for now.

enlarged and no occupancy of additional buildings or land by a nonconforming use shall be permitted except that a nonconforming use of a building may be extended throughout any parts of the building which were manifestly arranged or designed for such use and which were owned or leased by the owner of the nonconforming use on the effective date of the ordinance from which this chapter is derived, provided no structural alterations, except those required by law or ordinance, are made, and provided further that no additional dwelling units shall be added where the nonconforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located. The board of adjustment shall have the authority to permit an extension of a building which is nonconforming as to uses not to exceed 25 percent of the existing floor area, subject to the development regulations applicable in the zoning district.

(g) Nonconforming use of land. Unless otherwise provided in this section, a nonconforming use of land may not be expanded, extended or moved in whole or in part, beyond the area of land actually being occupied by the use at the time it becomes nonconforming, except to provide off-street loading or off-street parking space facilities. Notwithstanding the above, the board of adjustment may permit an expansion of a nonconforming use of land on a lot of record not to exceed 25 percent of the existing area of the land actually being occupied by the nonconforming use, subject to the development regulations applicable in the zoning district.

~~(g)~~(h) Legacy District. Notwithstanding anything to the contrary herein, any use or structure that exists in a legacy district, those districts marked with an "x" in the district name as of the adoption of Ordinance No. ___ on ___ , shall be considered a legal use or structure and shall not be considered a nonconforming use or structure. Such use or structure may be expanded, extended, or moved in accordance with the applicable legacy district regulations as a legal use or structure.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-82. Discontinuance or abandonment.

(a) Defined. A nonconforming use, when discontinued or abandoned, shall not be resumed and any further use shall be in conformity with the provisions of this chapter. Discontinuance or abandonment shall be defined as follows:

(1) When land used for a nonconforming use shall cease to be used in a bona fide manner for the nonconforming use for six consecutive calendar months.

(2) When a building designed or arranged for a nonconforming use shall cease to be used in a bona fide manner as a nonconforming use for a period of six consecutive calendar months.

(3) When a building designed or arranged for a conforming use shall cease to be used in a bona fide manner as a nonconforming use for a period of six consecutive calendar months.

(4) When land or a building used only on a seasonal basis is not used in a bona fide manner as a nonconforming use during such season.

(b) Presumption. There shall be a rebuttable presumption that the property owner intended to discontinue or abandon the nonconforming use if such use ceases for the above time periods.

(c) Deemed to have occurred. Discontinuance or abandonment shall be conclusively deemed to have occurred irrespective of the intent of the property owner if the nonconforming use was dilapidated, substandard, or was not maintained in a suitable condition for occupancy during the above time periods.

(d) Hardship. Upon evidence of hardship, the board of adjustment shall have the power to extend the time limits in subsection (a), not to exceed one year.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-83. Destruction of nonconforming use.

(a) Destruction. If a nonconforming building is destroyed by fire, the elements, or otherwise, it may not be reconstructed or rebuilt except to conform with the provisions of this chapter unless the destruction amount is less than 50 percent of its fair market value at the time of destruction. If a conforming building occupied by a nonconforming use is destroyed by fire, the elements, or otherwise, it may be reconstructed in conformity with the provisions of this chapter; provided, however, if the destruction amount is more than 50 percent of its fair market value at the time of destruction, the nonconforming use may not continue in the building.

(b) Destruction greater than 50 percent. If the destruction is greater than 50 percent and less than total, the board of adjustment may, after a public hearing, authorize repair, taking into consideration the property owner's circumstances and the effect on surrounding properties.

(c) Destruction less than 50 percent. Upon submission by the owner of sufficient evidence to prove that the destruction of a nonconforming building amounts to less than 50 percent of the fair market value of the entire nonconforming use and that the destroyed building or structure constituted an integral part of the nonconforming use without which the nonconforming use cannot be profitably operated, the board of adjustment may permit the reconstruction of such destroyed building or buildings under conditions which reasonably allow the owner to recoup his original investment.

(d) Single-family residences. Notwithstanding anything herein to the contrary, a single-family residence which is destroyed shall be permitted to be reconstructed without board of adjustment approval regardless of the extent of destruction provided that the construction complies with all current building codes and is commenced within six months of the date of destruction. The failure of the owner to start such reconstruction within six months shall forfeit the owner's right to restore or reconstruct the dwelling except in conformance with this chapter.

(e) Time limit for reconstruction. If the owner of a nonconforming use fails to begin reconstruction of the destroyed building (when permitted to do so by the terms of this chapter) within six months of the date of destruction or approval by the board of adjustment, the nonconforming building or use shall be deemed to be discontinued or abandoned as provided in section 42-82.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-84. Expedited compliance.

It is the policy of the city to allow the continuance of nonconforming uses but not to encourage their survival. It is recognized that a nonconforming use shall be permitted to continue for the life of the investment made by the original builder or operator. No improvements or structural alterations that extend the life or expand the degree of noncompliance shall be permitted as a general rule. Under certain conditions the continued existence of a nonconforming use may create such a degree of incompatibility with surrounding land uses and with the intent of the city's short range, medium range and long range comprehensive planning that a requirement for expedited compliance with the zoning district regulations is necessary in the public interest. A decision of this nature may affect vested property rights of the property owner and, therefore, the following procedural requirements shall apply.

(1) Determination of need for expedited compliance.Any city officer, board, commission or the city council may request that the board of adjustment establish a zoning compliance date for a nonconforming use. Upon receiving such a request, the board shall determine whether there is a public necessity for expedited compliance with the zoning regulations. The board will schedule a public hearing in conformance with the notice and procedural requirements established by this chapter and the rules of the board. The following factors must be considered by the board in determining the public necessity for expedited compliance:

a. The character of the surrounding neighborhood.

b. The degree of incompatibility of the nonconforming use to the zoning district in which it is located.

c. The effect of the nonconforming use on the surrounding area and the effect of its cessation on that area.

(2) Hearing requirements.

a. Notice of the public hearing shall be given to the owner of the affected property and all surrounding property owners within 200 feet of the subject property as prescribed for other cases heard by the board of adjustment. All interested citizens, individuals and organizations will be given the opportunity to appear before the board and present evidence that they deem relevant and appropriate for the board to consider in determining the need for the establishment of a compliance date for the specific nonconforming use.

b. At the conclusion of the public hearing the board shall make a finding as to whether or not there is a need for expedited compliance with the zoning ordinance and shall determine whether or not it is appropriate to set a date certain for the use or activity to come into compliance with the current requirements of the ordinance. If the board determines that there is no need for expedited compliance, it shall provide written notice to the party who requested the hearing that the board has found that expedited compliance is not necessary at the present time. No further action shall be taken by the board and the nonconforming use shall retain its existing status. Any party who disagrees with this determination by the board shall have the right to appeal such decision to state district court in the same manner as any other decision of the board may be presented for judicial review. Review is by writ of certiorari and shall be presented in the manner set forth in V.T.C.A., Local Government Code, section 211.011.

(3) Expedited compliance—Procedure for determining amortization value.

a. If the board determines that expedited compliance is necessary and appropriate in the public interest, it shall commence the proceedings necessary to establish the value of the nonconforming use and a reasonable amortization period for that use. The board shall initially establish a time for hearing evidence on the various value and income issues necessary to comply with the amortization process. The board shall give the various parties to an amortization case sufficient time to conduct discovery and to prepare evidence of value, depreciation and income. To the extent deemed reasonable, the board shall establish a hearing date within 60 days following the determination of a need for expedited compliance. If a party believes more time is necessary to prepare for the hearing, a request for continuance of the hearing may be made to the chairman of the board who shall have the authority to grant a reasonable extension of time.

b. The parties may exchange written discovery requests and take, as appropriate, depositions of potential witnesses. Discovery disputes will be presented to the chairman of the board for resolution. The hearing to determine value and income matters relating to amortization shall be subject to the same notice requirements as those established for the expedited compliance hearing. The purpose of the second hearing shall be to determine the value of the interest taken, if any, and whether the owner has had a reasonable opportunity to recoup that value; and a reasonable compliance date. The value is determined in the following manner:

1. The board first determines the date upon which the nonconforming use came into existence

and/or operation.

2. The purpose of amortization value determination is to fully recognize the investment the owner made at the time that the use was legally permitted. A determination is made, based on the presentment of evidence, of the initial investment made by the original owner in the construction and establishment of the nonconforming use. Land value is not a factor as the property owner or his successor will retain ownership and the right to use the land for a legal use. The board should consider any evidence establishing the amount of the investment made in the establishment of the nonconforming use prior to the point in time at which it became nonconforming. Any improvement, addition, expansion or change made after the date of its nonconformity shall not be considered by the board, as it was made by the owner with knowledge of the limited life expectancy and use of the property. Initial investment value shall not be given to items that may be transported to a new site. Compensation for these items is addressed as a relocation cost below.

3. The board shall then determine the income that the property has produced annually since the nonconforming use commenced. The board, at its discretion, may make findings as to the annual operating cost of the nonconforming use to determine income over purely operating revenue. The board shall prepare a written finding stating clearly for each year that the nonconforming use has been in existence, the annual income it has produced and shall further make a finding of its current annual income based upon the income it produced at the close of the most recent calendar year or fiscal year for which it has been in operation. If due to the age of the nonconforming use, changes of ownership, or the loss or destruction of records it is not possible to prepare an income finding for each year of the nonconforming use the board will make a finding for each year that can be documented and will note why the missing years have not been addressed. The board shall use that annual income as the current and future income projection of the nonconforming use for determining amortization of any remaining investment value. Any party to these proceedings shall have the right to offer evidence as to why that projection is no longer realistic based upon evidence of economic change.

4. The board shall determine whether the original investment in the nonconforming use is subject to depreciation due to physical and/or market conditions. The board shall look at standard industry practices in determining a reasonable depreciation schedule.

5. The board may consider any other factors or evidence that shows that the owner has had a reasonable opportunity to recoup his investment in the nonconforming use.

6. The board shall then take the original investment value determined in step number 2 of this process and then subtract from that number the income of the nonconforming use as determined in step 3 and any depreciation of the nonconforming use as determined in step 4. If the subtraction of the income of the nonconforming use from the original investment value less depreciation leaves a positive figure of value remaining in the tract, the board shall make a determination that there is unamortized value in the nonconforming use that must be addressed by the city prior to expedited compliance. If the subtraction of the income streams from the initial investment value produces a negative number, then no unamortized value will remain and the board shall establish a date for expedited compliance without the need to address unamortized value.

7. All findings of the board pertaining to the value of the investment in the nonconforming use and the rate of return derived by the owner must be reasonable and in accordance with

accepted industry practices for that type of nonconforming use. Any party may offer evidence to the board in order to substantiate a reasonable value of the initial investment and/or a reasonable rate of return for such nonconforming use.

8. The board shall next determine whether the property owner will incur any costs of closing down or relocating the nonconforming use. Closure or relocation cost shall include only the reasonable and necessary expenses to transport items and material from the site to a new location. Relocation cost does not include the cost of acquiring alternate land as the property owner is retaining the land at the existing site to convert to a conforming use. The cost of relocation does not include the cost of removing permanent improvements such as buildings, parking areas, or public works facilities that will remain on the original site for use by the owner in a conforming business activity.

c. Board findings on unamortized value and the cost of relocation. If the board makes a determination that unamortized value remains in the nonconforming use by determining that the original investment value minus depreciation exceeds the amount of income derived from the nonconforming use during its operation through the date of the amortization hearing, the board shall make the following findings as a matter of record:

1. The dollar value of the unamortized interest remaining in the nonconforming use (original investment value, minus depreciation and minus income earned during historic operation of the nonconforming use).

2. The dollar income the nonconforming use produced during its last full calendar year of operation prior to the date of the hearing

3. The dollar cost of relocating business assets or inventory.

4. Other factors that show whether the owner has had a reasonable opportunity to recoup his investment in the nonconforming use.

d. Based upon the above factors, the board determines a calendar date upon which amortization shall be deemed complete. The calendar date determined herein shall be the date upon which the board determines is a reasonable period of time for the owner to have fully amortized the original investment value of the nonconforming use together with the closure/relocation costs that are properly chargeable to the nonconforming use.

e. The board shall make these findings a matter of record in the minutes of the board meeting in which such final determination was reached. The date upon which final amortization occurs shall be the date upon which the nonconforming use shall cease to operate in a nonconforming status.

f. Under no circumstance shall a nonconforming use be given less than 90 days to cease operation irrespective of the date determinations made above. The 90-day minimum is to provide the nonconforming use business with the opportunity to give its customers, suppliers and vendors proper notice and to permit an orderly closure and transfer of business operations.

g. The board of adjustment shall cause its findings to be transmitted to the city council including whether any unamortized value remains in the nonconforming use identified for expedited compliance. The city council in its sole discretion shall have the right to determine if the city should appropriate funds to purchase the remaining unamortized value of the nonconforming use, thereby instituting immediate closure rather than waiting for the expiration of the time

necessary for the automatic amortization of remaining value.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-85. Additional limitations and provisions regarding nonconforming uses.

(a) Change to conforming. A nonconforming use or building, if changed to a conforming use or building, may not be changed back to a nonconforming use or building.

(b) Accessory uses or structures. No nonconforming accessory use or structure shall continue after the principal use or structure shall have ceased or terminated unless the accessory use or structure shall thereafter conform to the provisions of the zoning district in which it is located.

(c) Vested rights. Nothing contained in this chapter shall require any change in the plans, construction or designated use of a building or land development project for which a building permit was lawfully issued no more than six months prior to the adoption or amendment or this chapter, provided that such construction shall have been started at the time such use became nonconforming and shall have been diligently prosecuted to completion.

(d) Future nonconformities. The foregoing provisions of this article shall also apply to uses made nonconforming by subsequent amendments to the zoning regulations or by annexation into the city limits.

(e) Special exceptions. Any use which is approved as a specific use permit by the city council or as a special exception use by the board of adjustment shall, upon its establishment, be considered a conforming use in that district, provided that this regulation shall not be interpreted as to waive any conditions placed on the specific use or special exception use.

(f) Replacement of manufactured home. Notwithstanding anything in this article to the contrary, a nonconforming manufactured home may be exchanged or replaced by another manufactured home, provided the replacement manufactured home is owner-occupied.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

Commented [A44]: AD: To comply with Occupations Code 1201 we could limit the replacement of a mobile home with a HUD code manufactured home we are required to allow to only one replacement. In which case, we'd need to modify this to allow only one replacement. Does City want to limit to only one replacement?

LJA Response: We defer to the City and AD on language for mobile homes.

§ 42-86. Waiver.

The board shall have the power to approve a waiver of any required yard area or setback requirement when such a waiver is necessary due to a surveying or construction error in the placement of the original foundation or site improvement.
(Ordinance 2014-010, sec. 1, adopted 4/21/2014)

§ 42-87. through § 42-94. (Reserved)

§ 42-95. Board of adjustment.

(a) Creation, membership and procedures.

(1) Zoning board of adjustment established. A board of adjustment is hereby established in accordance with the provisions of V.T.C.A., Local Government Code section 211.008 and shall have the powers and duties as provided in said statute and this chapter.

(2) Membership.

a. The zoning board of adjustment shall consist of five members, each to be appointed by the city council for a term of two years and removable for cause by the city council upon written charges and after public hearing. If a member is absent for three consecutive meetings, or if the member misses more than 50 percent of the meetings in a calendar year, reasonable cause exists for the removal of the member unless the board has granted the member a leave of absence at a meeting due to illness or other good cause.

b. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Three members shall serve until January 1 of odd-numbered years, as heretofore appointed, and two members, as heretofore appointed, shall serve until January 1 of even-numbered years. Thereafter each member reappointed or each new appointee shall serve for a full term of two years unless removed as hereinabove provided.

c. The city council may also appoint up to four alternate members of the board who shall serve in the absence of one or more of the regular members when requested to do so by the chairperson of the board, so that all cases to be heard by the board will always be heard by a minimum number of four members. These alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two years, and any vacancy shall be filled in the same manner and they shall be subject to removal by the same means and under the same procedures as the regular members.

(3) Hearings. The hearings of the board shall be public. The board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any permit is pending, and shall also hear any other parties in interest. All hearings are to be heard by at least four members of the board.

(4) Meetings. Regular meetings of the board shall be held at such times as the board may determine. Special meetings of the board shall be held at the call of the chairperson or at the written request of two regular members of the board, said request to be submitted to the chairperson.

(5) Rules and regulations. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city secretary and shall be public record. The board shall adopt from time to time such additional rules and regulations as it may deem necessary to carry into effect the provisions of this chapter, and shall furnish a copy of the same to the zoning administrator, all of which rules and regulations shall operate uniformly in all cases. All of its orders shall be

in accordance therewith.

(b) Jurisdiction and powers. The board of adjustment shall have all powers granted by the provisions of V.T.C.A., Local Government Code sections 211.008 through 211.011. The board may, in specific cases, after public notice and public hearing and subject to appropriate conditions and safeguards, take the following actions:

(1) Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the zoning administrator or other city officer or department in the enforcement of this chapter;

(2) Hear appeals on zoning boundary disputes;

(3) Hear requests by a city officer, board, commission or city council to abate, remove, limit or terminate a nonconforming use or building through expedited compliance procedures to require the discontinuance of a nonconforming use or building under a reasonable plan whereby the owner's investment in the nonconforming use or building can be recouped through amortization over a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this chapter.

(4) Permit the expansion or extension of a nonconforming use in accordance with the provisions of section 42-83 [42-81].

(5) Within the limits prescribed in section 42-82, the board may review nonconforming uses which have been abandoned or discontinued to determine whether such uses should be allowed to resume operation. Such action by the board shall consider any unnecessary hardship on the property owner if the use is discontinued and shall have due regard for the public welfare, the character of the area surrounding such use, and the conservation, preservation and protection of surrounding properties and their values;

(6) Permit the repair or reconstruction and occupancy of a nonconforming building or a building containing a nonconforming use where the building has been destroyed in excess of 50 percent, but less than the total value as provided in section 42-83, provided such reconstruction does not, in the judgment of the board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming building beyond what is permitted by article VI. Such action by the board of adjustment shall have due regard for the property rights of the person or persons affected, when considered in light of the public welfare, the character of the area surrounding such structure, and the conservation, preservation and protection of surrounding properties and their values;

(7) Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated or substandard;

(8) Permit variances to the development regulations in this chapter such as front yard, side yard, rear yard, lot width, lot depth, lot coverage, minimum setback, off-street parking, off-street loading, lot area, maximum height, or other development regulations where such variance is necessary to permit the reasonable development of a specific parcel of land which differs from other parcels of land in the same zoning district by being of such area, shape, topography, slope or condition that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same zoning district, or where, due to special conditions:

a. The literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district and would result in an unnecessary and/or unreasonable hardship;

b. The special conditions are not the result of the applicant's actions, but are peculiar to the land, structure or building involved;

c. The variance requested is the minimum necessary; and

d. No special privilege is granted which is denied to other similarly situated uses.

Any variance granted shall not adversely affect adjoining property, shall not be contrary to the public interest and shall insure that the spirit of the ordinance is observed and substantial justice is done.

(9) Approve special exception uses which are specifically authorized by this chapter. A site plan meeting the requirements of section 42-56 shall be required to be submitted with each application for a special exception. Any special exceptions authorized by the board, either under the provisions of this chapter, or under the authority granted to the board under the statutes of the state, shall authorize the issuance of a building permit for a period of 90 days from the date of the favorable action on the part of the board of adjustment, unless the board in its minutes shall, at the same time, grant a longer period. If a building permit shall not have been issued within said 90-day period or such other period as the board of adjustment may specifically grant, the special exceptions shall be deemed waived, and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal to said board of adjustment in accordance with the rules and regulations regarding appeals.

(c) Appeals.

(1) Except as limited for specific appeals, appeals to the board of adjustment can be taken by any person aggrieved or by any officer, department, or board of the municipality affected by any decision of the zoning administrator or any official authorized to make a decision under this chapter. Such appeal shall be taken within 15 days after the decision has been rendered by the zoning administrator or other official by filing with the official from whom the appeal is taken and with the city secretary a notice of appeal specifying the grounds thereof. The official from whom the appeal is taken shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

(2) A written application for appeal shall be submitted together with the required fee, accompanied by an accurate legal description, maps, site plans, drawings, and other data or information relevant to the appeal.

(3) An appeal shall stay all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case proceedings may be stayed only by a restraining order granted by the board of adjustment or by a court of record on application after notice to the official and upon a showing of due cause.

(4) Limitation on reapplications. When the board has denied an appeal, no new applications of similar nature shall be accepted by the board or scheduled for 12 months after the date of board denial. Applications which have been withdrawn at or before the board meeting or that have been expired after approval by the board, may be resubmitted at any time for hearing before the

board.

