

ZONING CODE

SECTION 1 GENERAL: THIS CODE SHALL BE CITED AS THE OFFICIAL COMPREHENSIVE ZONING CODE OF THE CITY OF LACY LAKEVIEW, TEXAS

- 1.1 The initial Comprehensive Zoning Ordinance number 249-89 was passed and approved on the 14th day of August 1989.**

SECTION 2 PURPOSE

- 2.1 Zoning Regulations and Districts as heretofore established** are in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the citizens of the City. They are designed 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 land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been established with reasonable consideration, among other things, for the character of each district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

SECTION 3 ZONING DISTRICTS ESTABLISHED

- 3.1 The City of Lacy Lakeview, Texas, is divided into zoning districts as listed in this section.**

ABBREVIATED DESIGNATION	ZONING DISTRICT NAME
A	Agricultural District
R - 1	Residential District - 1 (43,560 Sq. Ft.)
R - 2	Residential District - 2 (9,000 Sq. Ft.)
R - 3	Residential District - 3 (6,000 Sq. Ft.)
SF - A	Single Family Attached Residential District
MF - 1	Multi-family Residential District - 1 (12 D.U./Acre)
MF - 2	Multi-family Residential District - 2 (23 D.U./Acre)
MH - 1	Manufactured Housing (HUD Code) District
MH - 2	Manufactured Housing (HUD Code) Park District
O	Office District
C - 1	Highway Commercial District
C - 2	Neighborhood Services District
C - 3	Commercial District, General
I - 1	Industrial District, Light
I - 2	Industrial District, Heavy
PD	Planned Development District
FP	Floodplain
SUP	Specific Use Permit

3.2 Description and Purpose of Zoning Districts

- A. Agricultural District:** This district provides for the continuance of farming, ranching and gardening activities on land now utilized for these purposes. When land in the "A" category is needed for urban purposes, it is anticipated the zoning will be changed to the appropriate zoning categories to provide for orderly growth and development in accordance with the Comprehensive Plan.

Once land in a category has been placed into another district, the intent of this code is that such land shall not be changed back to an "A" District by any subsequent request for a change.

- R - 1 Residential District - 1:** The "R - 1" District provides for a minimum residential building site of one (1) acre, or 43,560 square feet. Development in this district will have low density development characteristics similar to those found in rural environments.
- R - 2 Residential District - 2:** The "R - 2" District provides for a minimum residential building site of 9,000square feet.
- R - 3 Residential District - 3:** The "R - 3" District provides for a minimum residential building site of 6,000 square feet. Development in this district will have development characteristics similar to those now existing in most platted subdivisions.
- SF - A Single Family Attached Residential District:** The "SF - A" District provides for high density single family developments and compatible land uses in harmony with lower density uses. In this district small individually platted lots are provided for each residential unit and with a common usable open space system that is an integral part of the development.
- MF - 1 Multi-family Residential District - 1 (12 D.U./Acre):** The "MF - 1" District permits low to medium density multifamily residential development, not to exceed 12 dwelling units per acre of development.
- MF - 2 Multi-family Residential District -2 (23 D.U./Acre):** The "MF - 2" District permits medium to high density multi-family residential development, not to exceed 23 dwelling units per acre of development.
- MH - 1 Manufactured Housing (HUD Code) District:** The "MH-1" District provides for the placement of manufactured housing (HUD Code only) in subdivisions that are typically owner-occupied. Densities in this district will be similar to that found in the "R -3" District.
- MH - 2 Manufactured Housing (HUD Code) Park District:** The "MH - 2" District establishes a category in which manufactured housing (HUD Code only) park development can occur. Lots in this district are typically rented/leased by the landowner.
- O Office District:** The "O" District is intended to provide for the development of low intensity office or professional uses on sites capable of providing adequate space for parking, internal circulation, and access to major thoroughfares. This district may be appropriately located adjacent to all types of residential development, providing adequate buffers and landscaping are used.

C - 1 Highway Commercial District:

The Highway Commercial District is intended to provide adequate space and site diversification for commercial uses which depend upon high visibility, accessibility to major thoroughfare or interstate highway transportation, and potentially involve certain types of development that may be objectionable to other commercial districts.

C - 2 Neighborhood Services District: The Neighborhood Services District is designed to provide commercial services and products to the immediate neighborhood and community in smaller scale than those typically found in the "C - 3" District. The commercial uses are primarily clean, aesthetically pleasing indoor services.

C - 3 Commercial District, General: The purpose of the "C - 3" District is to provide commercial services to a city-wide or regional area. The General Commercial District is intended to accommodate commercial uses which require considerably larger amounts of space for display, sales or open storage, and due to the heavy commercial nature of the permitted uses, compatibility with adjacent residential areas should be carefully considered.

I - 1 Light Industrial District: The Light Industrial District is established to accommodate uses of a non-nuisance type located in relative proximity to residential and "C - 2" business areas. Development in the "I - 1" 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.

I - 2 Heavy Industrial District: The Heavy Industrial District is established to accommodate industrial uses not appropriate for inclusion in the "I - 2" District and likely to create noise, traffic, odor and/or other conditions incompatible with most residential and commercial uses.

PD Planned Development District: The Planned Development District provides a zoning category for the planning an development of larger tracts of land or tracts of land with unique characteristics for a single or combination of uses requiring flexibility and variety in design to achieve orderly development with due respect to the protection of surrounding property.

FP Flood Plain District: Zoning Districts located in flood hazard areas which are subject to periodic inundation are preceded by the prefix "FP", indicating a subdistrict. Areas designated "FP" may be used only for those uses listed in the provisions of Section 32 until the area or any portion thereof located in "FP" 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 or a hazard to life or property and that such construction is not contrary to the public interest.

SECTION 4 ZONING DISTRICT MAP

4.1 THE BOUNDARIES OF THE ZONING DISTRICTS SET OUT HEREIN ARE DELINEATED UPON THE ZONING DISTRICT MAP OF THE CITY OF LACY LAKEVIEW, TEXAS, SAID MAP BEING ADOPTED AS A PART OF THIS CODE AS FULLY AS IF THE SAME WERE SET FORTH HEREIN IN DETAIL.

Two (2) original, official, and identical copies of the Zoning District Map are adopted bearing the signature of the Mayor and attestation of the City Secretary and shall be filed and maintained as follows:

A. One copy shall be filed with the City Secretary, to be retained as the original record and shall not be changed in any manner.

B. One copy shall be kept on public display and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation in issuing building permits, certificates of occupancy, and compliance, and for enforcing the Zoning Ordinance.

C. Reproductions for information purposes may, from time to time be made, of the official Zoning District Maps. The map may be updated as individual zoning requests are approved.

SECTION 5 ZONING DISTRICT BOUNDARIES

- 5.1 THE DISTRICT BOUNDARY LINES SHOWN ON THE ZONING DISTRICT MAP ARE USUALLY ALONG STREETS, ALLEYS, PROPERTY LINES, OR EXTENSIONS THEREOF. WHERE UNCERTAINTY EXISTS AS TO THE BOUNDARIES OF DISTRICTS AS SHOWN ON THE OFFICIAL ZONING MAP, THE FOLLOWING RULES SHALL APPLY:**
- 5.2** Boundaries indicated as approximately following streets, highways, or alleys shall be construed to follow the centerline of such street, highway, or alley.
- 5.3** Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.
- 5.4** Boundaries indicated as approximately following city limits shall be construed as following city limits.
- 5.5** Boundaries indicated as following railroad or utility lines shall be construed to be the centerline of the right-of-way, or if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.
- 5.6** Boundaries indicated as approximately following the centerlines of streams, drainageways, or other bodies of water shall be construed to follow such centerlines.
- 5.7** Boundaries indicated as parallel to or extensions of features indicated in 5.1 through 5.6 above shall be so construed. Distances not specifically indicated on the original Zoning Map shall be determined from the graphic scale on the map.
- 5.8** Whenever the street, alley, or other public way is vacated by official action of the City Council, or whatever street or alley 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 areas so involved shall then and henceforth be subject to all regulations of the extended districts.

- 5.9 Where physical features of the ground are at variance with information shown of the official Zoning District 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 5.1 through 5.8, or the zoning of property is invalidated by a final judgement of a court of competent jurisdiction, the property shall be considered as classified "A" Agricultural District, temporarily. In an area determined to be temporarily classified as "A" Agricultural District, no person shall construct, add to or alter any building or structure or cause the same to be done or shall any use be located therein or on the land which is not permitted in an "A" District, unless and until such territory has been zoned to permit such use by the City Council.

SECTION 6 TEMPORARY ZONING - ANNEXED TERRITORY

- 6.1 **ALL TERRITORY HEREAFTER ANNEXED TO THE CITY OF LACY LAKEVIEW SHALL BE TEMPORARILY CLASSIFIED AS "A" AGRICULTURAL DISTRICT, UNTIL PERMANENT ZONING IS ESTABLISHED BY THE CITY COUNCIL OF THE CITY OF LACY LAKEVIEW. THE PROCEDURE FOR ESTABLISHING PERMANENT ZONING ON ANNEXED TERRITORY SHALL CONFORM TO THE PROCEDURE ESTABLISHED BY LAW FOR THE ADOPTION OF ORIGINAL ZONING REGULATIONS.**

- 6.2 In an area temporarily classified as "A" Agricultural District:

A. No person shall erect, construct or proceed or continue with the erection or construction of any building or structure or cause the same to be done in any newly annexed territory to the City of Lacy Lakeview without first applying for and obtaining a building permit or certificate of occupancy from the Building Official or the City Council, as may be required.

B. No permit for the construction of a building or use of land shall be issued by the Building Official other than a permit which will allow the construction of a building permitted in the "A" Agricultural District, unless and until such territory has been classified in a zoning district other than the "A" Agricultural District, by the City Council in the manner prescribed by the law.