(d) Hearing. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time. At the hearing any party may appear in person or by attorney or agent. The notice provided in this section shall be given by publication in the official city publication stating the time and place of such hearing, which shall not be earlier than ten days from the day of such publication, and in addition, the board of adjustment shall mail notices of such hearing to the petitioner and the owners of property lying within 200 feet of any point of the lot or portion thereof, on which an appeal is taken, and to all persons deemed by the board of adjustment to be affected. Such owners and persons shall be determined according to the current tax rolls of the city and substantial compliance therewith shall be deemed sufficient, provided, however, that the depositing of such written notice in the mail by the board of adjustment shall be deemed in compliance with this section.

(e) Decision of the board. The board shall decide the appeal within a reasonable time. The board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination as in its opinion ought to be made in the premises, and to that end, shall have all powers of the officer or department from whom the appeal is taken. In granting any appeal, the board may place reasonable conditions and restrictions on the property that the board deems appropriate to assure that the spirit and intent of this chapter is observed.

(f) Vote of four members required. The concurring vote of four members of the board is necessary to:

(1) Reverse an order, requirement, decision or determination of an administrative official;

(2) Decide in favor of an applicant on a matter on which the board is required to pass; or

(3) Authorize a variation from the terms of this chapter.

(g) Appeals to court. Any person or persons, jointly or separately, aggrieved by any decision of the board of adjustment or any taxpayer or any officer, department or board of the city may present to a court of record, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of such illegality. Such petition shall be presented to the court within ten days after the rendering of the decision complained of by the board of adjustment, and not thereafter.

(h) Authorized special exceptions. The following special exceptions may be permitted by the board of adjustment, in the district specified, subject to full and complete compliance with any and all conditions listed, together with such other conditions as the board of adjustment may impose:

(1) Permit the erection and use of a building or the use of premises for railroads if such uses are in general conformity with the city comprehensive plan and present no conflict or nuisance to adjacent properties.

(2) Permit a public utility or public service building in any zoning district, or a public utility or public service building of a ground area and of a height at variance with those provided for in the district in which such public utility or public service building is permitted to be located, when found reasonably necessary for the public health, convenience, safety, or general welfare.

(3) Grant a permit for the extension of a use, height, or area regulation into an abutting district where the boundary line of the district divides a lot in a single ownership on the effective date of the ordinance from which this chapter is derived.

(4) Waive or reduce the parking and loading requirements in any of the districts, whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

(5) ~~Determine whether an industry should be permitted within the M-1 or M-2 district because of the methods by which it would be operated and where the board determines that there will be no adverse effects upon uses within surrounding zoning districts.~~

~~(6) Rule on all applications on siting of manufactured homes in districts not so zoned. Approval shall only be allowed in cases of extreme hardship under guidelines established by the board.~~

Commented [A45]: It is unclear who requested this to be deleted in the back and forth. LJA recommends deleting.

~~(7)~~(6) Approve the location of amateur radio equipment and TV antennas (including ham radio and CB equipment but not including commercial equipment) in a residential district subject to the restrictions in this chapter.

~~(8)~~(7) Approve the location of satellite receive-only antennas which exceed one meter in diameter in residential districts or two meters in diameter in nonresidential districts subject to the following conditions: To receive a special exception, a satellite receive-only antenna which exceeds:

a. One meter in diameter located in a residential zoning district, or

b. Two meters in diameter located in a nonresidential zoning district (except governmental antennas), must comply with the following requirements:

1. Height. A satellite receive-only antenna shall not exceed 12 feet in height; however, satellite receive-only antennas may be placed on the roof of commercial structures if screened from public view from line of sight at ground level from the property line.

2. Setbacks.

i. Front and side. Satellite receive-only antennas shall not be permitted in front or side yards;

ii. Rear. Satellite receive-only antennas shall be permitted in rear yards provided they meet the minimum setback as required for accessory buildings in residential districts and as for all buildings in nonresidential districts.

3. Separation. There shall be no minimum or maximum separation requirements for satellite receive-only antennas from other structures on the same lot of record.

4. Satellite receive-only antennas shall not be permitted in easements.

5. Lights. No auxiliary or outdoor lighting shall be allowed on satellite receive-only antennas except such lights or lighting as may be required by the Federal Aviation Administration or the Federal Communications Commission.

6. Construction standards. Except for satellite receive-only antennas installed by a governmental entity, a building permit must be obtained prior to the construction and/or installation of a satellite receive-only antenna.

7. No part of an antenna, or any attachment thereto, may extend beyond the property lines of the owner of such antenna site.

~~(9)~~(8) Approve the location of telecommunications antennas and towers.

a. Application. To properly evaluate applications to locate telecommunications antennas or towers, the following information must be provided by the applicant, as applicable:

1. A description of the nature of the antenna or tower site. Indicate whether the proposed structure is a monopole or lattice tower. Indicate the proposed height;

2. Provide photos or drawings of all equipment, structures and antennas;

3. Describe why the antenna or tower is necessary;

4. State the name(s) of the telecommunications providers or other users of the antenna or tower and describe the use to be made by each user;

5. Indicate if this antenna or tower site will be connected to other sites; and if so, describe how it will be connected and who will provide the backhaul network;

6. The applicant must address whether an effort has been made to co-locate the facility proposed for this antenna or tower on existing towers or facilities in the same general area. Identify the location of existing sites. Describe in detail efforts made and explain in detail why existing site were not feasible. Attach all studies or tests performed which demonstrate why the existing sites will not provide sufficient signal coverage. Provide written documentation from existing sites' owners and/or operators which confirm the statements provided. Indicate whether or not the existing sites allow or promote co-location and, if not, describe why not;

7. Indicate whether or not co-location will be allowed to other telecommunications providers at the requested site. If they are not allowed, state every reason and the basis for each reason;

8. If the requested location is in a residential district the applicant must address whether an effort has been made to locate the facility in a commercial or industrial district. Identify the location of the commercial and/or industrial district sites. Describe in detail efforts and explain in detail why these commercial or industrial district sites were not feasible. Attach all studies or tests performed which demonstrate why the commercial or industrial sites will not provide sufficient signal coverage. Provide written documentation from commercial or industrial district sites' owners and/or operators which confirm the statements provided;

9. Indicate the applicant's current coverage area for the city. Attach maps showing the areas the applicant's existing antennas currently cover, the areas the applicant's existing sites and other existing sites would cover, and the areas the applicant's existing sites and the requested site would cover;

10. Describe the applicant's master antenna and tower plan for the city. Attach maps and other related documentation. Provide information indicating each phase of the plan;

11. Describe the applicant's plan to minimize the number of telecommunications towers need to cover the city.

b. Conditions of approval. The board of adjustment will approve a requested application for a special exception to locate a telecommunications antenna or tower subject to the finding

that co-location of this facility with a nearby existing antenna facility is not feasible and subject to the following conditions:

1. Applicant will permit co-location of others at the site;
2. Applicant will configure its antenna and other equipment to accommodate other providers;
3. Applicant will identify its backhaul network connecting antenna sites;
4. Applicant will give notice to the city identifying any providers who co-locate on the site and identify their backhaul network; and
5. Applicant shall meet the height, area, separation, and other requirements as listed in section 42-45.

c. Written report upon denial of request. The city shall document any denial of a request to place, construct, or modify personal wireless service facilities in writing, stating the reason for denial and indicating substantial evidence that supports the denial.

d. Abandoned antenna facilities. Any antenna or antenna facility that is not operated for a continuous period of 12 months shall be considered abandoned and the owner shall remove it within 90 days of receipt of notice from the city.

~~(10)~~(9) To grant a permit for the extension of a use, height or area regulation into an abutting district, where the boundary line of the district divides a lot in a single ownership on the effective date of the ordinance from which this chapter is derived.

~~(11)~~(10) To waive or reduce the parking and loading requirements in any of the districts, when:

a. The character or use of the building is such as to make unnecessary the full provision of parking or loading facilities; or

b. When such regulations would impose an unreasonable hardship upon the use of the lot.

The board shall not waive or reduce such requirements merely for the purpose of granting an advantage or a convenience.

(i) Limitations on jurisdiction.

(1) The board shall have no authority to change any provisions of this chapter and its jurisdiction is limited to hardship and borderline cases which may arise from time to time. The board may not change the district designation of any land either to a more or less restrictive zone.

(2) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the zoning administrator, that such questions shall be presented to the board only on appeal from the decision of the zoning administrator and that recourse from the decisions of the zoning board of adjustment shall be to the courts as provided by the laws of the state.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-96. Changes and amendments.

(a) Authority to amend. The city council may from time to time, after public hearings required by law, amend, supplement, or change the regulations herein provided or the classification or boundaries of

the zoning districts. Any amendment, supplement, or change to the text of this chapter and any change in the classification or boundaries of the zoning districts, may be initiated by the planning and zoning commission, the city council, or may be requested by the owner of real property or the authorized representative of an owner of real property.

(b) Application for rezoning.

(1) Each application by a property owner for rezoning or an application for a specific use permit shall include a signed, notarized statement of ownership of the property in the following format:

The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

_____
Name

Sworn to and subscribed before me on this _____day of _____, 20__, by the person whose signature appears directly above.

{SEAL}

_____
Notary Public in and for the State of Texas

Upon filing of an application for an amendment to the zoning ordinance or a change in the classification or boundaries of a zoning district map, the planning and zoning commission shall call a public hearing on said application.

(2) For changes to a zoning classification or district boundary, written notice of such hearing shall be sent to the owner of the property or his agent and to all owners of real property lying within 200 feet of the property on which the change in classification is proposed, such notice to be given not less than 11 days before the date of such hearing, to all such owners who have rendered their property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. Where property lying within 200 feet of the property proposed to be changed is located outside the city limits or in territory which was annexed to the city after the final date for making the renditions which are included on the last approved city tax roll, notice to such owners shall be given by one publication in the official newspaper at least 16 days before the time of hearing. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

(3) If, at the conclusion of the hearing, the planning and zoning commission recommends amendment of this chapter to the city council, said recommendation shall be by resolution of the planning and zoning commission carried by the affirmative votes of not less than a majority of the members present and voting. A copy of any recommended amendment shall be submitted to the city council and shall be accompanied by a report of findings, summary of hearing and any other pertinent data.

(4) If, after public hearing, the planning and zoning commission recommends denial of an application, the applicant may appeal said determination to the city council by filing a written notice of appeal with the city clerk within ten days after the determination of the planning and zoning commission.

(5) The planning and zoning commission may recommend denial of an application with or without prejudice against the applicant to refile the application. If the commission recommends denial of the application and fails to clearly state the same is being denied without prejudice, then it shall be deemed that said application is being recommended for denial without prejudice against refiling. If the planning and zoning commission recommends denial with prejudice, if it is later determined by the commission that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, it may waive the waiting period. Newly annexed land which has been given agricultural zoning is exempt from the one-year waiting period.

(c) Action by city council.

(1) If the planning and zoning commission has recommended approval of an application or if the planning and zoning commission has recommended denial of an application and a notice of appeal has been filed pursuant to subsection (b), the city council shall set said application for public hearing and shall give notice of the time and place of the hearing by publication one time in the official newspaper at least 16 days prior to such hearing.

(2) If the planning and zoning commission has recommended to the city council that a proposed amendment be disapproved, the city council may refuse to adopt the amendment by a simple majority vote of the councilmembers present and voting. However, in order to adopt the amendment which has been recommended for disapproval by the planning and zoning commission, the amendment shall not become effective except by the favorable vote of three-fourths of all members of the city council.

(3) When the planning and zoning commission has recommended to the city council that a proposed amendment be approved, the city council may either approve or disapprove the petition or application for amendment by a simple majority vote of the city councilmen present and voting. In the event of a tie vote of the city councilmen present and voting, the mayor may cast the deciding vote.

(4) In the case of a protest against an amendment to the ordinance signed by the owners of 20 percent or more either of the area of the lots or land included in such proposed change, or of the area of the lots or land immediately adjoining the area included in the proposed change and extending 200 feet from that area, such amendment shall not become effective except by the favorable vote of three-fourths of all members of the city council.

(5) In making its determination, the city council shall consider the following factors:

a. Whether the use permitted by the proposed change will be appropriate in the immediate area concerned and its relationship to the general area and the city as a whole.

b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.

c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.

d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

e. The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.

f. Any other factors which will substantially affect the public health, safety, morals or general welfare.

(6) In considering a motion to deny a zoning application, or upon voting to deny a zoning application, the city council shall further consider whether said application shall be denied with or without prejudice against refiling. If the city council shall deny the application and fail to clearly state the same is being denied without prejudice, then it shall be deemed that said application is being denied with prejudice against refiling. If an application is denied with prejudice, no application may be filed for all or a part of the subject tract of land for a period of one year from the date of denial by the city council unless the new application is substantially different, as determined by the city council. If it is determined by the city council that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, it may waive the waiting period. Newly annexed land which has been given agricultural zoning is exempt from the one-year waiting period.

(d) Changes in zoning regulations. Amendments to this zoning chapter not involving a particular property but involving a change in the zoning regulations generally do not require notice to individual property owners. In such cases, notice of the required public hearing before the city council shall be given by publication in the official newspaper of the city, stating the time and location of the public hearing, at least 16 days prior to the date of the hearing.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-97. Fees, charges, and expenses.

(a) Establishment of schedule of fees.The city council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of zoning compliance, applications, appeals, and other matters pertaining to this chapter. The schedule of fees shall be posted in the office of the city secretary and may be altered or amended only by the city council.

(b) Fee payment required.Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-98. Violations, penalties, and enforcement.

(a) Fines.Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter, shall be fined not more than $2,000.00 for each offense. Each day that a violation exists shall constitute a separate offense. The penalty should not be construed as exclusive, and the city hereby provides that any other remedy available to it, in law or in equity, is not intended to be, and is not, foreclosed by the provision of such penalty.

(b) Enforcement.The provisions of this chapter shall be enforced by the city manager or his duly authorized representatives. The city manager's authorized representatives shall have the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the enforcement of this chapter.

(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-99. Injunction.

The city shall have and retain the right for injunctive relief against any person, firm, or corporation who is in the process of or about to violate any section, paragraph, or part of this chapter; such right for injunctive relief shall exist independent of the other penalty provisions of this chapter and not in lieu thereof. The right of injunctive relief is essential to the city in order that it may maintain an orderly and properly planned control over all land uses, thus protecting the health, morals, safety, and wellbeing of the citizens and halting any attempt by any person, firm, or corporation to inflict temporary or permanent injury on the general public by a failure to comply with the terms of this chapter.
(Ordinance 2015-005, sec. 1, adopted 4/20/2015)

§ 42-100. Planning and Zoning Commission.

(a) Organization and appointment.There is hereby created a planning and zoning commission which shall be organized, appointed, and function as follows:

(1) Membership.The planning and zoning commission shall consist of five (5) members who are residents of the city or its extraterritorial jurisdiction, each to be appointed by the city council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Appointees shall fill positions which shall be designated by place numbers (e.g., place 1, place 2, etc.). Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause in the same manner as the original appointment was made. The city council may appoint two (2) alternate members of the planning and zoning commission who shall serve in the absence of one or more of the regular members when requested to do so by the chairman of the planning and zoning commission. If a member is absent for three consecutive meetings, or if the member misses more than 50% of the meetings in a calendar year, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a meeting.

(2) Terms.The terms of members filling places 1, 3, and 5 shall expire on June 30th of each odd-numbered year and the terms of members filling places 2 and 4 shall expire on June 30th of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two (2) years. Newly-appointed members shall be installed at the first regular commission meeting after their appointment.

(3) Organization.The commission shall hold an organizational meeting in July of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this ordinance and the requirements of law. The planning and zoning commission shall elect a chairman from its own membership at its annual organizational meeting.

(4) Quorum and compensation.A quorum for the conduct of business shall consist of three members and/or alternate members of the commission. The members shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

(b) Duties and authority.The planning and zoning commission is hereby charged with the duty and invested with the authority to:

(1) Formulate and recommend to the city council for its adoption a city plan for the orderly growth

and development of the city and its environs and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city.

(2) Formulate a zoning plan as may be deemed best to carry out the goals of the city plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as authorized under state law.

(3) Exercise all powers of a commission as to approval or disapproval of plans, plats, or replats as authorized under state law.

(4) Study and recommend the location, extension, and planning of public rights-of-way, parks, or other public places, and on the vacating or closing of same.

(5) Study and make recommendations regarding the general design and location of public buildings, bridges, viaducts, street fixtures, and other structures and appurtenances.

(6) Initiate, in the name of the city, proposals for the opening, vacating, or closing of public rights-of-way, parks, or other public places and for the change of zoning district boundaries on an area-wide basis.

(7) Formulate and recommend to the city council for its adoption policies and regulations consistent with the adopted city plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the city.

(8) Submit each May a progress report to the city council summarizing its activities for the past year and a proposed work program for the coming year.

(Ordinance 2024-0022 adopted 11/18/2024)

Commented [A46]: Justin added this section

§ 42-101. Occupancy Permits (or Certificates of Occupancy)

(a) Required. An occupancy permit (CO) shall be required in the city limits of the City of Alvarado:

(1) prior to the occupancy and use of any and all buildings or real property, and

(2) to update a change of use of any and all buildings or real property, and

(3) to lessen or expand space occupied, and

(4) to update a change of real property ownership, and

(5) to update a change of business name, and

(6) to update a change of property management, and

(7) prior to connection of temporary utility service for the purpose of cleanup, property improvements or alterations (90-day clean & show).

(b) Procedures and requirements established. The procedures and requirements set out in this ordinance shall be established for the approval and issuance of occupancy permits.

(c) Application requirements.

(1) An application for an occupancy permit (CO) shall be submitted prior to the intended occupancy of the premises.

(2) The following information shall be provided by the applicant. If this information is not provided, the application will be considered incomplete and will not be processed.

a. The name, address, and phone number of the applicant

b. The name and address of the property owner and the property owner's phone number

c. The name, address, and phone number of the business owner

d. The name of the occupant

e. Full disclosure of the intended use of the building and/or property

f. The address and/or legal description of the property for which the occupancy permit is being requested

g. The square footage of the building

h. The number of employees per shift

i. Chemicals used under SARA title III

j. Certification by signature on the application that the applicant will not, nor will they permit any other person or persons to, use the described property for any other purpose than that stated on the occupancy permit and that the use of the property will be in conformance with all applicable city ordinances and state, federal and county law

k. Retail sales permit, if required under state law

l. Certificate of Occupancy Questionnaire provided with the CO application

m. Floor plan with all rooms labeled and dimensioned with equipment/seating layout

n. Building suite layout if part of a multi-tenant building

o. Title survey, as-built survey, improvement surveyor, or site plan

(3) Each occupancy permit (CO) application shall be accompanied by a fee as provided for in the city adopted fee schedule.

(4) The date of acceptance of the application will be the date on which the Building Official or his appointee determines that the application is complete, and the requirements of the zoning district are met as determined by the Community Development Director.

(d) Temporary utility service. The connection of temporary utility service for the purpose of cleanup, property improvements or alterations (clean & show) may be authorized by the Building Official or his appointee, for a 90-day period beginning with the date of acceptance of the application.

(e) Administrative review of application; inspections

(1) Review of application. On or after the date of acceptance of the application, the application will be reviewed by the Community Development Director and the Building Official or his appointee, to ensure compliance with applicable zoning ordinances and building codes. Other city departments or state, federal or county agencies may be asked to review the application, as warranted by the nature of the business or type of occupancy for which application is made.

(2) Inspections. The city fire and building safety departments shall be provided access to the property for a physical inspection of the premises to assure adherence to the requirements of the International Fire Code and the International Building Code and associated trade codes. Access to the property for a physical inspection of the premises shall be given to the city's third-party health department provider, the city police department, and any other city department, or state, federal or county agency, if such inspections are warranted by the nature of the business or type of occupancy for which application is made.

(3) Failure to make premises available for inspection. It is the responsibility of the applicant to make the premises available for inspection during regular working hours by all applicable departments or agencies. Failure to do so within thirty (30) calendar days of the date of acceptance of the application will result in the voiding of the application. A new application will need to be submitted along with the applicable fee provided for in the city adopted fee schedule.

(4) Proof of valid permits, licenses and certificates. The applicant must have all federal, state, county and city permits, licenses, and/or certificates that pertain to the use stated in the occupancy permit (CO) application.

(5) Failure to pass inspections. If the building or structure does not pass all applicable inspections for what the applicant is applying for, an occupancy permit will not be issued.

(f) Extension of application period. Upon authorization by the Building Official or his appointee, and for good cause shown, the application for an occupancy permit (CO) and temporary services may be continued for an additional thirty (30) days beyond the original date of acceptance of the application while compliance is sought.

(g) Issuance. An occupancy permit (CO) will be issued to the applicant by the Building Official or his appointee when all of the requirements of this ordinance, and any other city, state, county or federal requirements which pertain to the use of the property for which application has been made, have been met.