SECTION 7 COMPLIANCE REQUIRED

- 7.1 **ALL LAND, BUILDINGS, STRUCTURES OR APPURTENANCES THEREON LOCATED WITHIN THE CITY OF LACY LAKEVIEW, TEXAS, WHICH ARE HEREAFTER OCCUPIED, USED, ERECTED, ALTERED, REMOVED, PLACED, DEMOLISHED OR CONVERTED SHALL BE OCCUPIED, USED ERECTED, ALTERED, REMOVED, PLACED, DEMOLISHED OR CONVERTED IN CONFORMANCE WITH THE ZONING REGULATIONS PRESCRIBED FOR THE ZONING DISTRICT IN WHICH SUCH LAND OR BUILDING IS LOCATED AS HEREINAFTER PROVIDED.**

SECTION 8 "A" AGRICULTURAL DISTRICT

General Purpose and Description - This district is intended to apply to land situated on the fringe of an urban area and used for agricultural purposes, which may become an urban area in the future. Therefore, the agricultural activities conducted in the "A" Agricultural District should not be detrimental to urban land uses and 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.

8.1 Permitted Uses - A building or premise shall be used only for the following purposes:

- A. Single-family dwellings on building lots of two (2) acres or more.
- B. All general and special agricultural, farming, ranching, stables and related accessory buildings, stock and poultry raising, dairy, and other related uses so long as same do not cause a hazard to health by reason of unsanitary conditions, are not offensive by reason of odors, dust, fumes, noise, or vibrations, and are not otherwise detrimental to the public welfare.
- C. Accessory buildings and structures clearly incidental to the above operations, including but not limited to barns, stables, equipment sheds, grainaries, private garages, pump houses, and servants quarters not for rent, provided that accessory buildings and structures shall be limited to fifty (50) percent of the gross land area.
- D. Temporary metal buildings less than six hundred (600) square feet which are used for tool and supply storage.
- E. Riding academy or other equestrian related activities.
- F. Other uses as listed in Section 34 of this code.
- G. The following specific uses shall be permitted in the "A" Agricultural District, when granted in accordance with Section 35:
 - 1. Uses as listed in Section 34 of this code.

8.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

8.3 Parking Regulations: Two (2) spaces behind the front yard line for single family dwelling units. Other off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 36.

SECTION 9 "R - 1" RESIDENTIAL DISTRICT - 1 (43,560 SQ. FT.)

General Purpose and Description - The "R - 1" District is designed to accommodate standard single family residential development on large size lots. The district can be appropriately located in proximity to multi-family residential areas and certain neighborhood commercial uses.

9.1 Permitted Uses: A building or premise in an "R - 1" District shall be used only for the following purposes:

- A. Uses as listed in Section 34 of this code.
- B. The following specific uses shall be permitted in an "R - 1" District, when granted in accordance with Section 35:
 - 1. Uses as listed in Section 34 of this code.

- 9.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements:** The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.
- 9.3 Parking Regulations:** A minimum of two (2) enclosed parking spaces shall be provided per dwelling unit behind the front yard line. Other off-street parking spaces shall be provided in accordance with the requirements of specific uses set forth in Sections 36.

SECTION 10 "R - 2" RESIDENTIAL DISTRICT - 2 (9,000 SQ. FT.)

General Purpose and Description - This district is designed to accommodate the standard single family residential development as found in the "R - 1" District, except that the lot sizes are considerably smaller. This district can also be appropriately located in proximity to multi-family residential areas and certain neighborhood commercial uses.

- 10.1 Permitted Uses:** A building or premise in an "R - 2" District shall be used only for the following purposes:
- A. Uses as listed in Section 34 of this code.
 - B. The following specific uses shall be permitted in an "R - 2" District, when granted in accordance with Section 35:
 - 1. Uses as listed in Section 34 of this code.
- 10.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements:** The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percent of lot coverage by buildings, and the minimum size of buildings, as pertains to the district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.
- 10.3 Parking Regulations:** A minimum of two (2) enclosed parking spaces shall be provided per dwelling unit behind the front yard line. Other off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 36.

SECTION 11 "R - 3" RESIDENTIAL DISTRICT - 3 (6,000 SQ. FT.)

General Purpose and Description - This district is also designed to accommodate the standard single family residential development as found in the "R - 1" and the "R - 2" Districts, except that these lot sizes are also considerably smaller. This district can also be appropriately located in proximity to multi-family residential areas and certain neighborhood commercial uses.

- 11.1 Permitted Uses:** A building or premise in an "R - 3" District shall be used only for the following purposes:
- A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in and "R - 3" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

11.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

11.3 Parking Regulations: A minimum of two (2) parking spaces shall be provided per dwelling unit behind the front yard line. Other off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 36.

SECTION 12 RESERVED FOR FUTURE USE

SECTION 13 RESERVED FOR FUTURE USE

SECTION 14 "SF-A" SINGLE FAMILY ATTACHED RESIDENTIAL DISTRICT

General Purpose and Descriptions - The purpose of this district is to promote high density single family residential developments and compatible land uses in harmony with lower density uses. The "SF-A" District is intended to provide developments with small individually platted lots for each residential unit and with a common usable open space system that is an integral part of the development. The regulations are designed to provide the occupants with a safe and convenient housing within an aesthetically pleasing environment in proper relationship to adjacent land uses. When proposed development in this district is adjacent to any other residential district, the proposed development shall be designed to provide for maximum compatibility with adjacent development.

14.1 Permitted Uses: A building or premise in and "SF-A" District shall be used only for the following purposes:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in and "SF-A" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

14.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

14.3 Parking Regulations: A minimum of two (2) parking spaces shall be provided per dwelling unit behind the front yard line. Other off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 36.

14.4 Additional Restrictions Applicable to "SF-A" District:

A. **Length Requirements:** No complex of attached single family dwellings shall exceed two hundred (200) feet in length.

B. Side Yard Requirements: A minimum required side yard of fifteen (15) feet shall be provided at the end of each single family attached dwelling complex, so that the ends of any two adjacent building complexes shall be at least thirty (30) feet apart.

C. Usable Open Space Requirement: Each lot or tract of land used for single family attached residences shall provide usable open space totaling twelve percent (12%) of the area of the lot or tract. The usable open space shall have a maximum slope of ten percent (10%) and shall be exclusive of street and alley rights-of-way and/or easements, individually platted lots without open space easement, private yards and patios. The twelve percent (12%) shall be computed as percentages of total platted area of an "SF-A" subdivision, excluding rights-of-way for major and secondary thoroughfares (as described in the current Comprehensive Plan). At the time of site plan and/or subdivision plat approval, the Planning and Zoning Commission and/or 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.

D. Homeowners' Associations (HOA): Where any attached housing development proposes the reservation of land or structure in common ownership for recreational, parking, landscape, or open space use or for any other use, or private streets are proposed, a homeowners' association shall be required for the purpose of control over the development, maintenance, and for responsibility of liability insurance and local taxes of such private land, streets and facilities which are intended to be owned in common. The HOA shall be organized as a non-profit corporation with automatic, mandatory membership in the HOA when property is purchased. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Deeds shall also reference the rights and responsibilities of property owners in the HOA.

Prior to issuance of a building permit, a final homeowners' association must be approved by the City Council. The responsibility and control of the homeowners' association shall be with the developer until such time that eighty percent (80%) of the dwelling units are purchased. The homeowners' association must include, but not necessarily be limited to the following additional requirements:

1. A system for payment of association dues to be collected with mortgage payments;
2. Provisions for enforcement of the rules and regulations within the development and association;
3. Provisions for the construction, maintenance, and repair of all open land, buildings, facilities and improvements determined to be private or common as established by the site plan;
4. Provisions for storage and control of all boats, campers, old automobiles, and other items considered to be unsightly;
5. Provisions for the maintenance of all commonly held facilities through the use of a pro-rata formula for all property owners; and
6. In the event the approved association does not perform its responsibilities of fulfilling its obligations as specified in the homeowners' association or is declared non-existent for any reason, the City shall have the right to levy special assessments against property on a pro-rata basis for the cost of correcting any such condition for which the association was responsible and the lien holder shall be responsible for collecting such levies and assessments and transmitting such funds to the City.

SECTION 15 RESERVED FOR FUTURE USE

SECTION 16 "MF-1" MULTI-FAMILY RESIDENTIAL DISTRICT - 1 (12 D. U. /ACRE)

General Purpose and Description: The "MF-1" District is intended to provide for low to medium density residential development. This district functions as a buffer or transition between major streets, non-residential areas and lower density residential areas. Density in this district is not to exceed twelve (12) dwelling units per acre of development.

16.1 Use Regulations: A building or premise shall be used only for the following purposes:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in an "MF-1" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

16.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percent of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

16.3 Parking Regulations: One and one-half (1.5) off-street parking spaces shall be provided per bedroom in each unit, or for each efficiency unit. Required parking may not be provided within the required front yard. Other off-street parking spaces shall be provided in accordance with the requirements set forth in Section 36.

16.4 Refuse Facilities: Every dwelling unit in a multi-family complex shall be located within two hundred fifty (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 (6) cubic yards of refuse container per thirty (30) multi-family dwelling units. For complexes with less than thirty (30) units, no less than four (4) cubic yards of refuse container shall be provided. Each refuse facility shall be placed on a concrete pad and 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 (6) feet nor more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

SECTION 17 "MF-2" MULTI-FAMILY RESIDENTIAL DISTRICT - 2 (23 D.U. /ACRE)

General Purpose and Description: The "MF-2" District is intended to provide for medium to high density residential development. This district functions as a buffer or transition between major streets, non-residential areas and lower density residential areas. Density in this district is not to exceed twenty-three (23) dwelling units per acre of development.

17.1 Use Regulations: A building or premise shall be used only for the following purposes:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in and "MF-2" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

17.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

17.3 Parking Regulations: One and one-half (1.5) off-street parking spaces shall be provided per bedroom in each unit, or for each efficiency unit. Required parking may not be provided within the required front yard. Other off-street parking spaces shall be provided in accordance with the requirements set forth in Section 36.

17.4 Refuse Facilities: Every dwelling unit in a multi-family complex shall be located within two hundred fifty (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 (6) cubic yards of refuse container per thirty (30) multi-family dwelling units. For complexes with less than thirty (30) units, no less than four (4) cubic yards of refuse container shall be provided. Each refuse facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

SECTION 18 RESERVED FOR FUTURE USE

SECTION 19 "MH-1" MANUFACTURED HOUSING (HUD CODE) DISTRICT

General Purpose and Description: The Manufactured Housing (HUD Code) District is intended to provide for quality manufactured home subdivisions. Typically lots within this district are owner occupied and densities are similar to those found in the "R-3" District. The "MH-1" District contains many of the characteristics and a similar atmosphere of a standard single family subdivision.