(h) Existing occupancy permits. Valid occupancy permits issued prior to the effective date of the ordinance codified in this ordinance will remain in effect until such time as the use of the property for which the permit was issued ceases to operate, or there is a change of ownership of the business, or a change in use. Subsequent occupancy permits will not be issued until the requirements of this ordinance are met. Occupancy permits issued prior to the effective date of the ordinance codified in this ordinance which are found to be invalid are subject to revocation.

(i) Revocation.

(1) The Building Official or his appointee may, in writing, suspend or revoke an occupancy permit (CO) whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or any portion thereof is in violation of any ordinance or regulation. Occupancy permits which are subject to revocation under the terms of this subsection are invalid occupancy permits.

(2) A decision by the Building Official or his appointee to revoke an occupancy permit (CO) because it was issued in error may be appealed to the city council.

(j) Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises at or near the front entrance of the building.

(k) Denial of permit and city services. If all the provisions of this ordinance are not met, an occupancy permit (CO) will not be issued and city services, such as, but not limited to, water, sewer, and sanitation, will not be permitted to be used on or connected to the premises.

§ 42-102. through § 42-175. (Reserved)

ARTICLE VIII DISTRICT REGULATIONS[1]

DIVISION 1

Reserved[2]

§ 42-176. through § 42-208. (Reserved)

1. **Editor's Note—Art. III Was Renumbered As Art. VIII Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.**
2. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 1, secs. 42-176—42-185, in its entirety. Former div. 1, "Generally", was derived from Ord. 2004-028, secs. 2-1, 2-2, 3—6, 27—38, adopted February 17, 2004; Ord. 2005-010, adopted March 21, 2005; Ord. 2009-002, secs. 2A, 2B, adopted January 19, 2009; and Ord. 2011-002, sec. 12, adopted February 21, 2011.**

DIVISION 2

Reserved[3]

§ 42-209. through § 42-234. (Reserved)

3. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 2, secs. 42-209—42-213, in its entirety. Former div. 2, "A—Agricultural District", was derived from Ord. 2004-028, secs. 7.1—7.5, adopted February 17, 2004.**

DIVISION 3

Reserved[4]

§ 42-235. through § 42-258. (Reserved)

4. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 3, secs. 42-235—42-240, in its entirety. Former div. 3, "SF-1—Single-Family Residential District-1", was derived from Ord. 2004-028, secs. 8.1—8.6, adopted February 17, 2004; Ord. 2009-002, secs. 2C(8.5), 2C(8.6), adopted January 19, 2009; and Ord. 2011-002, sec. 1, adopted February 21, 2011.**

DIVISION 4

~~SF-2—Single-Family Residential District-2~~[5]

~~§ 42-259. through § 42-263. (Reserved)~~

~~§ 42-264. Special construction requirements.~~

~~(a) Developments of ten or more lots.All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.~~

~~(b) Developments of one to nine lots.All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.~~

~~(c) Applicability of regulations.These construction regulations shall apply to all the following:~~

~~(1) Newly constructed houses.~~

~~(2) House moved into or within the city from a previous location.~~

~~(d) Attic space.All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.~~

~~(e) Living space.All residential structures must have at least 1,200 square feet of living space.~~
~~(Ordinance 2009-002, sec. 2D(9.6), adopted 1/19/2009; Ordinance 2011-002, sec. 2, adopted 2/21/2011)~~

~~§ 42-265. through § 42-291. (Reserved)~~

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5. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-259—42-263. Former secs. 42-259—42-263, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 9.1—9.5, adopted February 17, 2004, and Ord. 2009-002, sec. 2D(9.5) adopted January 19, 2009.**

DIVISION 5

TF—Two-Family Residential (Duplex) District[6]

§ 42-292. through § 42-296. (Reserved)

§ 42-297. Special construction requirements.

(a) Developments of ten or more lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other materials shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(b) Developments of one to nine lots. All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin type material and design. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(c) Applicability of regulations. These construction regulations shall apply to all the following:

(1) Newly constructed houses.

(2) House moved into or within the city from a previous location.

(d) Attic space. All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(e) Living space. All residential structures must have at least 1,000 square feet of living space per unit. (Ordinance 2009-002, sec. 2F(11.6), adopted 1/19/2009; Ordinance 2011-002, sec. 3, adopted 2/21/2011)

§ 42-298. through § 42-327. (Reserved)

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6. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-292—42-296. Former secs. 42-292—42-296, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 11.1—11.5, adopted February 17, 2004.**

DIVISION 6

Reserved[7]

§ 42-328. through § 42-354. (Reserved)

Commented [A47]: Sections may have to be renumbered since previous sections have been deleted.

7. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 6, secs. 42-328—42-333, in its entirety. Former div. 6, "~~MH-1~~MH-1X—Manufactured Home Park District (X)", was derived from Ord. 2004-028, secs. 12.1—12.6, adopted February 17, 2004, and Ord. 2009-002, sec. 2G(12.5), adopted January 19, 2009.**

DIVISION 7

Reserved[8]

§ 42-355. through § 42-364. (Reserved)

8. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 7, secs. 42-355—42-360, in its entirety. Former div. 7, "~~MH-2~~MH-2X—Manufactured Home Subdivision District", was derived from Ord. 2004-028, secs. 13.1—13.6, adopted February 17, 2004 and Ord. 2009-002, sec. 2H(13.5), adopted January 19, 2009.**

DIVISION 7A
MH-3—Manufactured Home Subdivision District

§ 42-365. General purpose and description.

The MH-3 manufactured home subdivision district is intended to provide for quality manufactured home subdivision development containing most of the characteristics and atmosphere of a standard single-family residential subdivision.
(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-366. Permitted uses.

A building or premises shall be used only for the following purposes: uses as listed in division 17 of this article.

Editor's note—Article VIII, division 17, "Schedule of Uses/Tables", referenced in this section, was repealed by Ord. 2015-005 adopted 4/20/2015.
(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-367. Permitted specific uses.

The following specific uses shall be permitted in the MH-3 district, when granted in accordance with division 17 of this article: uses as listed in division 17 of this article.

Editor's note—Article VIII, division 17, "Schedule of Uses/Tables", referenced in this section, was repealed by Ord. 2015-005 adopted 4/20/2015.
(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-368. Height, setback, and area regulations.

See section 42-660, pertaining to area, setback, height, and coverage regulations.

Editor's note—Section 42-660, referenced in this section, was included in article VIII, division 17, "Schedule of Uses/Tables". Division 17 was repealed by Ord. 2015-005 adopted 4/20/2015.
(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-369. Parking requirements.

Off-street parking requirements shall be provided in accordance with article V [article IV] of this chapter.
(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-370. Additional restrictions applicable to manufactured home subdivision district.

(a) Manufactured housing design and construction will comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the building official.

(b) All manufactured homes shall be set on a solid slab structure and/or 18-inch to 20-inch runners and/or pier and beam construction consistent with Rural Economic and Community Development Administration (formerly Farmer's Home Administration) standards. Additional rooms and enclosed porches shall be constructed on a solid slab.

(c) Tie-downs will be required and will be secured prior to occupancy.

(d) Underpinning and skirting will be required and will be installed prior to occupancy. Upon determination by the city administrator that a bona fide hardship will be incurred by this provision, a waiver of up to 90 days' occupancy may be granted prior to strict enforcement of this provision.

(e) Accessory buildings will be either manufactured or constructed in accordance with city codes.

(f) All manufactured homes and modular homes shall comply with all regulations of the state and such regulations are hereby incorporated into this division.

(Ordinance 2011-003, sec. 1, adopted 2/21/2011)

§ 42-371. through § 42-378. (Reserved)

DIVISION 8

Reserved[9]

Commented [A48]: Sections may have to be renumbered since previous sections have been deleted.

§ 42-379. through § 42-417. (Reserved)

9. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 8, secs. 42-379—42-387, in its entirety. Former div. 8, "MFX—Multifamily Residential District (X)", was derived from Ord. 2004-028, secs. 14.1—14.9, adopted February 17, 2004; Ord. 2009-002, secs. 2I(14.5), (14.9), adopted January 19, 2009; and Ord. 2011-002, sec. 4, adopted February 21, 2011.

DIVISION 9

Reserved[10]

§ 42-418. through § 42-444. (Reserved)

10. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 9, secs. 42-418—42-423, in its entirety. Former div. 9, "~~C-1~~NC—Commercial District—Office, Light Retail And Neighborhood Services", was derived from Ord. 2004-028, secs. 15.1—15.6, adopted February 17, 2004; Ord. 2009-002, secs. 2J(15.6), adopted January 19, 2009; and Ord. 2011-002, sec. 5, adopted February 21, 2011.**

DIVISION 10

Reserved[11]

§ 42-445. through § 42-468. (Reserved)

11. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 10, secs. 42-445—42-450, in its entirety. Former div. 10, "~~C-2~~RC—~~General~~ Regional Commercial District", was derived from Ord. 2004-028, secs. 16.1—16.6, adopted February 17, 2004; Ord. 2009-002, secs. 2K(16.6), adopted January 19, 2009; and Ord. 2011-002, sec. 6, adopted February 21, 2011.

DIVISION 11
CBD—Central Business District[12]

§ 42-469. through § 42-473. (Reserved)

§ 42-474. Special construction requirements.

(a) Masonry. All single-story buildings hereafter constructed or placed in the CBD shall have at least 75 percent of the exterior wall surface constructed of masonry and/or glass pane. All buildings having more than a single story hereafter constructed or placed in the CBD shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane. All additions hereafter constructed to buildings in the CBD shall have at least 50 percent of the exterior wall surface constructed of masonry and/or glass pane.

(b) Signs. Projection signs may be erected in the CBD in accordance with the requirements of this subsection. The horizontal portion of any projecting sign shall not be more than six feet in length measured from the building face and shall not be closer than two feet from the back of the curb line. The height of a projection sign shall not exceed four feet and shall be an integral part of the architectural design of the attached building. The vertical clearance of a projection sign shall be as shown below:

Vertical Clearance	Maximum Projection
7 feet or less	3 inches
7 or 8 feet	12 inches
8 feet or more	4 feet

Signs on commercial buildings should fit within existing features of the building's facade and not detract from or hide significant architectural details of the building. Sign styles common between the 1880's and 1950's are appropriate for the CBD.

(c) Architectural guidelines. New development sites within the CBD shall not be permitted unless integrated with other historic buildings within the area to maintain the functional and visual appearance of the historic architectural style.

Buildings within CBD shall be oriented toward the streets and pedestrian traffic in order to create a cohesive, pedestrian-oriented development plan. Building fronts and sidewalks may also be maintained for outdoor uses such as cafés, restaurant seating, street side seating, etc. Parking areas may be located in the front or rear of buildings to improve the overall appearance of the development from the street.

New development/renovation in CBD may incorporate design elements dating from the 1800's and early 1900's. Retail uses are preferred with parking in common areas. Roof lines featuring parapets, articulated cornice line, articulated ground floor levels, and strong corner treatments are a few of the design options. Exterior finishes should utilize the classic base colors of the Texas environment, e.g., tan, ochre, beige and terra-cotta.

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12. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-469—42-473. Former secs. 42-469—42-473, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 16A.1—16A.5, adopted February 17, 2004.

A high-quality durable base material, such as terra-cotta, natural stone, cast stone, clay fired tile, or other approved masonry material is suggested for building facades abutting the sidewalk. The base should be a minimum of 18 inches in height and appropriately proportioned and detailed for the facade of the building.

(d) Design.A minimum of three of the following elements must be incorporated in the design of a new or refurbished building in the CBD:

- Overhangs
- Cornices
- String courses
- Peaked roof forms
- Arches
- Lintels
- Pilasters
- Rustication
- Canopies
- Awnings or porticos
- Outdoor patios

(e) Pedestrian circulation requirements.Each lot within the CBD must provide on-site pedestrian facilities or public plazas or spaces that encourage pedestrian traffic on and to adjacent properties.

(f) Street furnishings and lighting.Private new developments and expansions to existing developments within the CBD shall coordinate the selection and installation of street furniture and lighting with the standards selected by the city for the public areas adjacent to streets in order to maintain design continuity.

(g) Nonconforming uses.A nonconforming use may be continued on a site indefinitely until the nonconforming use ceases for a minimum of six months or if more than 50 percent of the building's value is diminished by damage. In the event of a casualty in which no more than 50 percent of the value of the structure is damaged or destroyed, the structure(s) may be rebuilt. Nonconforming buildings with more than 50 percent of the building's value is diminished by damage from a casualty must be rebuilt to current standards.

(Ordinance 2011-002, sec. 7, adopted 2/21/2011; Ordinance 2014-019, sec. 1, adopted 8/18/2014)

§ 42-475. through § 42-499. (Reserved)

DIVISION 12

Reserved[13]

Commented [A49]: Sections may have to be renumbered since previous sections have been deleted.

§ 42-500. through § 42-531. (Reserved)

~~13.~~12. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 12, secs. 42-500—42-505, in its entirety. Former div. 10, "~~M-1~~CF—~~Light Manufacturing/Industrial~~Commerce Flex District", was derived from Ord. 2004-028, secs. 17.1—17.5, adopted February 17, 2004, and Ord. 2011-002, sec. 8, adopted February 21, 2011

~~DIVISION 13~~

~~M-2—Heavy Manufacturing/Industrial District~~[14]

~~§ 42-532. through § 42-536. (Reserved)~~

~~§ 42-537. Special construction requirements.~~

~~(a) All single-story buildings hereafter constructed or placed in this district shall have at least 75 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.~~

~~(b) All buildings having more than a single story hereafter constructed or placed in the district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.~~

~~(c) All additions hereafter constructed to buildings in this district shall have at least 50 percent of those exterior wall surfaces fronting a public street constructed of masonry and/or glass pane.~~
~~(Ordinance 2011-002, sec. 9, adopted 2/21/2011)~~

~~§ 42-538. through § 42-565. (Reserved)~~

~~14.~~13. **Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed secs. 42-532—42-536. Former secs. 42-532—42-536, "General purpose and description", "Permitted uses", "Permitted specific uses", "Height and area regulations", and "Parking regulations", were derived from Ord. 2004-028, secs. 18.1—18.5, adopted February 17, 2004.**

DIVISION 14

Reserved[15]

§ 42-566. through § 42-590. (Reserved)

Commented [A50]: Sections may have to be renumbered since previous sections have been deleted.

~~15.~~14. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 14, secs. 42-566—42-571, in its entirety. Former div. 14, "INSX—Institutional District (X)", was derived from Ord. 2004-028, secs. 19.1—19.6, adopted February 17, 2004, and Ord. 2009-002, sec. 2L(19.6), adopted January 19, 2009.

DIVISION 15

Reserved[16]

§ 42-591. through § 42-625. (Reserved)

~~16.~~15. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 15, secs. 42-591—42-596, in its entirety. Former div. 15, "PD—Planned Development District", was derived from Ord. 2004-028, secs. 20.1—20.6, adopted February 17, 2004.

DIVISION 16

Reserved[17]

§ 42-626. through § 42-659. (Reserved)

~~17.~~16. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 16, secs. 42-626—42-628, in its entirety. Former div. 16, "~~F~~FN—Floodplain and Nature District", was derived from Ord. 2004-028, secs. 21.1—21.3, adopted February 17, 2004.

DIVISION 17

Reserved[18]

§ 42-660. through § 42-672. (Reserved)

~~18.~~17. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 17, secs. 42-660—42-662, in its entirety. Former div. 17, "Schedule of Uses/Tables", was derived from Ord. 2004-028, sec. 22, adopted February 17, 2004; Ord. 2005-002, adopted October 18, 2004; Ord. 2009-002, sec. 2M, adopted January 19, 2009; Ord. 2010-001, sec. 2(A), adopted February 15, 2010; Ord. 2010-003, sec. 2(A), adopted February 15, 2010; Ord. 2010-006, sec. 1(exh. A), adopted April 19, 2010; Ord. 2010-025, sec. 2A, adopted October 18, 2010; Ord. 2011-003, sec. 2, adopted February 21, 2011; Ord. 2011-024, sec. 1, adopted July 18, 2011; Ord. 2011-028, sec. 1, adopted August 15, 2011; Ord. 2011-032A, sec. 1A, adopted September 19, 2011; and Ord. 2011-033, secs. 1A—C, adopted September 19, 2011.

DIVISION 18

Reserved[19]

§ 42-673. through § 42-683. (Reserved)

~~19.~~18. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 18, sec. 42-673, in its entirety. Former div. 18, "Descriptions/Definitions of Uses", was derived from Ord. 2003-012, adopted February 17, 2003; Ord. 2004-028, sec. 23, adopted February 17, 2004; Ord. 2005-001, adopted October 18, 2005; Ord. 2006-007, adopted November 21, 2005; Ord.
2006-008, adopted November 21, 2005; Ord. 2009-002, sec. 2N(23.1.15—23.1.16), adopted January 19, 2009; Ord. 2010-003, sec. 2(B), adopted February 15, 2010; Ord. 2010-025, secs. 2B, 2C, adopted October 18, 2010; Ord. 2011-024, sec. 2, adopted July 18, 2011 and Ord. 2011-034, sec. 2, adopted September 19, 2011.

DIVISION 19

Reserved[20]

§ 42-684. through § 42-714. (Reserved)

20.19. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 19, secs. 42-684—42-695, in its entirety. Former div. 19, "Special Uses", was derived from Ord. 2004-028, secs. 24.1—24.11, adopted February 17, 2004; Ord. 2005-002, adopted October 18, 2004; Ord. 2006-008, adopted November 21, 2005; Ord. 2011-002, sec. 14, adopted February 21, 2011;
Ord. 2011-019, sec. 2, adopted June 20, 2011; Ord. 2011-021, sec. 1, adopted July 18, 2011; and Ord. 2013-031 adopted July 15, 2013.

DIVISION 20

Reserved[21]

§ 42-715. through § 42-736. (Reserved)

~~21.~~20. Editor's note—Ord. 2015-005, sec. 1, adopted April 20, 2015, repealed art. VIII (formerly art. III), div. 20, secs. 42-715, 42-716, in its entirety. Former div. 20, "Specific Use Permit", was derived from Ord. 2004-028, secs. 25.1, 25.2, adopted February 17, 2004; Ord. 2010-003, sec. 2(C), adopted February 15, 2010 and Ord. 2010-024, sec. 2, adopted October 18, 2010.

ARTICLE IX MANUFACTURED HOMES [22]

§ 42-737. Definitions.

For the purposes of this article, the following terms shall have the respective meanings ascribed to them:

License means a written license issued by the city allowing a person to operate and maintain a manufactured home park under the provisions of this article.

Manufactured home lot means a parcel of land for the placement of a single manufactured home and the exclusive use of its occupants.

Manufactured home stand means that part of an individual lot which has been reserved for the placement of one manufactured home unit.

Park management means the person who owns or has charge, care, or control of the manufactured home park.

Park street means a private way which affords principal means of access to individual manufactured home lots or auxiliary buildings.

Permanent manufactured home means a manufactured home parked or placed on a separate vacant platted city lot or a plot containing at least 5,000 square feet of land and outside a manufactured home park in which the setback requirements for said manufactured home as specified for manufactured homes located in residential zoning districts as set out in this article. The manufactured home shall have the wheels removed and be underpinned, underskirted, and anchored to the ground in a permanent fashion, using solid concrete blocks and bases and having separate water, sewer, gas, and electrical connections approved by the city.

Permit means a written permit or certification issued by the city permitting the construction, alteration, and extension of a manufactured home park or placement of a permanent manufactured home under the provisions of this article and regulations issued hereunder.

Service building means a structure housing toilet, lavatory, and such other facilities as may be required by this article.

Sewer connection means the connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the manufactured home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the manufactured home park.

Sewer riser pipe means the portion of the sewer system serving a manufactured home park which extends vertically to the ground elevation and terminates at a designated point on each manufactured home lot.

Trailer or travel trailer means a vehicle used for temporary living quarters and designed to be used for camping and vacations and to be stored in the vicinity of a permanent residence, and no living quarters maintained therein.

Water connection means the connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the manufactured home.

Water riser pipe means that portion of the water supply system serving the manufactured home park which extends vertically to the ground elevation and terminates at a designated point at each manufactured home lot.

~~22.~~21. Editor's Note—Art. IV Was Renumbered As Art. IX Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.

(2008 Code, sec. 152.01)

§ 42-738. Manufactured homes to be located in manufactured home parks or subdivisions; exception.

It shall be unlawful for any person to connect utilities or to occupy a manufactured home within the city, except where it is located in a duly licensed manufactured home park or manufactured home subdivision under the terms of this article, and has been approved in the manner prescribed herein, except where the manufactured home meets the definition of a permanent manufactured home under this article and the city zoning regulations, and a valid permit has been granted and a certificate of occupancy has been issued by the city.
(2008 Code, sec. 152.02)

§ 42-739. Utility service contingent on obtaining certificate of occupancy.

The city will provide for electric, water, and sewer service to the site of manufactured home parks or permanent manufactured homes only after a permit has been granted and a certificate of occupancy has been issued by the city. Water and sewer service will be provided in accordance with the policy of this city concerning water supply to permanent structures and electric service will be provided upon receipt of deposit by the city.
(2008 Code, sec. 152.03)

§ 42-740. Permits.