19.1 Use Regulations: A building or lot shall be used only for the following purposes:

A. Manufactured homes.

B. Other uses as listed in Section 34 of this code.

C. The following specific uses shall be permitted in the "MH-1" District when granted in accordance with Section 35:

1. Other uses as listed in Section 34 of this code.

- 19.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements:** The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of this "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.
- 19.3 Parking Requirements:** Two (2) covered parking spaces shall be provided per dwelling unit located on the lot plus additional spaces for accessory uses as required in Section 36.
- 19.4 Additional Restrictions Applicable to Manufactured Housing (HUD Code) 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, or as amended. All manufactured homes will be subject to inspection by the Building Official.
 - B.** All manufactured housing to be placed in the City of Lacy Lakeview shall be no older than ten (10) years of age from the date of application.
 - C.** All manufactured homes shall be set on solid slab structure and/or 18" to 20" runners. Additional rooms and enclosed porches shall be constructed on a solid slab.
 - D.** Tie-downs will be required and will be secured prior to occupancy.
 - E.** Underpinning and skirting will be required and will be installed prior to occupancy.
 - F.** Accessory buildings will be either manufactured or constructed in accordance with city codes.
 - G.** All manufactured homes shall comply with all regulations of the State of Texas and such regulations are hereby incorporated into this section.

SECTION 20 "MH-2" MANUFACTURED HOUSING (HUD CODE) PARK DISTRICT

General Purpose and Description: The Manufactured Housing (HUD Code) District is intended to provide for quality manufactured housing park development and maintenance. Manufactured housing parks are defined as tracts or units of land under sole ownership where lots are rented or leased as space to be used for placement of a manufactured home.

- 20.1 Use Regulations:** a building or lot shall be used only for the following purpose:
- A.** Manufactured homes.
 - B.** Uses normally accessory to a manufactured housing park, including office and/or maintenance buildings for management and maintenance of the mobile home park only, recreation buildings and swimming pools, private clubs, laundry facilities, storage facilities and recreation areas for use by the residents of the manufactured housing parks.
 - C.** Other uses as listed in Section 34 of this code.

D. The following specific uses shall be permitted in the "MH-2" District when granted in accordance with Section 35:

1. Boat and recreational vehicle and travel trailer storage yard.
2. Travel trailer and commercial over-night camping park.
3. Other uses as listed in Section 34 of this ordinance.

20.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

20.3 Parking Requirements: Two (2) spaces shall be provided per dwelling unit located on the lot plus additional spaces for accessory uses as required in Section 36.

20.4 Additional Restrictions Applicable to the Manufactured Housing (HUD Code) Park 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, or as amended. All manufactured homes will be subject to inspection by the Building Official.

B. All manufactured housing to be placed in the City of Lacy Lakeview shall be no older than ten (10) years of age from the date of applications.

C. All manufactured homes shall be set on solid slab structure and/or 18" to 20" runners. Additional rooms and enclosed porches shall be constructed on a solid slab.

D. Tie-downs will be required and will be secured prior to occupancy.

E. Underpinning and skirting will be required and will be installed prior to occupancy.

F. Accessory buildings will be either manufactured or constructed in accordance with city codes.

G. All manufactured homes shall comply with all regulations of the State of Texas and such regulations are hereby incorporated into this sections.

SECTION 21 RESERVED FOR FUTURE USE

SECTION 22 "O" OFFICE DISTRICT

General Purpose and Description: The "O" District is intended to provide for the development of low intensity office or professional uses on sites capable of providing adequate space for parking, internal circulation, and access to major thoroughfares. This District may be appropriately located adjacent to all types of residential development, providing adequate buffers and landscaping are used.

22.1 Use Regulations: A building or premise shall be used only for the following purposes:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in the "O" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

22.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percent of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

22.3 Parking Regulations: Off-street parking and loading shall be provided as set forth in Section 36.

22.4 Refuse Facilities: Each refuse facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

22.5 Screening Requirements: Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any office building or complex abutting a "R-1", "R-2", "AR-3", "SF-A", "MF-1", "MF-2", "MH-1", or "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the office building or complex by the owner of said property.

22.6 Masonry Requirements: All principal buildings and structures shall have a minimum sixty percent (60%) of the total exterior walls and at least fifty percent (50%) of the front exterior wall below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, concrete tilt-up walls, or other masonry materials.

22.7 Mechanical Equipment: No mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building.

SECTION 23 RESERVED FOR FUTURE USE

SECTION 24 "C-1" HIGHWAY COMMERCIAL DISTRICT

General Purpose and Description: The Highway Commercial District is intended to provide adequate space and site diversification for commercial uses which depend upon high visibility, accessibility to major thoroughfare or interstate highway transportation, and potentially involve certain types of development that may be objectionable to other commercial districts.

24.1 Use Regulations: A building or premise shall be used only for the following purposes:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in the "C-1" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

24.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided..