(a) It shall be unlawful for any person to place, construct, alter, or extend any manufactured home park within the city unless the plan for the park is approved by the city's planning and zoning commission and unless such person holds a valid permit issued in that person's name for the specific construction, alteration, and/or extension proposed and has paid other charges for normal utility connections.

(b) All applications for permits shall contain the following:

(1) A formal written request by applicant containing the name and address of the applicant.

(2) Location and legal description of the manufactured home park.

(3) Plans and specifications of the water supply system, refuse and sewer disposal facilities, and lighting and electrical systems.

(4) Plans and specifications of all buildings constructed or to be constructed within the manufactured home park.

(5) Plans and specifications of roadways, walkways, driveways and parking areas.

(c) All applications shall be accompanied by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(d) When, upon review of the application, the city's building official is satisfied that the proposed plan meets the requirements of this article, a permit shall be issued.

(e) Any person whose application for a permit under this article has been denied may request and shall be granted a hearing on the matter before the city council under the procedure provided by section 42-744.
(2008 Code, sec. 152.04)

§ 42-741. Certificate of occupancy for permanent manufactured home.

No permanent manufactured home shall be occupied nor shall any city utility be connected to any permanent manufactured home unless or until a certificate of occupancy for the permanent manufactured home has been issued. The city's building officials shall, after an application therefor has been filed by the owner or his agent, issue a certificate of occupancy if, after inspection of the premises, it is found that same complies with the provisions of this chapter and any other applicable codes and ordinances relative to location, construction, arrangement, safety, and sanitary facilities of manufactured homes.
(2008 Code, sec. 152.05)

§ 42-742. Licenses.

(a) It shall be unlawful for any person to operate any manufactured home park within the city, unless he holds a valid license issued annually by the city in the name of such person for the specific manufactured home park. All applications for licenses shall be made to the city's building official, who shall issue a license upon compliance by the applicant with the provisions of this article.

(b) Every person holding a license shall give notice in writing to the city within 24 hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any manufactured home park. Such notice shall include the name and address of the person succeeding to the ownership or control of such manufactured home park. Upon application in writing for transfer of the license and deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time, the license shall be transferred if the manufactured home park is in compliance with all applicable provisions of this chapter.

(c) Applications for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time, and shall contain:

(1) The name and address of the applicant;

(2) The location and legal description of the manufactured home park; and

(3) A site plan of the manufactured home park showing all manufactured home lots, structures, roads, walkways, and other service facilities.

(d) Applications for renewal of license shall be made in writing by the holders of the license, shall be accompanied by the deposit of a fee as currently established or as hereafter adopted by resolution of the city council from time to time and shall contain any change in the information submitted since the original license was issued or the latest renewal granted.

(e) Any person whose application for a license under this chapter has been denied may request and shall be granted a hearing on the matter before the city council under the procedure provided by section 42-744.

(f) Whenever, upon inspection of any manufactured home park, the city's building official finds that conditions or practices exist which are in violation of any provision of this article, the building inspector shall give notice in writing in accordance with section 42-744(a) to the person to whom the license was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by said building official, the license shall be suspended. At the end of such period, the building official shall re-inspect such manufactured home park and, if such

conditions or practices have not been corrected, such officials shall suspend the license and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of such suspension, such person shall cease operation of such manufactured home park except as provided in section 42-744(b).

(2008 Code, sec. 152.06)

§ 42-743. Inspection of manufactured home parks.

(a) The city's director of community development and such other designated city officials are authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this article.

(b) Such officials shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this article.

(c) Such officials shall have the power to inspect the register containing a record of all residents of the manufactured home park.

(d) It shall be the duty of the park management to give such officials free access to all lots at reasonable times for the purpose of inspection.

(e) It shall be the duty of every occupant of a manufactured home park to give the owner thereof or his agent or employee access to any part of such manufactured home park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this article.

(2008 Code, sec. 152.07)

§ 42-744. Notice, hearings, and orders.

(a) Whenever the city officials determine that there are reasonable grounds to believe there has been a violation of any provision of this article, the city's director of community development, or designated building official, shall give notice of such alleged violation to the person to whom the permit and/or license was issued, as hereinafter provided. Such notice shall:

(1) Be in writing;

(2) Include a statement of the reasons for its issuance;

(3) Allow a reasonable time for the performance of any act it requires;

(4) Be served upon the owner or his agent as the case may require. Such notice or order shall be deemed to have been proper if served upon such owner or agent when a copy thereof has been sent by certified mail to his last-known address, or when he has been served with such notice by any method authorized or required by the laws of this state;

(5) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this article.

(b) Any person affected by any notice issued in connection with the enforcement of any provision of this article may request and shall be granted a hearing on the matter before the city council, provided that such person shall file in the office of the city secretary a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension except in the case of any order issued under subsection (e) of this section. Upon receipt of

such petition, the city secretary shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten days after the day on which the petition was filed, provided that upon application of the petitioner the city secretary may postpone the date of the hearing for a reasonable time beyond such ten-day period when it is determined that the petitioner has submitted good and sufficient reasons for such postponement.

(c) After such hearing, the city secretary shall make findings regarding compliance with the provisions of this article and shall issue a written order sustaining, modifying, or withdrawing the notice, which shall be served as provided in subsection (a) of this section. Upon failure to comply with any order sustaining or modifying a notice, the license of the manufactured home park affected by the order shall be revoked.

(d) The proceedings at such a hearing, including the findings and decision of the city council, and together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the city secretary. The transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the city council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

(e) Whenever the director of community development or other designated building inspector finds that any emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency including the suspension of the permit or license. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the city secretary, shall be afforded a hearing before the city council as soon as possible. The provisions of subsections (c) and (d) of this section shall be applicable to such hearing and the order issued thereafter.

(2008 Code, sec. 152.08)

§ 42-745. Miscellaneous manufactured home regulations.

(a) It shall be unlawful for any person to park any trailer or manufactured home on any street, alley, or highway, or other public place or on any tract of land owned by any person, occupied or unoccupied, within the city, except as provided in this article and this chapter.

(b) Temporary stopping or parking is permitted on any street, alley, or highway for not more than two hours subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinances for that street, alley, or highway.

(c) Each manufactured home that meets the definition of a permanent manufactured home shall be underpinned and underskirted and shall be anchored according to the following:

(1) Length up to 30 feet: two per side, including one on each corner;

(2) Length 30 to 50 feet: three per side, including one on each corner;

(3) Length 50 to 70 feet: four per side, including one on each corner;

(4) Length over 70 feet: five per side, including one on each corner.

(d) It shall be unlawful to occupy a manufactured home as any type occupancy other than as a private dwelling, with the following exceptions: Not more than one manufactured home may be used for demonstration and office at a manufactured home sales lot or manufactured home park.

(2008 Code, sec. 152.09)

§ 42-746. Nonconforming manufactured home parks constitute public nuisances.

Any manufactured home park or permanent manufactured home in violation of the terms and provisions of this article is hereby declared to be a public nuisance and the appropriate officers of the city are hereby authorized to institute any action necessary to restrain or abate such violation. Owners of manufactured home parks shall have filed with the city a survey showing all the property they own intended for use as a manufactured home park, and the improvements existing on the property, and a schedule of changes to be made during a period of time not more than five years to bring the manufactured home park to a conforming status.

(2008 Code, sec. 152.10)

§ 42-747. Revision of plan after approval.

No changes, erasures, modifications, or revisions shall be made in any plan of a manufactured home park after approval has been given by the planning and zoning commission, unless said change, modification, or revision is first submitted to and approved by said commission.

(2008 Code, sec. 152.11)

§ 42-748. Temporary exemptions.

(a) If it is found that compliance with provisions of this article would result in undue hardship, an exemption may be granted by the planning and zoning commission if such exemption does not impair the intent and purpose of this article and except where exemptions or variances affect the city's zoning regulations and come under the purview of the board of adjustments. Deviations from design, construction, and installation provisions shall be brought into compliance with this article within a reasonable period of time based on economic feasibility of improvement, nature, significance, and extent of deviation, depreciation of material, improvement, layout in use, and other similar factors, within a period not exceeding five years.

(b) Such period shall begin after city officials have given notice of a certain and specific deviation from this article to the person to whom the permit or certification was issued.

(c) Gradual improvements to a higher degree of conformity shall be permitted, provided that there shall be complete conformity at the end of a period prescribed by the exemptions granted.

(2008 Code, sec. 152.12)

§ 42-749. Environmental, open space, and access requirements.

(a) General requirements.Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influence, and no portion subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards.

(b) Soil and groundcover requirements.Exposed ground surfaces in all parts of every manufactured home park shall be paved, covered with stone screenings or other solid materials, or protected with a

vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(c) Site drainage requirements.The ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

(d) Park areas for nonresident uses.

(1) No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

(2) Nothing contained in this section shall be deemed as prohibiting the sale of a manufactured home located on a manufactured home stand and connected to the pertinent utilities.

(e) Required separation between manufactured homes.Manufactured homes shall be separated from each other by 15 feet and from other buildings and structures by at least ten feet; provided that manufactured homes placed end-to-end may have a clearance of ten feet where opposing rear walls are staggered. In determining these distances, manufactured home shall include any structure that is attached to the manufactured home.

(f) Required recreation areas.

(1) In all parks accommodating or designed to accommodate 15 or more manufactured homes, there shall be one or more recreation areas which shall be easily accessible to all park residents.

(2) The size of such recreation areas shall be based upon a minimum of 100 square feet for each lot. No outdoor recreation area shall contain less than 2,500 square feet.

(3) Recreation areas shall be so located as to be free of traffic hazards and should be centrally located, where topography permits.

(g) Required setbacks, buffer strips, and screenings.

(1) All manufactured homes shall be located at least 25 feet from any park property boundary line abutting upon a public street or highway and at least five feet from other park property boundary lines.

(2) There shall be a minimum distance of ten feet between the manufactured home stand and abutting park street.

(3) All manufactured home parks located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential use.

(h) Park street system and car parking.

(1) General requirements.All manufactured home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each manufactured home lot. Such access shall be provided by streets, driveways, or other means.

(2) Park entrance.Entrances to manufactured home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of 100 feet from its point of beginning, unless the park entrance is at least 34 feet wide.

(3) Internal streets.Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

a. All streets, except minor streets (from back of curb to back of curb, if provided: 25 feet width.

b. Minor streets (acceptable only if less than 500 feet long and serving less than 15 manufactured homes or of any length if manufactured home lots abut on one side only): 20 feet width.

c. Dead-end streets shall be limited in length to 500 feet; dead-end streets shall be provided, at the closed end, with a turnaround having an outside roadway diameter of at least 80 feet.

d. The minimum street width requirement above shall be increased by eight feet if on-street parking is the only type parking provided in a manufactured home park.

e. Off-street parking areas or on-street parking lanes shall be provided for the use of park occupants and guests. Such areas shall:

1. Be furnished at a rate of at least 1-1/4 car spaces for each manufactured home lot.

2. Be located within a distance of 200 feet from the manufactured home to be served, unless other vehicular access is provided.

f. All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

1. All parts of the park street system: 0.6 footcandle with a minimum of 0.1 footcandle.

2. Potentially hazardous locations, such as major street intersections and steps or stepped ramps: individually illuminated, with a minimum of 0.3 footcandle.

g. Street construction and design standards:

1. Pavements.All streets shall be provided with a smooth, hard, and dense surface which shall be durable and well drained under normal use and weather conditions. A suggested minimum construction detail shall be furnished by the director of public works. Street surfaces shall be maintained free of holes and other hazards.

2. Grades.Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a maximum grade of 12 percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas, and avoidance of lateral curves.

3. Intersections.Within 100 feet of an intersection, streets shall be at approximately right angles. A distance of at least 150 feet shall be maintained between centerlines of offset intersecting streets. Intersections of more than two streets at one point shall be avoided.

(i) Walks.

(1) General requirements.All parks shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain, between

individual manufactured homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

(2) Common walk system.A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of four feet.

(3) Individual walks.All manufactured home stands shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two feet.

(j) Manufactured home stands.The area of the manufactured home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation, and overturning. The manufactured home stand shall not heave, shift, or settle unevenly under the weight of the manufactured home due to inadequate drainage or other forces acting on the structure.

(2008 Code, sec. 152.13)

§ 42-750. Water supply.

(a) General requirements.An accessible, adequate, safe, and potable supply of water shall be provided in each manufactured home park and shall conform to the city's water system regulations. Where a public supply of water of satisfactory quantity, quality, and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply used exclusively.

(b) Source of supply.The water supply shall be capable of supplying a minimum of 150 gallons per day per manufactured home.

(c) Water storage facilities.All water storage reservoirs shall be covered, watertight, and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

(d) Water distribution system.

(1) The water supply system of the manufactured home park shall be connected by pipes to all manufactured homes, buildings, and other facilities requiring water.

(2) All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with state and city regulations and shall be of a type and in locations approved by the public works director.

(3) The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or backsiphonage.

(4) The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch, under normal operating conditions at service buildings and other locations requiring potable water supply.

(e) Individual water riser pipes and connections.

(1) Individual water riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position.

(2) Water riser pipes shall extend at least four inches above ground elevation. The pipe diameter shall be at least three-fourths of an inch. The water outlet shall be capped when a manufactured home does not occupy the lot.

(3) Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

(4) A shutoff valve shall be provided near the water riser pipe on each manufactured home lot.

(5) Underground stop and waste valves shall not be installed on any water service.

(2008 Code, sec. 152.14)

§ 42-751. Sewage disposal.

(a) General requirements.An adequate and safe sewerage system shall be provided in all manufactured home parks for conveying and disposing of all sewage and conforming to the city's sewage disposal regulations. Such systems shall be designed and constructed and maintained in accordance with state and city regulations.

(b) Sewer lines.All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system by a safe distance as approved by the city's director of public works. Sewers shall be at a grade which will insure a velocity of two feet per second when flowing full. All sewer lines shall be constructed of materials approved by the director of public works, shall be adequately vented, and shall have watertight joints.

(c) Individual sewer connections.

(1) Each manufactured home stand shall be provided with at least one four-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.

(2) The sewer connection (see definition) shall have a nominal inside diameter of at least three inches and the slope of any portion thereof shall be at least one-fourth inch per foot. The sewer connection shall consist of one pipeline only without any branch fitting. All joints shall be watertight.

(3) All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent, and durable. The inner surface shall be smooth.

(4) Provision shall be made for plugging the sewer riser pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least two inches above ground elevation.

(d) Sewage treatment and/or discharge.Where the sewer lines of the manufactured home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the director of public works prior to construction. Effluents from sewer treatment facilities shall not be discharged into any waters of the city, county, or state except with prior approval of the city and the appropriate state agency.

(2008 Code, sec. 152.15)

§ 42-752. Electrical distribution systems.

(a) General requirements.Every park and every manufactured home shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with the city electrical code.

(b) Power distribution lines.

(1) Main power lines not located underground shall be suspended at least 18 feet above the ground. There shall be a minimum horizontal clearance of three feet between overhead wiring and any manufactured home, service building or other structure.

(2) All direct burial conductors or cable shall be buried at least 18 inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one-foot radial distance from water, sewer, gas, or communications lines, and in conformance with the city electrical code.

(c) Individual electrical connections.

(1) Each manufactured home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 50 amperes. Wherever wires are exposed at any connection, then a locking device shall be required to cover the connection.

(2) Outlets (receptacles or pressure connectors) shall be housed in a waterproof outlet box, and shall be located not more than 25 feet from the over-current protective device in the manufactured home. A three-pole, four-wire grounding type shall be used.

(3) Receptacles, if provided, shall be in accordance with American Standard Outlet Receptacle C-73.1.

(4) Connectors, if not substituted by more than one receptacle, shall be provided where the calculated load of the manufactured home is more than 50 amperes.

(5) The manufactured home shall be connected to the outlet box by an approved type of flexible supply cord with a male attachment plus or with pressure connectors.

(d) Required grounding.All exposed non-current-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

(2008 Code, sec. 152.16)

§ 42-753. Service building and other community service facilities.

(a) Applicability.The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities, such as:

(1) Management offices, repair shops and storage areas;

(2) Sanitary facilities;

(3) Laundry facilities;

(4) Indoor recreation areas;

(5) Commercial uses supplying essential goods or services for the exclusive use of park occupants.

(b) Structural requirements for buildings.

(1) All portions of the structure shall be properly protected from damage by ordinary use or by decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

(2) All rooms containing sanitary or laundry facilities shall have:

a. Sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof material, or covered with moisture-resistant material;

b. At least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent of the floor area served by them; and

c. At least one window which can be easily opened or a mechanical device which will adequately ventilate the room.

(3) Toilets shall be located in separate compartments. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

(4) Illumination levels shall be maintained as follows:

a. General seeing tasks: five footcandles;

b. Laundry room work area: 40 footcandles;

c. Toilet room, in front of mirrors: 40 footcandles.

(5) Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

(6) All structures shall comply with the building codes of the city.

(c) Barbeque pits, fireplaces, stoves and incinerators.Cooking shelters, barbecue pits, fireplaces, and woodburning stoves shall be so located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors. The use of open fires and burning of materials shall conform strictly to the city's zoning, health, sanitation, and nuisance regulations.

(2008 Code, sec. 152.17)

§ 42-754. Refuse handling.

(a) The storage, collection, and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident, or fire hazards or air pollution.

(b) All refuse shall be stored in flytight, watertight, rodentproof containers, which shall be located not more than 150 feet from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.

(c) Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.

(d) All refuse containing garbage shall be collected at least twice weekly. All refuse shall be collected and transported in covered vehicles or covered containers.

(e) All manufactured home parks must conform to the city's refuse and garbage collection system and regulations.

(2008 Code, sec. 152.18)

§ 42-755. Insect and rodent control.

(a) Grounds, buildings, and structures shall be maintained free of insects and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the city's health and sanitation regulations.

(b) Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.

(c) Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe, and other building material shall be stored at least one foot above the ground.

(d) Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

(e) The growth of bushes, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

(2008 Code, sec. 152.19)

§ 42-756. Fuel supply and storage.

(a) Natural gas system.

(1) Natural gas piping systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) Each manufactured home lot provided with piped gas shall have an approved manual shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

(b) Liquefied petroleum gas system.

(1) Liquefied petroleum gas systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) Systems shall be provided with safety devices to relieve excessive pressures and shall be

arranged so that the discharge terminates at a safe location.

(3) Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition.

(4) All liquefied petroleum gas piping outside of the manufactured homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes.

(5) Liquefied petroleum gas containers installed on a manufactured home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than 12 or more than 60 U.S. gallons gross capacity.

(6) No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured home, or any other structure, unless such installations are approved by the building official.

(c) Fuel oil supply systems.

(1) All fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems and conform to state and city regulations.

(2) All piping from outside fuel storage tanks or cylinders to manufactured homes shall be permanently installed and securely fastened in place.

(3) All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or less than five feet from any manufactured home exit.

(4) Storage tanks located in areas subject to traffic shall be protected against physical damage.

(2008 Code, sec. 152.20)

§ 42-757. Fire protection.

(a) Manufactured home parks shall be kept free of litter, rubbish, and other flammable materials and shall comply with the standards found in the International Fire Code.

(b) Portable fire extinguishers rated for classes B and C fires shall be kept in service buildings and at other locations conveniently and readily accessible for use by all occupants and shall be maintained in good operating condition. There shall be one such fire extinguisher for each ten manufactured homes, not being located further than 200 feet from any manufactured home stand.

(c) Fire hydrants shall be located within 500 feet of any manufactured home stand, service building, or other structure in the park, and shall be subject to inspection by the building official.

(2008 Code, sec. 152.21)

§ 42-758. Construction and additions.

It shall be unlawful for any person operating a manufactured home park or owning or occupying a manufactured home to construct, or permit to be constructed in such park or in connection with such manufactured home, any additional structure, building, or shelter in connection with or attached to a manufactured home, except that suitably constructed awnings of canvas or metal may be attached to such manufactured homes, as well as portable, prefabricated, temporary rooms (commonly called "cabanas")

for the express purpose of increasing a manufactured home's living area. These additions must meet the following requirements:

(1) Construction shall be of metal only, fire-resistant, double-walled, mechanical joint panels (no welding joints between panels permitted);

(2) Strength of material and structure shall meet minimum standards of the building code;

(3) Construction shall be capable of being dismantled when moved;

(4) Any structure shall be completely dismantled and removed from the site at the time the manufactured home to which it is accessory is moved;

(5) Finish and appearance shall match, as near as possible, the finish of the manufactured home to which it is accessory;

(6) The length of the structure shall not exceed the length of the manufactured home to which it is accessory; and

(7) Only one such structure per manufactured home shall be permitted.

(2008 Code, sec. 152.22)

§ 42-759. Responsibility of park management and occupants.