24.3 Parking Regulations: Off-street parking and loading shall be provided as set forth in Section 36.

24.4 Refuse Facilities: Each refuse facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height, or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

24.5 Screening Requirements: Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any "C-1" development abutting a "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", or "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the development by the owner of said property.

24.6 Masonry Requirements: All principal buildings and structures shall have a minimum sixty percent (60%) of the total exterior walls and at least fifty percent (50%) of the front exterior wall below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, concrete tilt-up walls, or other masonry materials. At the discretion of the Building Official, masonry requirements may be waived if other suitable construction materials are proposed.

24.7 Mechanical Equipment: No Mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height, or by an enclosure within a building.

SECTION 25 "C-2" NEIGHBORHOOD SERVICES DISTRICT

General Purpose and Description: The "C-2" Commercial District is intended to provide commercial services and products to the immediate neighborhood and community. This is generally conducted in smaller scale than is found in the "C-3" District. These uses are primarily clean, aesthetically pleasing indoor services.

25.1 Use Regulations: A building or premise shall be used only for the following purpose:

A. Uses as listed in Section 34 of this code.

B. The following specific uses shall be permitted in the "C-2" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

C. The following regulations shall be applicable to all uses in the "C-2" 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 waste material;
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.

25.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

25.3 Parking Regulations: Off-street parking and loading shall be provided as set forth in Section 36.

25.4 Refuse Facilities: Each refuse facility shall be placed on a concreted pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

25.5 Screening Requirements: Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any "C-2" development abutting a "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", or "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the development by the owner of said property.

25.6 Masonry Requirements: All principal buildings and structures shall have a minimum sixty percent (60%) of the total exterior walls and at least fifty percent (50%) of the front exterior wall below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, concrete tilt-up walls, or other masonry materials.

25.7 Mechanical Equipment: No mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height, or by an enclosure within a building.

SECTION 26 "C-3" COMMERCIAL DISTRICT, GENERAL - 3

General Purpose and Description: The "C-3" District is intended to provide a zoning category similar to the "C-2" District, except that additional uses are permitted which are not generally carried on completely within a building or structure, and an expanded range of service and repair uses is permitted.

26.1 Use Regulations: A building or premise shall be used only for the following purposes:

A. Any use permitted in "C-2" District.

B. Other uses as listed in Section 34 of this code.

C. The following specific uses shall be permitted in a "C-3" District, when granted in accordance with Section 35:

1. Uses as listed in Section 34 of this code.

26.2 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

26.3 Parking Requirements: Off street parking requirements shall be provided in accordance with Section 36.

26.4 Refuse Facilities: Each refuse facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

26.5 Screening Requirements: Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any "C-3" development abutting a "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the development by the owner of said property.

26.6 Masonry Requirements: All principal buildings and structures shall have a minimum sixty percent (60%) of the total exterior walls **and at least** fifty percent (50%) of the front exterior wall below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, concrete tilt-up wall, or other masonry materials. At the discretion of the Building Official, masonry requirements may be waived if other suitable construction material are proposed.

26.7 Mechanical Equipment: No Mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet not more than eight (8) feet in height or by an enclosure within a building.

SECTION 27 RESERVED FOR FUTURE USE

SECTION 28 "I-1" LIGHT INDUSTRIAL DISTRICT

General Purpose and Description: The "I-1" District is established to accommodate those uses which are of a non-nuisance type located in relative proximity to residential areas, and to preserve and protect lands designated on the comprehensive plan for industrial development and use from the intrusion of certain incompatible uses which might impede the development and use of lands for industrial purpose. Development in the "I-1" District is limited primarily to certain wholesale and jobbing commercial uses and certain industrial uses, such as the fabrication of materials, and specialized manufacturing and research institutions, all of a non-nuisance type. No use or types of uses specifically limited to the "I-2" District may be permitted in the "I-1" District.

28.1 Use Regulations: Uses permitted in the "I-1" District are subject to the following conditions:

A. All business, servicing, or processing except for off-street parking, off-street loading, display of merchandise for sale to the public, and establishments of the "drive-in" type, shall be conducted within completely enclosed areas.

B. All storage within one hundred feet (100') of a residential district, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened with screening not less than six (6') feet or more than eight (8') feet in height, provided no storage located within fifty feet (50') of such screening shall exceed the maximum height of such screening.

C. Permitted uses in the "I-1" District shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence.

D. Permitted uses in the "I-1" District shall produce no noise exceeding in intensity, at the boundary of the property, the average intensity of noise of street traffic.

E. Permitted uses in the "I-1" District shall not create fire hazards on surrounding property.

F. Other uses as listed in Section 34 of this code.

G. The following specific uses shall be permitted in the "I-1" District when granted in accordance with Section 35:

1. Other uses as listed in Section 34 of this code.

28.2 Exceptions: Other manufacturing and industrial uses which do not meet the general definition for manufacturing processes may be permitted by the City Council after public hearing and review of the particular operational characteristics of each such use, and other pertinent data affecting the community's general welfare. Approval of uses under this subsection shall be made in accordance with Section 35.

28.3 Area: Yard: Height: Lot Coverage: and Building Size Requirements: The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percentage of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted" (see Section 33) and any other applicable regulations as herein provided.

- 28.4 Parking Regulations:** Off-street parking requirements shall be provided in accordance with the specific uses set forth in Section 36.
- 28.5 Refuse Facilities:** Each refuse facility shall be placed on a concrete pad and screened from view on three sides from persons standing at ground level on the site immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.
- 28.6 Screening Requirements:** Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any "I-1" development abutting a "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the development by the owner of said property.
- 28.7 Mechanical Equipment:** No mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet or more than (8) feet in height or by an enclosure within a building.

SECTION 29 "I-2" HEAVY INDUSTRIAL

General Purpose and Description: The "I-2" District is established to accommodate most industrial uses and protect such areas from the intrusion of certain incompatible uses which might impede the development and use of lands for industrial purposes.

- 29.1 Use Regulations:** Uses permitted in the "I-2" District are subject to the following conditions:
- A.** All business, servicing, or processing, except for off-street parking, off-street loading, display or merchandise for sale to the public, and establishments of the "drive-in" type, shall be conducted within completely enclosed buildings unless otherwise indicated.
 - B.** All storage within one hundred feet (100') of a residential district, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened with screening not less than six feet (6') or more than eight feet (8') in height, provided no storage located within fifty feet (50') of such screening shall exceed the maximum height of such screening.
 - C.** All facilities involved in the manufacturing, fabrication, processing or assembly of products shall be allowed provided that such facilities are not detrimental to the public health, safety or general welfare, and further provided that the following performance standards and city ordinances are met:
 - 1. 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 emissions;

2. 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:

3. 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:

4. 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:

5. 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 fifteen (15) minutes in any one (1) 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

6. Water Pollution: No water pollution shall be emitted by the 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 safeguard is acceptable to said agency or agencies.

D. Other uses as permitted in Section 34 of this code.

E. The following specific uses shall be permitted in the "I-2" District when granted in accordance with Section 35:

1. Other uses as listed in Section 34 of this code.

- 29.2 Exceptions:** Other manufacturing and industrial uses which do not meet the general definition for manufacturing processes may be permitted by the City Council after public hearing and review of the particular operational characteristics of each such use, and other pertinent data affecting the community's general welfare. Approval of uses under this subsection shall be made in accordance with Section 35.
- 29.3 Area: Yard: Height: Lot Coverage: and Building Size Requirements:** The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), maximum building height, maximum percent of lot coverage by buildings, and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "Schedule of District Regulations Adopted (see Section 33) and any other applicable regulations as herein provided.
- 29.4 Parking Regulations:** Required off-street parking shall be provided in accordance with the specific uses set forth in Section 36.
- 29.5 Refuse Facilities:** Each refuse facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building. No refuse facility may be placed nearer than thirty (30) feet to a residentially zoned district. 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.

- 29.6 Screening Requirements:** Border fencing of wood or masonry of not less than six (6) feet in height is required and shall be installed at the time of construction, if not already in place, of any "I-2" development abutting a "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", "MH-2" District or residential use, along the property line on any perimeter not abutting a public street. This fence shall be maintained throughout the existence of the development by the owner of said property.
- 29.7 Mechanical Equipment:** No mechanical equipment as an accessory facility may be placed nearer than one hundred twenty (120) feet to any residentially zoned district. Each mechanical equipment facility shall be placed on a concrete pad and 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 (6) feet or more than eight (8) feet in height or by an enclosure within a building.

SECTION 30 RESERVED FOR FUTURE USE

SECTION 31 "PD" PLANNED DEVELOPMENT DISTRICT

General Purpose and Description: The Planned Development District "PD" prefix is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this code is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based, and will not be harmful to the community. A "PD" District may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

- 31.1 Permitted Uses:** Any use specified in the ordinance granting a Planned Development District shall be permitted in that district. The size, location, appearance, and method of operation may be specified to the extent necessary to insure compliance with the purpose of this code.

Development Standards:

A. 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.

B. In the "PD" District, the particular district(s) 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 code (applications without this list will be considered incomplete).

C. The ordinance granting a "PD" District shall include a statement as to the purpose and intent of the "PD" granted wherein. A specific list is required of variances in each district or districts and a general statement citing the reason for the "PD" request.

D. The Planned Development district shall conform to all other sections of the ordinance unless specifically exempted in the granting ordinance.

E. The minimum acreage for a planned development district shall be three (3) acres.

31.2 In establishing a Planned Development District in accordance with this section, the City Council shall approve and file, as part of the amending ordinance, appropriate plans and standards for each Planned Development District. During the review and public hearing process, the City Council shall require a conceptual plan and a development plan (or detailed site plan).

A. 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.

1. A conceptual plan for a residential land use shall show general use, thoroughfares and preliminary lotting 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.

2. 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(s), topography and boundary of the "PD" area, physical features of the site, existing streets, alleys and easements, location of future public facilities, building height and location, 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.

3. 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 building official or his designated representative. If an agreement cannot be reached regarding whether or not a detailed site plan conforms to the original concept plan, the City Council shall review the request and render judgement as to the conformity.

B. 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. For the districts "R-1", "R-2", "R-3", "SF-A", "MF-1", "MF-2", "MH-1", and "MH-2" a final plat shall qualify as the development plan. 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. A public hearing on approval of the development plan shall be held by the City Council, unless such a hearing is waived pursuant to subsection 3 below at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

1. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, 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.