(a) Responsibilities of the park management.

(1) The person to whom a license for a manufactured home park is issued shall operate the park in compliance with this article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

(2) The park management shall notify park occupants of applicable provisions of this article and inform them of their duties and responsibilities under this article.

(3) The park management shall supervise the placement of each manufactured home on its manufactured home stand which includes securing its stability and installing all utility connections.

(4) The park management shall maintain a register containing the following information:

a. Name and address of each occupant.

b. Make, model, year, and license number of all automobiles and manufactured homes of owners and occupants residing in the park.

c. The state issuing such license.

d. The date of arrival and of departure of each manufactured home;

(5) The park manager shall keep the register available at all times for inspection by law enforcement officers, public health officials, and other city officials whose duties necessitate acquisition of the information contained in the register.

(6) The register records shall not be destroyed for a period of three years following the date of registration.

(7) The park management shall notify the city's health authorities immediately of any suspected communicable or contagious disease within the park.

(b) Responsibilities of park occupants.

(1) Park occupants shall comply with all applicable requirements of this article and shall maintain their manufactured home lots and facilities and equipment in good repair and in a clean and sanitary condition.

(2) Park occupants shall be responsible for proper placement of their manufactured homes on manufactured home stands and proper installation of all utility connections in accordance with the instructions of the park management and state and city regulations.

(3) Skirtings, porches, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a manufactured home shall be used for storage only if permitted by the park management and city codes and regulations. If permitted, the following conditions shall be satisfied for storage:

a. The storage area shall be provided with a base of impervious material.

b. Stored items shall be located so as not to interfere with the underneath inspection of the manufactured home.

c. The storage area shall be enclosed by skirting.

(4) Park occupants shall store and dispose of all their rubbish and garbage in a clean, sanitary, and safe manner. The garbage container shall be rodentproof, insectproof, and watertight.

(2008 Code, sec. 152.23)

§ 42-760. through § 42-779. (Reserved)

ARTICLE X OFF-STREET PARKING AND LOADING[23]

§ 42-780. Purpose.

To secure safety from fire, panic and other dangers; to lessen congestion in the streets; to facilitate the adequate provisions of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land, minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions.
(Ordinance 2005-009, sec. 26.1, adopted 3/21/2005)

§ 42-781. Special off-street parking provisions in residential districts.

(a) Required off-street parking shall be provided on the same site as the use it serves.

(b) No parking shall be allowed except on a paved concrete or asphalt parking space surface.

(c) In residential districts, a boat, trailer or recreational vehicle may be parked or stored on the residential premises of the owner, provided that the boat, trailer or recreational vehicle is within the rear yard or side yard not abutting a street, or in the driveway in the front yard.

(d) All driveways shall be a minimum width of 12 feet.
(Ordinance 2005-009, sec. 26.2, adopted 3/21/2005; Ordinance 2011-002, sec. 13, adopted 2/21/2011)

§ 42-782. Size of space.

(a) Standard off-street measurements. Each standard off-street surface parking space shall measure not less than nine feet by ~~20~~18 feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way, or adjacent property, the length of the standard space may be reduced to 18 feet.

Commented [A51]: Changed to match dimensional standard in 42-57

(b) Small car off-street measurements. Each small car off-street parking space shall measure not less 8.5 feet by 16 feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way or adjacent property, the length of the small car space may be reduced to 15 feet. All small car parking spaces shall be grouped and located in specific areas so as not to be scattered throughout a parking lot.

(c) Required parking for a general office or light manufacturing plant.

(1) A maximum of 50 percent of the required parking for a general office or light manufacturing plant may be permitted as small car spaces upon approval of a site plan but only when both of the following conditions are met:

a. Signage will identify the small car spaces; and

b. The entire grounds and building served by the small car spaces are occupied and controlled by one tenant who shall be responsible for policing the use of the small car spaces.

~~23.~~22. **Editor's Note—Art. V Was Renumbered As Art. X Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.**

(2) Each parking space (on-street or off-street) designed for parallel parking shall have a minimum dimension of eight feet by 22 feet.

(3) Each standard parking space located in a parking garage shall measure not less than nine feet by 18 feet, exclusive of access drives or aisles.

(d) Parking area standards.

(1) To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties. For safety and firefighting purposes, free access through to adjacent parking areas shall be provided, where practical.

(2) Except for single-family and duplex uses, parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Nonpermanent-type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

(3) Except for single-family residences, parking areas must be constructed of asphalt paving or concrete and built to the same specification as streets further described in the design and construction guidelines as adopted by the city.

(e) Off-street parking incidental to main use. Off-street parking shall be provided in accordance with the requirements specified by this article and located on the lot or tract occupied by the main use or in accordance with subsection (i) of this section and located within the same zoning district as the main use.

(f) Schedule of parking requirements based on use. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated. Where a calculation results in requiring a fractional space, one additional space shall be required. The following parking requirements are to be utilized when a requirement is not explicitly stated in the applicable zoning district.

(1) Bank, savings and loan or similar financial establishment: one space for each 200 square feet of total floor area.

(2) Business or professional office, studio, medical or dental clinic: three parking spaces, plus one additional parking space for each 200 square feet of floor area over 500 feet.

(3) Church or other place of worship: one parking space for each four seats in the main auditorium.

(4) Clinic of doctor's or dentist's office: one space for each 200 square feet of total floor area.

(5) Community center, library, museum or art gallery: ten parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one space for each four seats that it contains.

(6) College or university: one space for each two students, plus one space for each classroom, laboratory or instruction area.

(7) Commercial amusement (indoor):

a. Bowling alley: six spaces for each lane;

b. Racquetball or handball courts: four spaces for each court;

c. Indoor tennis courts: six spaces for each court;

d. Gymnasium, skating rinks, and martial arts schools or areas: one space for each three seats at maximum seating capacity, plus one space for each 200 square feet;

e. Swimming pool: one space for each 100 square feet of gross water surface and deck area;

f. Weight lifting or exercise areas: one space for each 100 square feet;

g. Bingo parlors: one space for three seats (design capacity) or one per 100 square feet of total floor area, whichever is greater;

h. Indoor jogging or running tracks: one space for each 100 linear feet;

i. All areas for subsidiary uses not listed above or in other parts of article III, division 20 of this chapter (those noted uses such as restaurants, offices, etc., shall be calculated with the minimum specified for those individual uses): one space for each 1,000 square feet;

Editor's note—Article III, division 20 was repealed by Ord. 2015-005, adopted April 20, 2015.

j. Other: one space for each three persons accommodated (design capacity).

(8) Dance hall, assembly or exhibition hall (without fixed seats): one parking space for each 100 square feet of floor area used thereof.

(9) Day nursery, day care, kindergarten school: one space per ten pupils/clients (design capacity).

(10) Dwellings.

a. Single-family, development involving ten or more lots. Two enclosed parking spaces for each dwelling unit, must be attached to main structure.

b. Single-family, development involving one to nine lots. One covered parking space for each dwelling unit.

c. House moved into or within the city from a previous location. One covered parking space for each dwelling unit (see additional carport requirements in section 42-182).

Editor's note—Section 42-182, referenced in subsection c., was included in article VIII, division 1, "Generally". Division 1 was repealed by Ord. 2015-005 adopted 4/20/2015.

d. Multiple-family residence one to 99 units. 1.5 parking spaces per unit.

e. Multiple-family residence over 100 units. 1.5 spaces per unit with 20 percent being a covered space.

f. Two-family dwelling (duplex). Two parking places per unit, one enclosed, must be attached to main structure.

g. Townhouses or row dwellings. Two parking spaces per unit, one covered.

(11) Flea market: 1.5 spaces for each 200 square feet of floor area or market area.

(12) Fraternity, sorority or dormitory: one parking space for each two beds.

(13) Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service: two parking spaces plus one additional parking space for each 500 square feet of floor area over 1,000 square feet.

(14) Gasoline service station: minimum of five spaces.

(15) Golf course: minimum of 30 spaces.

(16) Health care facility: one space for each four rooms or beds, whichever is greater.

(17) Hospital: one space for each two beds.

(18) Hotel or motel: one parking space for each sleeping room, unit, or guest accommodation, plus one space for each 300 square feet of commercial floor area contained therein.

(19) Lodge, or fraternal organization: 1.25 spaces per 200 square feet.

(20) Manufacturing, processing or repairing: one parking space for each two employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than one parking space for each 1,000 square feet of floor area, whichever is greater.

(21) Massage establishment: one space for each 200 square feet of floor area.

(22) Mini-warehouse: four spaces per complex plus one space per 5,000 square feet of storage area.

(23) Mortuary or funeral home: one parking space for each 50 square feet of floorspace in slumber rooms, parlors, or individual funeral service rooms.

(24) Motor vehicle salesrooms and used car lots: one parking space for each 500 square feet of sales floor for indoor uses, or one parking space for each 1,000 square feet of lot area for outdoor uses.

(25) Office, general: one space for each 300 square feet of total floor area.

(26) Office, medical: one space for each 175 square feet of floor area.

(27) Office-showroom or office-warehouse: One space for each 1,000 square feet of floor area for storage and warehousing, plus one space for each 100 square feet of office, sales or display area.

(28) Private club:

a. If free standing or located in a shopping center of 150,000 square feet or less, one space for each ten square feet of bar, lounge and waiting areas, plus one space for each 100 square feet of remaining floor area.

b. If located in a shopping center of greater than 150,000 square feet, one space for each 100 square feet of gross floor area.

(29) Private country club or golf club: one parking space for each 250 square feet of floor area or for every five members, whichever is greater.

(30) Recreational area or building (other than listed): one space for each two persons to be normally accommodated in the establishment.

(31) Restaurant, cafeteria, cafe, or similar establishment: one parking space for every 100 square feet of floor area.

(32) Retail store or personal service establishment, except as otherwise specified herein: one parking space for each 200 square feet of floor area.

(33) Sanitarium, convalescent home, home for the aged or similar institutions: one parking space for each six beds.

(34) School, elementary and middle: one parking space for each five seats in the auditorium or main assembly room, or one space for each classroom, plus ten spaces, whichever is greater.

(35) School, secondary (grades nine through 12): one parking space for each four seats in the main auditorium, or one space for each classroom, plus one space for each two students accommodated in the institution, whichever is greater.

(36) Shopping center: one space for each 200 square feet of floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds ten percent of the shopping center floor area, shall require additional parking to be provided in accordance with the requirements for restaurants.

(37) Storage or warehousing: one space for each two employees, or one space for each 1,000 square feet of total floor area, whichever is greater.

(38) Theater, auditorium (except school), meeting room, sports arena, stadium, gymnasium, or other places of public assembly: one parking space for each four seats or bench seating spaces.

(39) Vehicle repair garage: three spaces per service bay, plus one space per employee (maximum shift), plus one space per tow truck or other service vehicle.

(g) Off-street parking requirements for uses not listed.For those uses which are not matched with a parking requirement in subsection (f) of this section, the following standards shall apply:

General Use Category	Parking Space Requirements
Educational, institutional, and special uses	One space per employee
Transportation, utility and communications uses	One space per employee, plus one space per stored vehicle
Accessory and incidental uses	One space per employee
Office and professional uses	One space per 300 square feet of gross floor area
Automobile and related uses	One space per employee, plus one space per stored vehicle
Retail uses	One space per 200 square feet of gross floor area
Service uses	One space per 200 square feet of gross floor area
Wholesale uses	Same as for storage or warehousing
Contract construction uses	One space per employee
Commercial, manufacturing, and industrial uses	Same as for Manufacturing, processing, or repairing

(h) Rules for computing number of parking spaces. In computing the number of parking spaces required

for each of the uses in sections 42-780 through 42-782, the following rules shall govern:

(1) The term "floor area" shall mean the gross floor area of the specific use.

(2) Where fractional spaces result, the parking spaces required shall be rounded to the nearest whole number.

(3) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.

(4) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(i) Location of parking spaces. All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

(1) Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located not more than 300 feet from an institutional building served and not more than 300 feet from any other nonresidential building served.

(2) Not more than 50 percent of the parking spaces required for theaters, bowling alleys, cafes, or similar uses and not more than 80 percent of the parking spaces required for a church or school auditorium or similar uses may be provided and used jointly by similar uses not normally open, used or operated during the same hours as those listed; provided, however, that written agreement thereto is properly executed and filed as specified in subsection (i)(3) of this section.

(3) In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby ensuring retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city and executed by the parties concerned, and shall be filed with the application for a building permit.

(j) Use of parking spaces, all districts. Required off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials, products for sale.

(k) Special off-street parking regulations.

(1) In computing the parking requirements for any development, the total parking requirements shall be the sum of the specific parking space requirements for each use included in the development. Where multiple uses are proposed for a building, the parking requirements shall be calculated on the basis of the most restrictive requirements, unless specific areas of different uses are delineated by floor or building segment.

(2) Wherever a parking lot is located across the street from or adjacent to residentially zoned property and is designed so that headlight beams will shine into residences (whether or not such residences have been built at the time the parking lot is constructed), an irrigated earthen berm or a solid masonry wall or reinforced concrete fence having a minimum height of six feet above the finished grade of the off-street parking area and tapering to a height of three feet at the front building setback shall be erected and maintained so as to provide a headlight screen for the residential district. Fencing located exclusively along the front building setback shall be three feet in height and must be an irrigated earthen berm, hedge, or decorative fencing only.

(3) The off-street parking spaces designated for each apartment (multifamily) dwelling unit shall be located within 100 feet of the dwelling unit served by such spaces.

(4) In all residential districts, no heavy load vehicle, motor home, camper, trailer, or boat (collectively called "equipment") shall be parked or left standing for more than two days out of any consecutive seven-day period within the public street or alley.

a. Equipment may be parked on a lot located in a residential district if the lot contains a residential structure. In no event shall equipment, including motor vehicles, trucks, and vans be parked or left standing at any time on a surface other than a paved or gravel driveway or paved parking lot.

b. No more than one of each of the following may be parked on a residential lot at any one time: one motor home, one boat, and one trailer.

c. No more than 50 percent of the front yard shall be a driveway. In no event shall vehicles or equipment be parked or left standing closer than five feet from the front property line.

d. A camping trailer parked on a residential lot shall in no way be utilized for living quarters or office space. The connection of any utility to a camping trailer on any residential lot shall constitute prima facie evidence that the trailer is being utilized as living quarters or office space. Notwithstanding the foregoing, a motor home or camping trailer may be used as temporary living quarters for a single-family engaged in the construction, repair, or renovation of a permanent dwelling upon the same lot provided that this use shall not be permitted for a period greater than six months in the aggregate within any four-year period beginning on the first date so used.

(5) Parking spaces in nonresidential districts shall be provided with sufficient space for entering and exiting without backing onto a public street. Parking spaces on the perimeter of the parking lot and abutting a property line shall have a wheel stop barrier two feet from the end of the parking space.

(6) Off-street parking requirements for uses in the CBDX zone are not subject to the provisions of this section. The zoning administrator shall be responsible for periodically (not less than annually) reporting to the planning and zoning commission regarding the availability of parking in the CBDX and the possible need for changes in this provision.

(l) Design standards for parking structures.

(1) In all districts, above grade parking structures shall conform to height restrictions for zoning districts in which they are located.

(2) The distance from parking structure entry and exit points to a corner of a street intersection shall conform to standards contained in the subdivision chapter.

(3) Ramps shall not be constructed with slopes exceeding 15 percent and single lane entrances shall not be less than 12 feet wide at the street.

(4) A minimum of one car length shall be provided between an exit control gate and the inside edge of a sidewalk to minimize conflicts between exiting cars and pedestrians.

(5) Parking structure facades shall be left 50 percent open and interior light levels shall be maintained at ten footcandles to enhance security and safety. All parking structure lighting shall

be designed so as not to reflect or shine on adjacent properties.

(6) Full enclosure of any level of a parking structure may be permitted only if such structure is fully sprinklered and mechanically ventilated.

(m) Off-street loading.

(1) All retail, commercial, and industrial structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a private service drive.

a. At least one-half of such loading spaces shall have a minimum dimension of ten feet by 40 feet, and the remaining spaces shall have a minimum dimension of ten feet by 20 feet.

b. Where such loading space is located adjacent to a residential district, the space shall be enclosed on three sides.

c. Loading spaces shall be provided in accordance with the following schedule:

1. For all retail, commercial and industrial uses:

Gross Floor Area in Structure (square feet)	Minimum Required Spaces or Berths
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
100,000 to 200,000	3
Each additional 100,000	1 additional

2. For all hotels, office buildings, restaurants, similar establishments:

Gross Floor Area in Structure (square feet)	Minimum Required Spaces or Berths
0 to 50,000	None
50,000 to 150,000	1
150,000 to 300,000	2
300,000 to 500,000	3
Each additional 500,000	1 additional

(2) Kindergartens, day schools, and similar child training and care establishments shall provide loading and unloading space on a private drive, off-street, to accommodate one motor vehicle for each ten students or children cared for by the establishment.

(3) Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m., and is adjacent to a residential use or district, shall be designed and constructed so as to fully enclose the loading operation in order to reduce the effects of the noise

of the operation on adjacent residences.

(4) Where adjacent to residential uses or districts, off-street loading areas shall be screened from view of the residential use or district.

(n) Stacking requirements for drive-through facilities.

(1) A stacking space shall be an area on a site measuring eight feet by 20 feet with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.

(2) For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five stacking spaces (from the right-of-way line).

(3) For each service window of a drive-through restaurant, a minimum of seven stacking spaces (from the right-of-way line) shall be provided.

(4) For kiosks, a minimum of two stacking spaces (from the right-of-way line) for each service window shall be provided.

(Ordinance 2005-009, secs. 26.3—26.14, adopted 3/21/2005; Ordinance 2009-002, sec. 2O(26.2.2), (26.6.10), (26.6.11), (26.11.4), adopted 1/19/2009; Ordinance 2010-001, sec. 2(B), adopted 2/15/2010; Ordinance 2011-002, secs. 10, 15, adopted 2/21/2011)

§ 42-783. through § 42-803. (Reserved)

ARTICLE XI NONCONFORMING USES AND STRUCTURES[24]

§ 42-804. Uses in existence at time of adoption of ordinance.

A nonconforming status shall exist when a use or structure which does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully operating prior to the adoption of the ordinance from which this chapter is derived.
(Ordinance 2005-009, sec. 31.1, adopted 3/21/2005)

§ 42-805. Expansion of nonconforming use prohibited.

No nonconforming use or structure may be expanded or increased except to provide off-street loading or off-street parking upon approval of the city council.
(Ordinance 2005-009, sec. 31.2, adopted 3/21/2005)

§ 42-806. Repairs, normal maintenance on nonconforming uses permitted.

Repairs and normal maintenance may be made to a nonconforming building provided that no structural alterations or extensions shall be made except those required by law or ordinance, unless the building is changed to a conforming use.
(Ordinance 2005-009, sec. 31.3, adopted 3/21/2005)

§ 42-807. Change of nonconforming to conforming use.

Any nonconforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
(Ordinance 2005-009, sec. 31.4, adopted 3/21/2005)

§ 42-808. Abandonment or discontinuation of nonconforming use.

Whenever a nonconforming use is abandoned, all nonconforming rights shall cease and the use of the premises shall thenceforth be in conformity with this article. Abandonment shall involve the intent of the user or owner to discontinue a nonconforming operation and the actual act of discontinuance. Discontinuance of a business or the vacancy of a building or premises occupied by a nonconforming use for a period of six months shall be construed as conclusive proof of intent to abandon the nonconforming use. Any nonconforming use not involving a permanent type of structure which is moved from the premises shall be considered to have been abandoned.
(Ordinance 2005-009, sec. 31.5, adopted 3/21/2005)

§ 42-809. Accidental destruction of nonconforming use.

If a nonconforming structure or a structure occupied by a nonconforming use is destroyed by fire, act of God or other cause, it may not be rebuilt except in conformance to the provisions of this article, unless permitted by the zoning board of adjustment, taking into consideration the property owner's circumstances and the effect on surrounding properties, after a public hearing with notice provided in accordance with section 42-82(c) [42-95(c)] for appeals before the zoning board of adjustment. The zoning board of adjustment may provide restrictions on such rebuilding. Such nonconforming use or structure may be

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~~24.~~23. **Editor's Note—Art. VI Was Renumbered As Art. XI Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.**

rebuilt without such permission if such destruction does not exceed 50 percent of its reasonable value so long as permits for such rebuilding are obtained within six months of such destruction, and the size and function of the nonconforming use are not expanded.
(Ordinance 2005-009, sec. 31.6, adopted 3/21/2005; Ordinance 2012-026, sec. 1, adopted 9/17/2012)

§ 42-810. Replacement of nonconforming HUD-code manufactured home.

Notwithstanding any of the provisions of this article, a nonconforming HUD-code manufactured home may be exchanged or replaced by another HUD-code manufactured home, provided the newly located residential unit is owner-occupied.
(Ordinance 2005-009, sec. 31.7, adopted 3/21/2005)

§ 42-811. through § 42-830. (Reserved)

ARTICLE XII LANDSCAPE STANDARDS[25]

§ 42-831. Purpose.

It is the purpose of this article to establish certain regulations pertaining to landscaping within the city. These regulations provide standards and criteria for new landscaping and the retention of existing trees, which are intended to:

(1) Promote the value of property, enhance the welfare, and improve the physical appearance of the city;

(2) Reduce the negative effects of glare, noise, erosion and sedimentation caused by expanses of impervious and unvegetated surfaces within the urban environment; and

(3) Preserve and improve the natural and urban environment by recognizing that the use of landscaping elements and retention of existing trees can contribute to the processes of air purification, oxygen regeneration, groundwater recharge, abatement of noise, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the city:

a. Except as stated in section 42-839, landscaping for single-family, manufactured home subdivision and two-family residential uses, this article establishes landscaping requirements only in zoning districts C-1DT, NC, C-2RC, M-1CF, M-2IND, CBDX, NMU, RMU, and INN and all specific uses that specify that the requirements of this article be met. Single-family, manufactured home subdivision and two- family residential uses shall be required to conform to the requirements of section 42-839, only.

b. Nonresidential uses located within the SF-1, SF-2, TF DD, GH, MFX, MH-1MH-1X, and MH-2MH-2X, MH-3X, and TH zoning districts, which consist of principal structures, parking areas, and signage, shall be required to comply with the requirement contained in this article.

(Ordinance 2005-009, sec. 40.1, adopted 3/21/2005)

§ 42-832. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Artificial plants means a manufactured or assembled representation of live plant material constructed from man-made material for the purpose of closely resembling live plant material and to be used as a substitute to live plant material.

Caliper means the diameter of the trunk of a tree measured 12 inches above the ground.

Canopy tree means a perennial woody plant single or multiple trunk, contributing to the uppermost spreading branch layer of a forest and may be commonly referred to as a shade tree.

Development means the changing of the existing topography in order to promote the construction of structures or infrastructure to accommodate any improvements necessary to erect facilities for dwelling or commercial or industrial uses resulting in developed property.

Grasses means thin and broad-bladed surface material typically planted from seed, sprigs, or plugs with the intention of providing a uniform and aesthetic groundcover very close to the surface of the ground.

Groundcover means consists of low-growing, dense-spreading plants typically planted from containers.

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25. Editor's Note—Art. VII Was Renumbered As Art. XII Pursuant To The Inclusion Of Ord. 2015-005, Adopted April 20, 2015. See The Editor's Note At Beginning Of This Chapter.

Hydromulch means a planting process by which seed, water, fertilizer, fiber mulch, and sometimes lime are blended together in a tank and applied onto a prepared lawn area. This process is also known as hydraulic mulch seed, hydromulching, and hydroseeding.

Irrigation system means a method of conveyance and application of water to live plant material for the purpose of maintaining said plant material in a live and healthy condition.

Landscaping means the planting, arranging, cultivating, and maintenance of live plant material in such a manner that said material is aesthetically pleasing and contributes to the overall design of a development site.

Landscape area means and consists of an area included in and around a development site that has been planned to complement the development site with natural grass, groundcover, trees, or other natural plant materials.

Shrubs consists of plants that grow vertically in a multi-branched growth pattern from the ground level to heights usually not to exceed six feet. These plants may be sculpted and trimmed to present aesthetic shapes and forms.

Sod means grass and the part of the soil beneath it held together by its roots or another piece of thin material. (Ordinance 2005-009, sec. 40.2, adopted 3/21/2005; Ordinance 2018-010, sec. 1, adopted 5/21/2018)

§ 42-833. Events requiring compliance.

Land uses not previously subject to landscaping requirements shall be required to comply with this article upon issuance of a building permit satisfying the conditions established by either subsection (1) or (2) this section:

(1) Remodeling, alterations or additions for which a site plan is required under the terms of this zoning chapter; or

(2) Remodeling or alterations taking place within a 12-month period the total value of which exceeds 25 percent of the valuation of property improvements (excluding land value) as shown on the current county tax rolls.

(Ordinance 2005-009, sec. 40.3, adopted 3/21/2005)

§ 42-834. Landscaping.

Landscape installation is required as follows:

(1) Landscaping of 20 percent of the total lot shall be required, unless credits are obtained by additional plantings as set forth in section 42-837. Landscaping which includes the planting of new and the retention of existing shrubs, trees, and flowering plants in excess of the minimum standards established in this article, may not reduce the landscape requirement to less than ten percent of the total lot area.

(2) Where the construction is to be a single phase or multi-phase development, only the area being constructed in the current phase shall be required to comply with the landscape regulations. However, each phase will be required to meet the landscaping requirements as it is being developed.

(3) The use of native and adapted, drought-tolerant plants is encouraged to meet requirements of this article.

(4) Artificial plants or artificial turf are expressly prohibited.

(5) An irrigation system must be provided with all landscape plans for nonresidential development. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in 30 Texas Administrative Code chapter 344, Landscape Irrigation.

(6) The term "ornamental tree" shall be defined as a single-or multi-trunk tree with a maximum height of approximately 30 feet and maximum crown diameter of approximately 30 feet, and a minimum height of approximately 20 feet and minimum crown diameter of approximately 15 feet.

(7) A minimum of 20 percent of total lot area must be devoted to landscaping. Grass, groundcover, trees, shrubs, flowering and nonflowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

a. Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

b. The credits listed in section 42-837 shall be used to calculate the area occupied by a tree or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited towards area reduction requirements set forth is section 42-837.

(8) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited.

(Ordinance 2005-009, sec. 40.4, adopted 3/21/2005; Ordinance 2018-010, sec. 2, adopted 5/21/2018)

§ 42-835. Landscaping plan required.

(a) The landscape plan may be prepared by the applicant or his designee. The landscape design is not required to be prepared by a registered or certified professional. Any required irrigation system must be designed in accordance with the standards of the state commission on environmental quality, in 30 Texas Administrative Code chapter 344, Landscape Irrigation.

(b) The landscape plan may be submitted as a part of the site plan or as a separate submittal. However, a landscape plan meeting the requirements of this article shall be provided and approved prior to the issuance of a building permit.

(c) The landscape plan shall contain the following information:

(1) Scale of drawing;

(2) Location of all trees to be preserved, method of preservation during the construction phase of development shall be approved by the director of community development;

(3) Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features;

(4) Species of all plant material to be used;

(5) Size of all plant material to be used;

(6) Spacing of plant material where appropriate;

(7) Layout and description of irrigation, sprinkler or water system, including placement of water sources;

(8) Description of a plan that will be implemented to maintain the landscaping and other landscape features shown on the landscape plan;

(9) Persons responsible for the preparation of the landscape plan.
(Ordinance 2005-009, sec. 40.5, adopted 3/21/2005)

§ 42-836. Location criteria.

(a) Not less than 40 percent of the total landscaping shall be located in the designated front yard.

(b) In the M-1CF and M-2IND (manufacturing/industrial) districts only the front yard 40 percent of the total 20 percent shall be required. The rear and side yard landscape requirements may be waived upon submittal of a landscape plan showing other requirements.

(c) All landscape material shall comply with visibility requirements of the city subdivision regulations.
(Ordinance 2005-009, sec. 40.26, adopted 3/21/2005)

§ 42-837. Credits for landscape area reduction.

Required landscape area may be reduced to less than the 20 percent specified by section 42-834. The application of credits shall not reduce the required landscape area to less than ten percent of the total lot area. Reduction of area may be achieved by planting additional trees, shrubs, and flowering plants. Area reduction credits may be granted in the following manner: Additional enhancement credit:

(1) Three-inch tree, planted or saved, (trunk diameter measured 12 inches above grade): 200 sq. ft.

(2) Six-inch tree, planted or saved, (trunk diameter measured 12 inches above grade): 400 sq. ft.

(3) One shrub, less than five gallons: ten sq. ft.

(4) One shrub, five gallons or greater: 25 sq. ft.

(5) For each one square foot of drought tolerant area: two sq. ft.

a. Total landscaping on a lot shall not be reduced through credits by more than 50 percent of the landscaped area required.

b. Drought tolerant area and methodology shall be clearly located and detailed on the site plan.

c. Area reduction credit, based on tree size, shall be granted for all saved trees regardless of species.

d. Unless otherwise approved by the planning director, area reduction credit for newly planted trees shall only be granted for the following:

Canopy trees

Bald cypress

Bigtooth maple

Bur oak

Caddo maple

Chinese pistache

Lacebark elm
Osage orange
Pecan
Shumard oak
Southern live oak
Southern magnolia
Texas red oak

Ornamental trees
Afghan pine
Crape myrtle
Dogwood
Eastern red cedar
Eve's necklace
Flowering crabapple
Forest pansy redbud
Little gem magnolia
Japanese maple
Mexican plum
Oklahoma redbud
Ornamental pear
Western soapberry

(Ordinance 2005-009, sec. 40.7, adopted 3/21/2005)

§ 42-838. Installation and maintenance.

(a) All required landscaped area shall be permanently landscaped with living plant material, and shall have either have an irrigation system installed or shall be accessible to a hose bib, faucet, or other water source on the same lot or tract. Synthetic or artificial lawn or plant material shall not be used to satisfy the landscape requirements.

(b) Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.

(c) All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Maintenance shall include mowing, watering, trimming, pruning, etc.

(d) Plant materials which die shall be replaced with plant material of similar variety size within 90 days, with a one-time extension not exceeding 90 days being provided upon approval of the director of community development or his designee.

(Ordinance 2005-009, sec. 40.8, adopted 3/21/2005)

§ 42-839. Landscaping for single-family, manufactured home subdivision and two-family residential

~~uses.~~

~~The landscaping requirements set forth in this article shall apply to SF-1, SF-2,~~ DDTF ~~GH,~~ ~~and MH-2~~MH-2X, MH-3X, and TH ~~residential districts.~~

~~(1) Lots shall have a minimum landscaping requirement of one canopy tree located in any required front yard.~~

~~(2) Required canopy trees shall be a minimum of three-caliper inches.~~

~~(3) Existing trees of equal or greater size within the front yard area may be counted toward this requirement.~~

~~(4) In cases when the applicant can show that required trees cannot reasonably be placed on the lot due to size, configuration or amenities, the director of community development or his designee may reduce the required number of trees to a number that can reasonably be accommodated on the subject lot.~~

~~(5) Grasses shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited.~~

~~(Ordinance 2005-009, sec. 40.9, adopted 3/21/2005; Ordinance 2018-010, sec. 3, adopted 5/21/2018)~~

~~§ 42-840. Landscaping of parking lots.~~

~~It is the purpose of this section to require incorporation of landscaping into the design and construction of parking areas while maintaining standards necessary for safe parking and maneuvering space. Within parking lots, landscaping shall be provided as follows:~~

~~(1) New trees from the approved tree list contained in section 42-837.~~

~~(2) Parking lot landscaping shall be provided as specified by Table 1, Summary of Landscape Requirements for Nonresidential Uses.~~

~~(3) Unless otherwise approved by the director of community development, trees planted to satisfy parking lot landscape requirements shall be chosen from the species specified by section 42-837.~~

~~(4) Existing, on-site trees of any species that are of six inches minimum caliper, measured 12 inches above grade may be counted towards landscaping requirements established for parking lots.~~

~~(5) An irrigation system must be provided with all landscape plans. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in 30 Texas Administrative Code chapter 344, Landscape Irrigation.~~

~~(6) Landscaping adjacent to public rights-of-way:~~

~~a. A fiveten-foot landscaped strip shall be provided adjacent to all public and private rights-of-way on lots with an area greater than one acre, but less than five acres.~~

~~b. A tenwenty-foot landscaped strip shall be provided adjacent to all public and private rights-of-way on lots with an area greater than five acres.~~

~~c. Within landscaped strips adjacent to rights-of-way, landscaping shall be required as follows:~~

~~1. One canopy tree or two ornamental trees, for each 60 linear feet of frontage, at a minimum three-inch caliper.~~

2. An average density of one, five-gallon evergreen shrub for each five linear feet of frontage provided, however, that any landscaping materials that will be located within ten feet of any public right-of-way shall not, at ultimate growth, exceed 30 inches in height above street grade unless otherwise permitted by the city. Shrubs may be grouped to provide variety in design.

3. A landscaped berm may be provided in lieu of required shrubs. The berm must be an average height of three feet, but in no case less than 18 inches, above the average grade of the street and parking lot curbs, and must be planted with evergreen groundcover and/or shrubs to provide full plant coverage of the berm surface area. A variation in height of the berm is encouraged. Shrubs may be grouped to provide variety in design. The combined height of the berm and ultimate height of plant materials shall not exceed 30 inches in height from street grade in any area that is within ten feet of a public right-of-way.

(7) Parking lot interior.

a. Developments with an area less than five acres shall be designed with a maximum of 20 parking spaces between landscape islands. Parking aisles of 20 or more spaces in length shall terminate in landscape islands.

b. Developments with an area five acres or greater shall provide one 62 sq. ft. landscaped island for each 12 parking spaces.

Landscape islands are required at the terminus of every parking row.

c. Within parking lot interiors, landscaping shall be provided as follows:

1. One canopy tree or one ornamental tree at a minimum three inches in caliper.

2. Grass, evergreen groundcover or shrubs to a maximum ultimate height of 30 inches from parking lot grade, of a type that will provide full coverage of the landscape island shall be provided. Planted area shall be exclusive of the area within 18-inch radius from each required tree.

3. Areas that are not covered with live plant materials shall be permanently maintained with natural mulch materials such as hard wood, pine bark, or other typical mulch materials.

d. Exception: accessible parking. The design and location of accessible parking spaces shall comply with the State of Texas Architectural Barriers Act. A landscape island may be omitted at an aisle termination for the purpose of providing required access to accessible parking spaces.

e. Landscape material which is located within the interior of a parking lot shall not create a visibility obstruction. A visibility obstruction within a parking lot is defined as landscaping between 24 inches in height and seven feet in height. No shrubs shall exceed 24 inches in height. Tree canopies shall be at least seven feet in height.

f. For large existing trees located in the parking area, which are being retained and incorporated into the landscaping plan, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.

g. For each landscaped island of at least ten feet by 20 feet located within a parking lot, credit for four parking spaces will be provided. Credit for parking spaces cannot reduce the overall parking requirement by more than ten percent or to less than ten total spaces.

(Ordinance 2005-009, sec. 40.10, adopted 3/21/2005)

§ 42-841. Certificate of occupancy.

(a) All landscaping shall be completed and installed in accordance with the proved landscape plan within 90 days of a certificate of occupancy being granted. A one-time extension not to exceed 90 days may be granted upon approval of the planning and zoning commission.

(b) If landscaping requirements have not been satisfied within the 90-day period from when the certificate of occupancy is issued, the property owner shall be considered in violation of this article.

(Ordinance 2005-009, sec. 40.11, adopted 3/21/2005)

§ 42-842. Nonconforming uses and/or structures.

All uses that were in existence at the time of the adoption of this article, which do not meet the landscape requirements will be considered legal nonconforming. These nonconforming uses/structures will be subject to article VI of this chapter, unless otherwise provided for herein.

(Ordinance 2005-009, sec. 40.12, adopted 3/21/2005)

§ 42-843. Landscaping of developed sites.

(a) When the owners of structures on sites that do not comply with the landscape requirements of sections 42-834 through 42-839 are, under the terms of section 42-833, required to provide landscaping, the minimum standards in this section shall apply.

(b) A minimum of ten percent of total lot area must be devoted to landscaping. Grass, groundcover, trees, shrubs, flowering and nonflowering plants, stonework, and water features may all be used as components of required landscaping in conjunction with the following minimum planting standards:

(1) Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscaped area. Grass shall be installed by laying sod. Spreading grass seed or use of hydromulch is expressly prohibited.

(2) The credits listed in section 42-837 shall be used to calculate the area occupied by a tree, or shrub. Trees and shrubs used to comply with minimum landscape requirements shall not be credited toward area reduction requirements set forth is section 42-837.

(3) No additional area reduction credits shall be allowed for landscape required under the terms of section 42-842.

(Ordinance 2005-009, sec. 40.13, adopted 3/21/2005; Ordinance 2018-010, sec. 4, adopted 5/21/2018)

§ 42-844. Modification of landscape requirements.

The director of community development or a designee may approve minor variations in the location of required landscape materials due to unusual topographic constraints, setting requirements, preservation of existing stands of native trees or similar conditions, or to maintain consistency of established front yard setbacks. These minor changes may vary the location of required landscape materials, but may not reduce the amount of required landscape area or the required amount of landscape materials. The landscape plan shall be submitted to the planning director or a designee and shall specify the modifications requested and present a justification for such modifications.

(Ordinance 2005-009, sec. 40.14, adopted 3/21/2005)

§ 42-845. Relief from landscaping requirements.

The planning and zoning commission and city council may, upon completion of the following, grant relief from landscaping requirements in situations where the individual circumstances, such as the presence of existing facilities or unusual topography, limit the applicant's ability to comply with the landscaping requirements:

(1) Application for relief from landscaping requirements may be made by any property owner, or other person having a proprietary interest in the property for which relief is requested.

(2) Applications for relief from landscaping requirements shall be made in writing and shall specify the property conditions or considerations that make the requested relief necessary.

(3) Applications for relief from landscaping requirements shall include a proposed landscape plan, drawn to scale, illustrating the area available for landscaping and specifying proposed plantings by size, type and location. The proposed plan shall indicate the means by which irrigation will be provided and provide a phasing schedule for completion of the plan.

(4) Application for relief from landscaping requirements shall be accompanied by an application fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(5) Applications for relief from landscaping requirements shall be presented to the planning and zoning commission. Applications for relief shall not require a public hearing. The planning and zoning commission, after considering a proposed plan, may recommend that it be approved as presented, approved with modification, or denied.

(6) Following consideration by the planning and zoning commission, a proposed landscape plan shall be forwarded to the city council with the commission's recommendation. The city council shall act to approve a plan, as presented, approve it with modifications, or deny approval.

(7) City council's action regarding a proposed landscape plan shall be documented as follows:

a. If approved, the city manager shall sign two copies of the approved plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

b. If approved with modification, the applicant shall amend the plan to reflect the required modifications. The applicant shall return two copies of the amended plan to the city within 14 calendar days of the city council's action to approve the plan with modifications. The city manager shall sign two copies of the amended plan. One copy shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

c. If disapproved, the city manager shall sign two copies of the plan that have been marked as being disapproved. A letter prepared by the director of community development, stating the reasons for disapproval shall be attached to each signed plan. One copy of the plan shall be returned to the applicant. The second copy shall be retained as permanent record by the city.

(Ordinance 2005-009, sec. 40.15, adopted 3/21/2005)

§ 42-846. Landscaping in the MFX and MH-1MH-1X districts.

The following minimum requirements shall be observed for development located within the MFX and MH-1MH-1X districts. sections 42-833 through 42-842 do not apply to the development within the MFX and MH-1MH-1X districts.

(1) Landscape buffer of 20 feet will be required along any property line abutting a SF-1, SF-2, GHMH-2MH-2X or MF-3X, orDDTF residential district.

(2) Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and buffer areas. Open space shall not include areas covered by structures, parking areas, driveways, and internal streets.

(3) Landscaping consisting of the planting of new or retention of existing shrubs, trees, and flowering plants shall be placed in the yard facing any public roadway.

(4) Method of irrigation must be indicated on the site plan.

(5) All landscaping shall be permanently maintained. Should any plant material used in any landscaping required under this article die, the owner of the property shall have 90 days after notification from the city to obtain and install a suitable replacement plant material. Landscaped area shall be kept fee of trash, litter, weeds and other material or plants not a part of the landscaping.

(6) An irrigation system must be provided with all landscape plans for multi-residential development. Irrigation plans shall comply with the design standards set forth by the state commission on environmental quality, in 30 Texas Administrative Code chapter 344, Landscape Irrigation.

(Ordinance 2005-009, sec. 40.16, adopted 3/21/2005; Ordinance 2006-036 adopted 8/21/2006)

Planning and Zoning Management Report
Meeting Date: 3/12/2026
Contact:

AGENDA ITEM:
Public Hearing, consideration and action on the application of MV&A Builders LLC for approval of a zoning change from Single-family Residential (SF-2) District to Garden Home (GH) District on approximately 0.3213 of an acre known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition (aka Missouri Pacific Addition), addressed at 905 and 907 Travis Avenue. (French)

BACKGROUND & FINDINGS:
The Future Land Use (FLU) map within the 2017 Alvarado Comprehensive Plan designates the subject site for Low Density Residential, which will generally be single-family detached homes at approximately four dwelling units per acre. The newly drafted Future Land Use map in the 2026 Comprehensive Plan designates the subject site to the Existing Neighborhood land use category, which is characterized in the attachment titled *FLUP Page of Draft Alvarado Master Plan Set*. Approval of this rezoning request is anticipated to yield two dwelling units rather than one.

FINANCIAL IMPACT:
None

RECOMMENDATION:
The requested rezoning is consistent with both the 2017 Comprehensive Plan and the drafted 2026 Comprehensive Plan for consideration by P&Z on this same agenda and by City Council on March 16, 2026.

MANAGEMENT REVIEW:
Paul DeBuff, City Manager

ATTACHMENTS:
1. App - Travis Ave Rezone

CITY OF ALVARADO

APPLICATION FOR ZONING CHANGES

DATE: 1-19-2026 CLERK: _____ FEE: _____ CASE NO: _____

NAME OF APPLICANT: MV & A Builders LLC PH: (817) 907-1638

MAILING ADDRESS: PO Box 568 Lillian Tx 76061

APPLICANT IS THE: (OWNER) / LEASER / PURCHASER OF THE PROPERTY.
circle one

NAME OF OWNER: MV & A Builders LLC PH: (817) 907-1638

MAILING ADDRESS: PO Box 568 Lillian TX 76061

STREET ADDRESS OF PROPERTY: 905 & 907 Travis Ave ACREAGE: 0.3213

LEGAL DESCRIPTION: Lot4 & Lot5 Block 6 New Town AKA Missouri Pacific Addition

PRESENT ZONE OF PROPERTY: _____ PRESENT USE: _____

REQUESTED ZONE: Garden Home District PROPOSED USE: _____

REASON FOR CHANGE: Trying to apply to Build 2 Homes on These Lots

USAGE OF ADJACENT PROPERTY NORTH: _____

SOUTH: _____

EAST: _____

WEST: _____

NOTE: If the property can be identified by the subdivision or addition please include that with the lot and block numbers as the legal description. You must also attach a copy of the appropriate portion of the subdivision or addition plat with the subject property clearly indicated on it. If property is not part of a subdivision or addition plat, give the complete metes and bounds description of the property and indicate the location of said property by identifying one or more adjacent tracts and/or rights-of-way or attach a surveyor's plat of the property.

APPLICANT'S SIGNATURE: _____

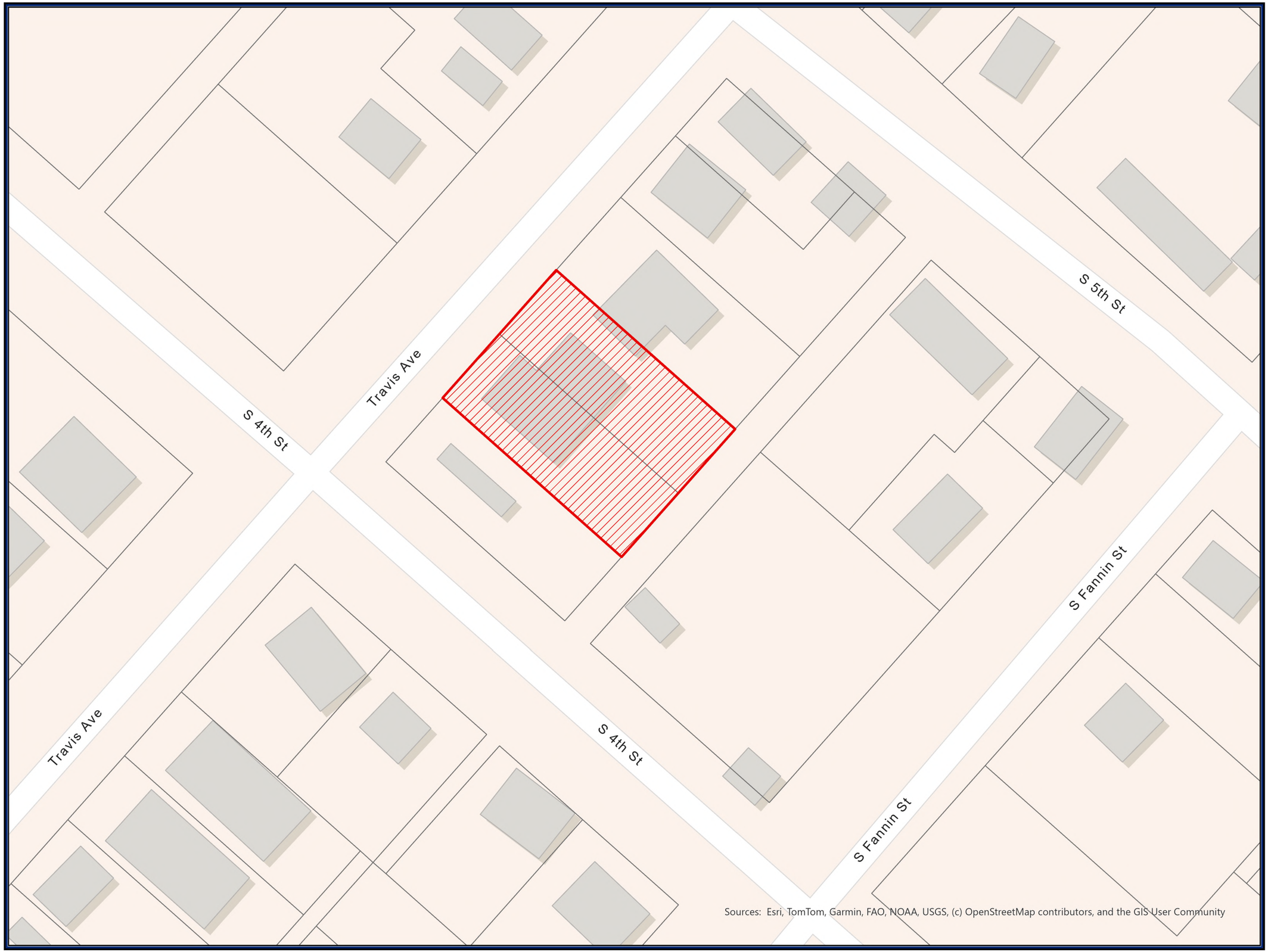
The undersigned hereby, on oath, states that he or she is the record owner of the property for which this application is made.

OWNER: _____

SWORN TO AND SUBSCRIBED before me this 20 day of January, 2026, by the person whose signature appears directly above.

Tanner B Glenney
Notary Public, State of Texas
NOTARY ID #135524983
My Commission Exp 07/22/2029

_____
Notary Public in and for The State of Texas.
My Commission expires 7/22/26



Location Map

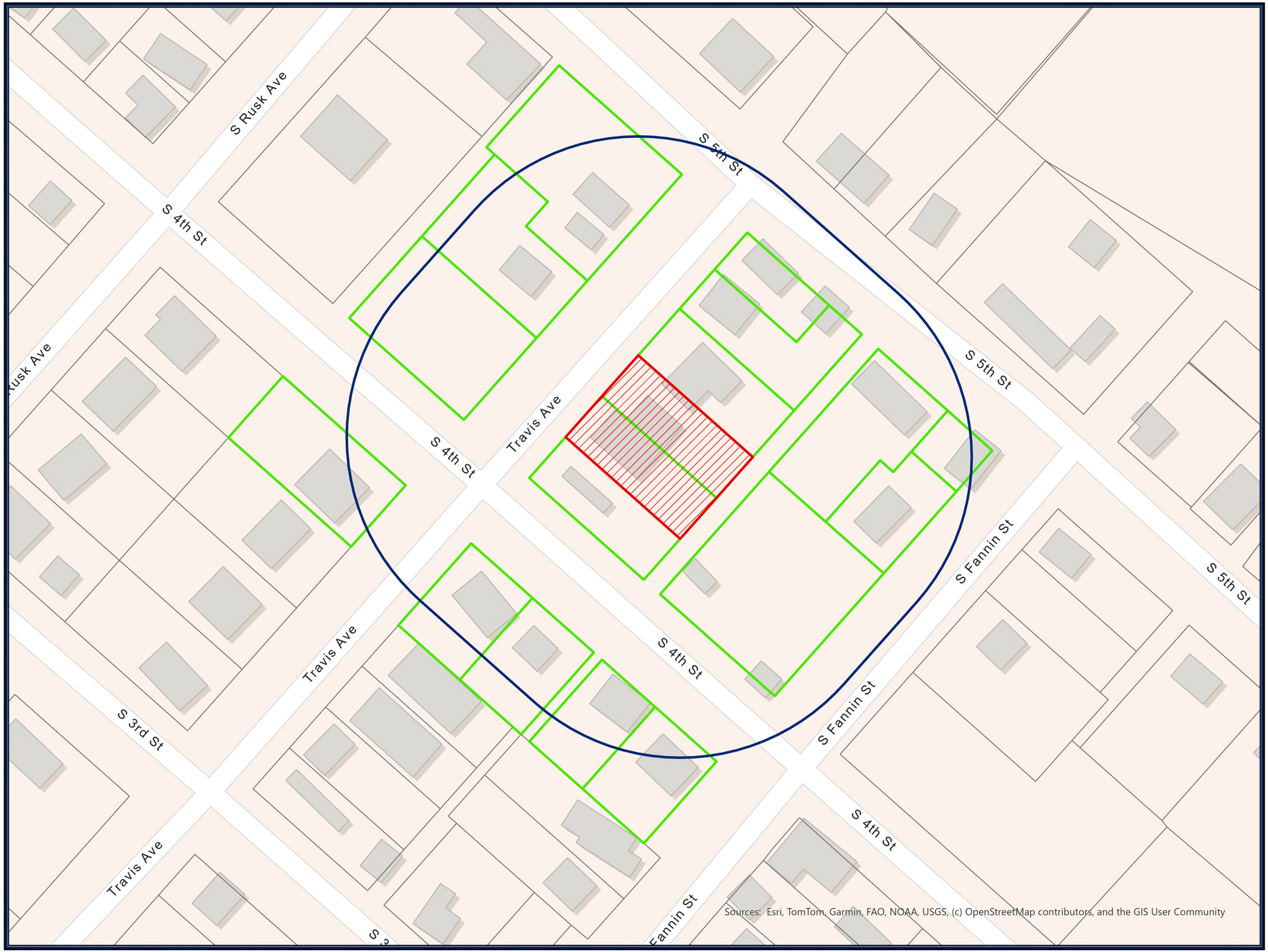
Legend

- Subject Property
- Johnson County Parcels

N
W E
S

0 38 75 Feet

2/2/2026



Notification Map

Legend

- Subject Property
- Notifications
- 200 FT Buffer
- Johnson County Parcels

N
W E
S

0 60 120 Feet

2/2/2026

Prop ID	Owner Name	Owner Address
R000025433	AGUILAR EDGAR CASTILLO ETUX	400 S 4TH ST ALVARADO, TX 76009-0000
R000025443	GONZALEZ ROSA DELIA	2517 CR 425 CLEBURNE, TX 76031-8804
R000025442	HATCHER NEAL DWAYNE	P O BOX 914 ALVARADO, TX 76009-0000
R000025415	MARTINEZ JAVIER ETUX	400 S 5TH ST ALVARADO, TX 76009-0000
R000025414	HILTON BILLY P	PO BOX 702 ALVARADO, TX 76009-0702
R000025416	DAY DAWN	905 TRAVIS AVE ALVARADO, TX 76009-0000
R000025417	L & L PROPERTIES & INVESTMENTS LLC	PO BOX 85 GRANDVIEW, TX 76050-0000
R000025418	GARCIA ROBERT	2809 MAVERICK DALLAS, TX 75228-0000
R000025420	BRIDGEWATER JOSHUA B ETUX MELISSA A	408 S 5TH ST ALVARADO, TX 76009-5566
R000025419	BRIDGEWATER JOSHUA B ETUX MELISSA A	409 S 5TH ST ALVARADO, TX 76009-5566
R000025421	MATLOCK HOMER & DIANE	406 SOUTH FIFTH ST ALVARADO, TX 76009-5566
R000067023	LAZETTE JOSHUA M ETUX TAYLOR L	1000 TRAVIS ST ALVARADO, TX 76009-0000
R000025410	COUCH WINNIE G MRS	PO BOX 746 ALVARADO, TX 76009-0000
R000025411	COUCH WINNIE G MRS	PO BOX 746 ALVARADO, TX 76009-0001
R000025412	AVALOS FRANCISCO ETUX CLAUDIA BERMUDES	902 TRAVIS AVE ALVARADO, TX 76009-5574
R000025434	DEHOYOS JUAN & MARIA	9303 MAY BLOSSOM WAY DALLAS, TX 75217-0000
R000119377	GAMERO LLC	312 W 2ND ST STE 2123 CASPER, WY 82601-0000
R000125360	MV & A BUILDERS LLC	PO BOX 568 LILLIAN, TX 76061-0000

City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ◆ www.cityofalvarado.org

February 16, 2026

Dear Property Owner,

The City of Alvarado has received the request made by MV&A Builders LLC for a zoning change from Single-family Residential (SF-2) District to Garden Home (GH) District on 0.3213 acres known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition (aka Missouri Pacific Addition), addressed at 905 and 907 Travis Avenue.

NOTICE OF HEARING BEFORE PLANNING AND ZONING COMMISSION

Notice is hereby given that a public hearing will be held before the Planning and Zoning Commission of the City of Alvarado on Thursday, the 12th day of March 2026, in the Council Chambers, 104 W. College Avenue, at 6:30p.m. regarding this request. The Planning and Zoning Commission will forward a recommendation to the City Council.

NOTICE OF HEARING BEFORE CITY COUNCIL

Notice is hereby given that a public hearing will be held by the City Council of the City of Alvarado on Monday, the 20th day of April 2026, in the Council Chambers, 104 W. College Avenue, at 6:30 p.m., regarding this request.

According to City and County Tax Records, you are the owner of property which is located within two hundred (200) feet of the area of the requested zoning change. This is notice of the public hearings, at which any interested persons will be given an opportunity to be heard. In hearing this matter, the Planning and Zoning Commission and City Council may approve the request as submitted, may approve an amended request, or may deny the request. For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or via email below.

Sincerely,

Justin French

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org

City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ◆ www.cityofalvarado.org

February 13, 2026

Dear Dr. Kenneth Estes,

The City of Alvarado has received the request made by 275 Alvarado LLC represented by MV&A Builders LLC for approval of a zoning change from Single-family Residential (SF-2) District to Garden Home (GH) District on 0.3213 acres known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition (aka Missouri Pacific Addition), addressed at 905 and 907 Travis Avenue. Approval of this rezoning request is anticipated to yield two dwelling units rather than one.

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NOTICE OF HEARING BEFORE CITY COUNCIL

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This notice is provided in accordance with Section 211.007(c-1) of the Texas Local Government Code. This is notice of the public hearings, at which any interested persons will be given an opportunity to be heard. In hearing this matter, the Planning and Zoning Commission and City Council may approve the request as submitted, may approve an amended request, or may deny the request. For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at frenchj@cityofalvarado.org.

Sincerely,

Justin French

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org

City of Alvarado
104 W. College Ave. Alvarado, TX 76009
817-790-3351 ◆ www.cityofalvarado.org

February 16, 2026

MV&A Builders LLC
Attn: Fermin Martinez
PO Box 568
Lillian, TX 76061
817.907.1638
ferminm@yahoo.com

The City of Alvarado has received your request for approval of a zoning change from Single-family Residential (SF-2) District to Garden Home (GH) District on 0.3213 acres known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition (aka Missouri Pacific Addition), addressed at 905 and 907 Travis Avenue.

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For more information on the Comprehensive Plan, its land use classifications and its role in the planning and zoning process, you may contact the Community Development Director at 817.240.9585, or at frenchj@cityofalvarado.org.

Sincerely,

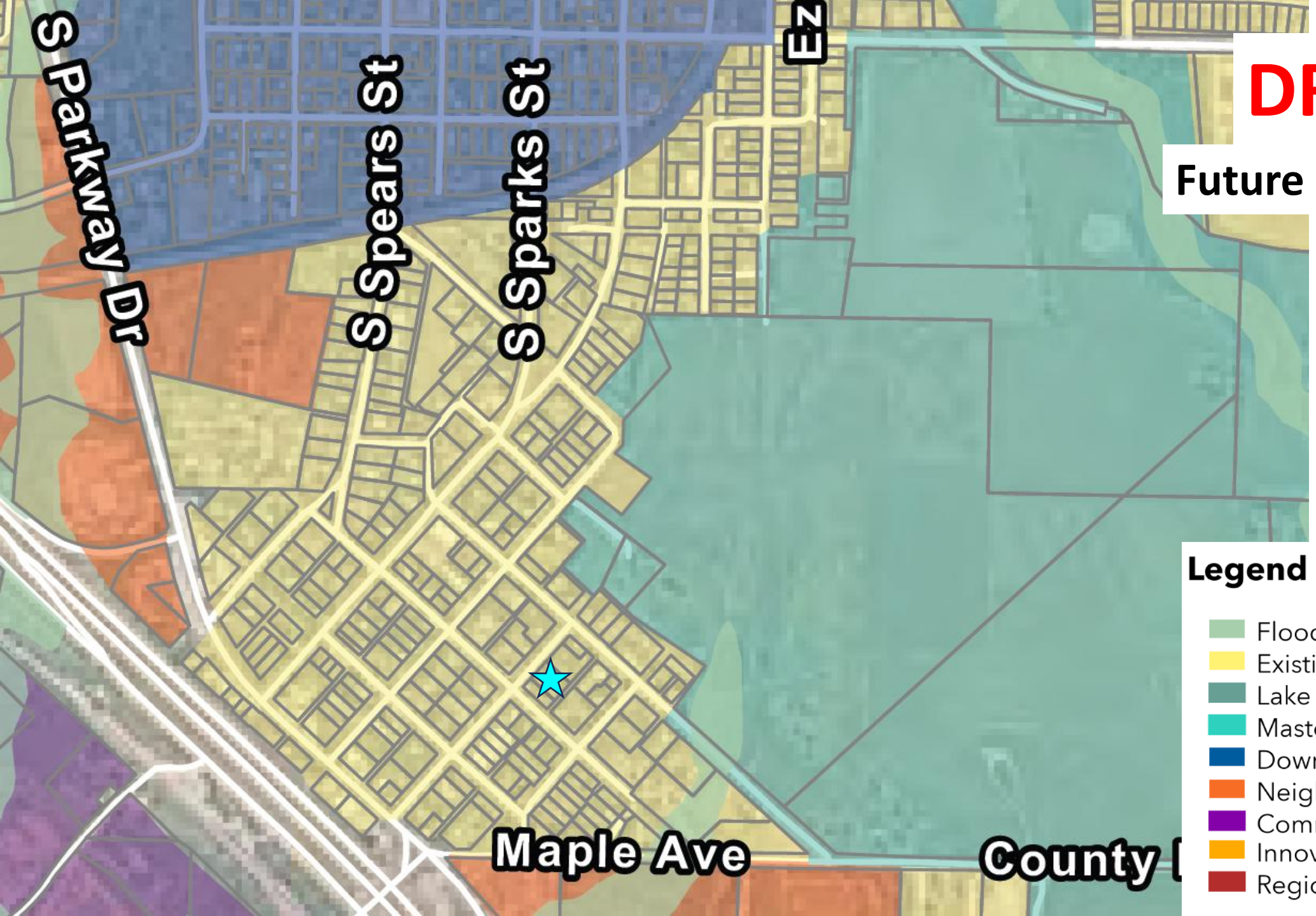
Justin French

Justin French, AICP
Community Development Director
City of Alvarado
frenchj@cityofalvarado.org

Figure 18. Future Land Use

Future Land Use

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Industrial/Utility
- Local Business District
- Interstate Business District
- Parks and Open Space
- Public/Semi-Public
- Downtown Square
- Lake
- Approximate Location of 100 Year Floodplain



DRAFT

Future Land Use Map

Legend

- Floodplain
- Existing Neighborhood
- Lake Area
- Master Planned Community
- Downtown
- Neighborhood Mixed Use
- Commerce Flex
- Innovation
- Regional Mixed Use

VISION: CHARACTER FRAMEWORK

Future Land Use Plan (FLUP)

Existing Neighborhoods

ROLE IN ALVARADO
Existing Neighborhoods provide continuity and trust as other parts of the city evolve, reinforcing quality of life and long-term community stability.

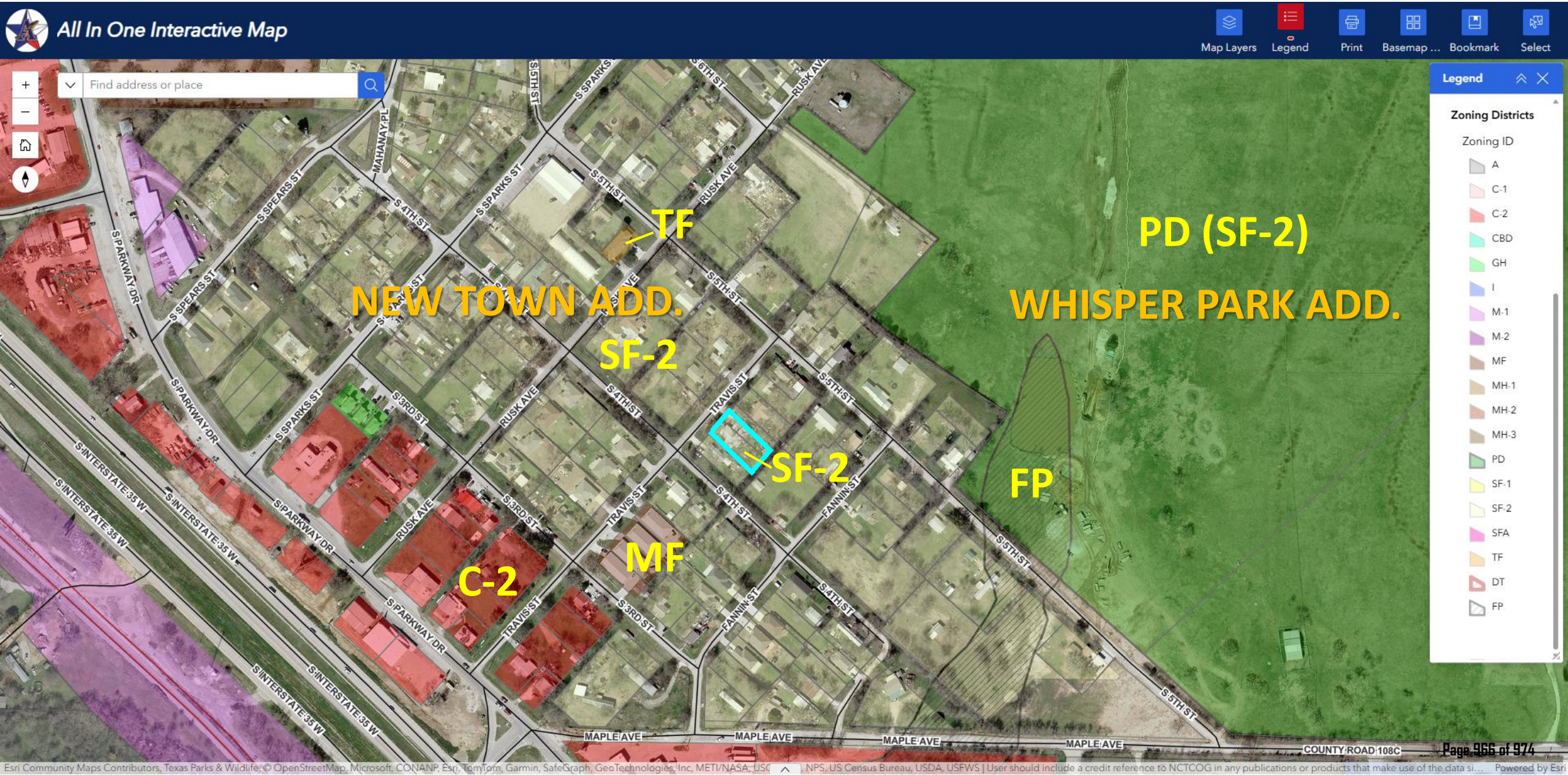
CHARACTER VISION

Existing Neighborhoods represent the established residential fabric of Alvarado and reflect long-standing community character. These areas are defined by stability, familiarity, and everyday life, with the future focused on preservation, compatibility, and thoughtful reinvestment.

DESIGN + PLACE PRINCIPLES

- Maintain a maximum building height of two stories to reinforce neighborhood scale
- Support residential uses alongside parks, schools, and neighborhood open space
- Where the neighborhood agrees, support neighborhood-scale retail or restaurant, if applicable
- Ensure new development is compatible with existing design to maintain current character and a cohesive look and feel
- Preserve prevailing neighborhood patterns related to massing, setbacks, and rhythm
- Strengthen connections to nearby destinations through sidewalks and trails
- Improve walkability and safety while avoiding incompatible intensity or use

Current Zoning Map



Sec. 42-23. GH garden home district.

(a) *Purpose.* The GH district provides for the construction of detached single family homes on zero lot line lots. In all other respects, the GH district is intended to provide the same benefits and atmosphere as other single family districts. This district can be appropriately located in proximity to multifamily residential areas and certain neighborhood local retail and office uses.

(b) *Permitted uses and parking regulations.*

USE	PARKING REGULATIONS
Accessory building to main use	0 spaces
Carport	0 spaces
Concrete, asphalt batching plant (temporary)	1 space for each 2 employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than 1 space for each 1,000 square feet of gross floor area, whichever is greater
Electrical transmission line	0 spaces
Garden (patio) home	2 enclosed spaces per unit, must be attached to main structure
Greenhouse or plant nursery, noncommercial	1 space per employee
Home occupation	0 spaces
Local utility distribution lines	0 spaces
Park, playground or recreation center (public or private)	1 space per acre plus additional parking per facility constructed as herein provided
Private open space as a part of a planned residential development	0 spaces required
Railroad track and right-of-way	1 space per employee
Retirement housing	1 space for each 6 beds per unit
Sewage pumping station	0 spaces
Single-family dwelling, detached	2 enclosed spaces per unit, must be attached to the main structure
Swimming pool, private	1 space for each 100 square feet of gross water surface and deck area
Telephone line	0 spaces
Transit station or turnaround	1 space per intended user
Water pumping station or well	0 spaces

(c) *Development requirements.*

Minimum lot area:	2,800 square feet[1]
Minimum lot width:	25 linear feet on residential streets and 35 linear feet on collector and major streets
Minimum lot depth:	120 linear feet
Minimum front yard:	15 linear feet[2]
Minimum side yard:	0 linear feet[3]
Minimum rear yard:	5 linear feet[4]
Maximum ground coverage:	45/65[5]

Maximum density per acre:	12 DU
Height:	35 linear feet

[1] A lot of less than 2,800 square feet may be used for a garden home or other single family residence if it was an official lot of record at the time of adoption of this chapter. No lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements set forth in this district.

[2] The minimum front yard shall be 15 feet, provided that in no case shall a garage or carport fronting onto a street be less than 20 feet from the property line adjacent to the street. The front yard setback may be staggered, varied, or reduced to a minimum setback of ten feet for lots facing cul-de-sac or loop streets not exceeding 400 feet in length, with the approval of a site plan or subdivision plat. Under this provision the maximum setback shall be 25 feet. A minimum lot depth of 65 feet, as measured from front building line to rear lot line, shall be maintained.

[3] The minimum side yard shall be zero feet except that there shall be at least ten feet of separation between structures. When garden (patio) homes are constructed with a zero side yard, five feet on the lot adjacent to the zero setback shall be dedicated as an access/maintenance easement for the zero setback garden home. There shall be a minimum side yard setback of 20 feet from any property line adjacent to a street. Side yard setbacks and access/maintenance easements shall be shown on the subdivision plat.

[4] The minimum rear yard shall be five feet for a single story structure and 15 feet for any two-story structure. If access is from an alley, the minimum setback will be 20 feet for garages or carports. A one-story wing or extension may be built to within 15 feet of the rear lot line.

[5] The first number in the column refers to coverage by primary buildings; the second number refers to coverage by all buildings.

(d) *Site plan required.* A site plan meeting the requirements of section 42-56 shall be required for each application for the development of a garden home in the GH district.

(e) *Specific uses.* The following specific uses are allowed in the GH district when authorized under the provisions of section 42-45:

USE	PARKING REGULATIONS
Assisted living facility	1 space per employee, plus 1 space for each 6 beds
Boarding home facility	1 space per employee, plus 1 space for each 6 beds
Cemetery or mausoleum	1 space per employee plus 1 space for every 1,000 square feet of gross floor area
Child care center	1 space per ten pupils/clients (design capacity)
Church, rectory, place of worship	1 space for every 4 seats in the main auditorium
College or university	1 space for each 2 students, plus 1 space for each classroom, laboratory or instruction area
Community center, public or private	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Community home	1 space per employee, plus 1 space for each 6 beds

Country club (private)	1 space for each 250 square feet of gross floor area or for every 5 members, whichever is greater
Electrical substation	1 space per employee
Farm, ranch, or orchard	1 space per employee
Gas metering station	1 space per employee
Golf course	Minimum of 30 spaces
Guest house	1 space per unit
Hospital (chronic care); long term heath care facility	1 space for each 2 beds
Library	10 spaces plus 1 additional space for each 300 square feet of gross floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of 1 space for each 4 seats that it contains
Nursery school, kindergarten	1 space per 10 pupils/clients (design capacity)
Public or private franchised utility, excluding office buildings, garages, shops, railroad yards, loading yards, and warehouses	1 space per employee
Radio, TV or microwave operation, amateur. (See further regulations in section 42-55(i))	1 space per employee
Registered family home	1 space per employee
School, private (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
School, public (primary and/or secondary)	1 space for each four seats in the main auditorium or 1 space for each classroom plus 1 space for each 2 students, whichever is greater
Servant's, caretaker's or guard's residence	1 space per unit
Service yards of government agency	1 space per employee
Water storage, elevated or ground	0 spaces
Water treatment plant	1 space per employee

(f) *Special construction requirements.*

(1) *Developments of ten or more lots.* All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry and/or glass. It is provided, however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(2) *Developments of one to nine lots.* All outside walls of the ground floor of every residential structure shall be constructed of 100 percent masonry, masonry-type products and/or glass, or may be of a log cabin-type material and design. It is provided; however, that up to, but not exceeding, 20 percent of the outside walls may be covered or constructed of other materials for decorative, architectural or other design purposes. Such other material shall be impervious material that is required for outside walls by the residential building code mandated by the state and the ordinances of the city.

(3) *Applicability of regulations.* These construction regulations shall apply to all the following:

a. Newly constructed houses.

b. Houses moved into or within the city from a previous location.

(4) *Attic space.* All residential structures must have at least six feet of attic space from the attic floor to the highest point of the attic framing.

(5) *Living space.* All residential structures must have at least 1,200 square feet of living space.

(g) *Common area maintenance.* To ensure the long-term maintenance of common land and facilities in garden home developments, the following shall be required:

(1) Plats and site plans shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas and other commonly owned facilities. No such instrument shall be acceptable until approved by the city attorney as to legal form and effect. A homeowners' association (HOA) is the most widely accepted technique for managing commonly owned property. Such association shall provide proof of incorporation prior to issuance of a construction permit.

(2) The HOA or other similar management entity shall be organized as a nonprofit corporation with automatic membership in the management entity when property is purchased. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Included in the maintenance covenants shall be procedures for changing them at stated intervals. Deeds shall also reference the rights and responsibilities of property owners to the management entity. The management entity shall also be responsible for liability insurance, local taxes, and the maintenance of all commonly held facilities through the use of a pro rata formula for all property owners.

(h) *Usable open space requirements.* Each parcel of land developed under garden home standards shall provide usable open space totaling 15 percent of the area of the parcel. Such open space shall have a maximum slope of ten percent and shall be exclusive of street and alley rights-of-way and/or easements, individually platted lots without open space easements, private yards and patios. The 15 percent shall be computed on the percentage of total platted area in a garden home subdivision, excluding right-of-way for major and secondary streets (as described in the current comprehensive plan). At the time of site plan and/or subdivision plat approval, the city council may give full or partial credit for open areas that exceed the maximum slope or which are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.

(i) *Additional landscaping.* In addition to any required landscaping for common areas, the front yard and parkway areas shall be landscaped and permanently maintained.

(Ord. No. 2015-005, § 1, 4-20-2015)

ORDINANCE NO. 2026-____

AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, REZONING FROM SINGLE-FAMILY RESIDENTIAL (SF-2) DISTRICT TO GARDEN HOME (GH) DISTRICT, ON A PORTION OF LOT 4 AND ALL OF LOT 5, BLOCK 6 OF THE NEW TOWN ADDITION, BEING 0.3213 ACRES ADDRESSED AT 905 AND 907 TRAVIS AVENUE, IN THE CITY OF ALVARADO, JOHNSON COUNTY, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was posted on the property affected by the zoning change, the property herein described, at least 10 days before such hearing and remained until the date of City Council final action; and

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 11 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Alvarado, Texas at least 16 days before such hearing; and

WHEREAS, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zoning change; and

WHEREAS, The City Council finds the proposed zoning is consistent with the Low-Density Residential land use category of the 2017 Future Land Use Plan and the Existing Neighborhood land use category of the 2026 Future Land Use Plan; and

WHEREAS, The City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Alvarado;

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

SECTION 1. That the Comprehensive Zoning Ordinance and the Zoning Map of the City of Alvarado are hereby amended to change the zoning designation on the herein described property and area known as a portion of Lot 4 and all of Lot 5, Block 6 of the New Town Addition in Exhibit "A" of this ordinance.

SECTION 2. This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance involving zoning, fire safety, or public health and sanitation shall be fined not more than Two Thousand Dollars ($2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7. The City Secretary of the City of Alvarado is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time for two days in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

SECTION 8. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND SO IT IS ORDAINED.

Passed on this the 20th day of April, 2026 by a vote of ____ to ____.

ATTEST: **CITY OF ALVARADO**

_____ **By: _____**

Bobbie Jo Taylor, City Secretary **Jacob Wheat, Mayor**

Exhibit “A”

Legal Description

(See Next Page)

METES AND BOUNDS DESCRIPTION

Being a total of 0.3213 acres of land situated in the R. Bell Survey, Abstract 44, City of Alvarado, Johnson County, Texas also known as Lot 4 and Lot 5, Block 6, New Town, aka Missouri Pacific Addition, recorded in Volume 26, Page 640, Deed Records, Johnson County, Texas and being more particularly described as follows;

Beginning at a 1/2" iron rod set in the southern right–of–way line of Travis Avenue, (80' right–of–way), at the north corner of Lot 6, Block 6 of said New Town Addition and being 90 feet from the centerline of Fourth Avenue, (80' right–of–way), being the west corner of Lot 5, Block 6 and the Point Of Beginning of the herein described tracts of land;

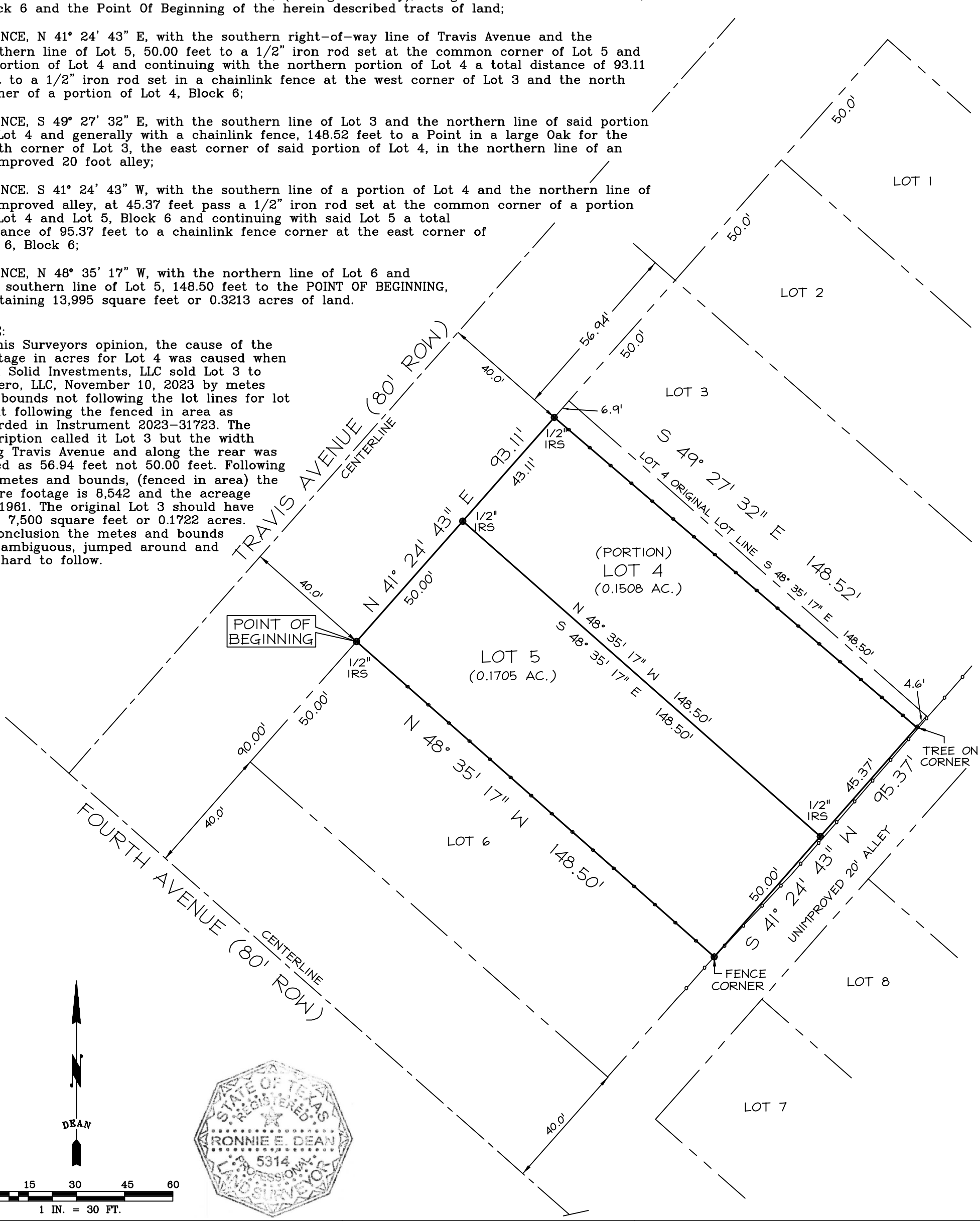
THENCE, N 41° 24' 43" E, with the southern right–of–way line of Travis Avenue and the northern line of Lot 5, 50.00 feet to a 1/2" iron rod set at the common corner of Lot 5 and a portion of Lot 4 and continuing with the northern portion of Lot 4 a total distance of 93.11 feet to a 1/2" iron rod set in a chainlink fence at the west corner of Lot 3 and the north corner of a portion of Lot 4, Block 6;

THENCE, S 49° 27' 32" E, with the southern line of Lot 3 and the northern line of said portion of Lot 4 and generally with a chainlink fence, 148.52 feet to a Point in a large Oak for the south corner of Lot 3, the east corner of said portion of Lot 4, in the northern line of an unimproved 20 foot alley;

THENCE. S 41° 24' 43" W, with the southern line of a portion of Lot 4 and the northern line of unimproved alley, at 45.37 feet pass a 1/2" iron rod set at the common corner of a portion of Lot 4 and Lot 5, Block 6 and continuing with said Lot 5 a total distance of 95.37 feet to a chainlink fence corner at the east corner of Lot 6, Block 6;

THENCE, N 48° 35' 17" W, with the northern line of Lot 6 and the southern line of Lot 5, 148.50 feet to the POINT OF BEGINNING, containing 13,995 square feet or 0.3213 acres of land.

NOTE:
In this Surveyors opinion, the cause of the shortage in acres for Lot 4 was caused when Rock Solid Investments, LLC sold Lot 3 to Gamero, LLC, November 10, 2023 by metes and bounds not following the lot lines for lot 3 but following the fenced in area as recorded in Instrument 2023–31723. The description called it Lot 3 but the width along Travis Avenue and along the rear was stated as 56.94 feet not 50.00 feet. Following the metes and bounds, (fenced in area) the square footage is 8,542 and the acreage is 0.1961. The original Lot 3 should have been 7,500 square feet or 0.1722 acres. In conclusion the metes and bounds was ambiguous, jumped around and was hard to follow.



DEAN SURVEYORS
Firm No. 10193712
5116 Bellefontaine Drive
Arlington, Texas 76017
ronnie@deansurveyors.net
817–487–9486

Surveyed on the ground
September 10, 2025

Ronnie E. Dean, R.P.L.S. No. 5314 Job No. 250828

I, Ronnie E. Dean, a Texas Registered Professional Land Surveyor do hereby certify that this survey was made on the ground under my direct supervision and accurately represents the property as found on the date indicated.

LEGAL DESCRIPTION

Being a portion of Lot 4 and all of Lot 5, Block 6 of New Town Addition, aka Missouri Pacific Addition situated in the R. Bell Survey, Abstract 44, City of Alvarado, Johnson County, Texas.

(See Metes and Bounds Description)

Address: 905 Travis Avenue
Alvarado, Texas, 76009

F.E.M.A. FLOOD STATEMENT

This Lot appears to be located in Zone "X" by Flood Insurance Rate Map No. 48251C0215J, dated December 4, 2012. It is not shown as being located in a Special Flood Hazard Area Inundated by 100–Year Flood.

LEGEND & SYMBOLS

IRF – Iron Rod Found
IRS – Iron Rod Set
PP – Power Pole
TP – Telephone Pedestal
UE – Utility Easement
– CONCRETE
—O— Chain Link Fence
ROW – Right Of Way