2. 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 (5) feet.

3. 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.

4. A landscape plan showing screening walls, ornamental planting, wooded areas and trees to be planted.

5. 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.

C. All development plans may have supplemental data describing standards, schedules or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance. The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in Section 48. This procedure is expanded, as follows, for approval of conceptual and development plans.

1. Separate public hearings shall be held by the 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:

(a) The Applicant submits adequate data with the request for the Planned Development District to fulfill the requirements for both plans:
or

(b) 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

(c) The requirement is waived at the time the amending ordinance is approved. If the requirement is waived the conditions shall be specifically stated in the amending ordinance.

2. The ordinance establishing the Planned Development District shall not be approved until the conceptual plan is approved.

(a) The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the City Council for the initial and subsequent sections will be required.

(b) An initial development plan shall be submitted for approval within six (6) months from the approval of the conceptual plan or some portion of the concept plan.

If the development plan is not submitted within six (6) months, the conceptual plan is subject to re-approval by the City Council. If the entire project is not completed within two (2) years, the City Council may review the original concept plan to ensure its continued validity. (c) Regardless of whether the public hearing is waived for the development plan, approval by the City Council is still required.

- 31.3** 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.
- 31.4** All Planned Development Districts approved in accordance with the provisions of the Zoning ordinance in its original form, or by subsequent amendment thereto, shall be referenced on the Zoning District Map, and a list of such Planned Development Districts, together with the category of uses permitted therein, shall be maintained in an appendix of this code.

SECTION 32 "FP" FLOOD PLAIN DISTRICT

General Purpose and Description: To provide for the appropriate use of land which has a history of inundation or is determined to be subject to flood hazard, and to promote the general welfare and provide protection from flooding portions of certain districts are designated with a Flood Plain Prefix, "FP". Areas designated on the Zoning District Map by an "FP" prefix shall be subject to the following provisions:

- 32.1 Permitted Uses:** The permitted uses in that portion of any district having a Flood Plain (FP) prefix shall be limited to the following:
- A. Agricultural activities including the ordinary cultivation or grazing of land and legal types of animal husbandry, but excluding construction of barns or other outbuildings.
 - B. Off-street parking incidental to any adjacent main use permitted in the district.
 - C. Private open space as part of a Planned Residential Development.
 - D. Structures, installations and facilities installed, operated and maintained by public agencies for flood control purposes.
 - E. Other uses listed in Section 34 of this code.
 - F. The following specific uses shall be permitted in a "FP" District, when granted in accordance with Section 35:
 - 1. Uses as listed in Section 34 of this code.
- 32.2** No building or structure shall be erected in that portion of any district designated with a Flood Plain, "FP", prefix until and unless such building or structure has been approved by the City Council after engineering studies have been made, and it is ascertained that such building or structure is not subject to damage by flooding and would not constitute an encroachment, hazard, or obstacle to the movement of flood waters and that such construction would not endanger the value and safety of other property or the public health and welfare.

SECTION 33 SCHEDULE OF DISTRICT REGULATION ADOPTED

The following table is hereby adopted and shall be considered as part of each applicable zoning regulation as previously described in this code.

SCHEDULE OF DISTRICT REGULATIONS ADOPTED

ZONING DISTRICT	MIN. LOT AREA (SQ. FT.) (a)	MIN. LOT WIDTH (FT.)	MIN. LOT DEPTH (FT.)	MIN. FRONT YARD SETBACK (FT.) (b)	MIN. REAR YARD SETBACK (FT.)	MIN. SIDE YARD SETBACK (FT.) (INT. LOT)	MIN. SIDE YARD SETBACK (STR. SIDE) (b)	MAX. HEIGHT OF STRUCTURE (FT.)	MAX. LOT COVERAGE OF STRUCTURE	MIN. BUILDING SIZE EXCL. GARAGES (SQ. FT.)
A	2 ACRES	200	200	30	30	25	30	30	30%	1500
R-1 (c)	1 ACRE	150	150	30	30	25	30	30	30%	1500
R-2 (c)	9000	75	100	25	25	8	25	30	40%	1000
R-3 (c)	6000	50	100	25	25	6	25	30	40%	840
SF-A (c)	10,000 (h)	22	80	25	20	15	25	30	70%	N/A
MF-1 (c)	7,260	60	100	25	25 (d)	25 (d)	25	30	50%	800
MF-2 (c)	7,260	60	100	25	25 (d)	25 (d)	25	45	50%	800
MH-1 (c)	6,000	50	100	25	25	10	25	25	40%	800
MH-2 (c)	5,000 /D.U.	50	100	25	25	10	25	15	40%	720
O	N/A	60	100	25	25 (d)	25 (d)	25	45 (f)	50%	N/A
C-1	N/A	60	100	25	25 (d)	25 (d)	25	45 (f)	50%	N/A
C-2	N/A	N/A	N/A	25	25 (d)	25 (d)	25	45 (f)	50%	N/A
C-3	N/A	N/A	N/A	25	25 (d)	25 (d)	25	45 (f)	50%	N/A
I-1	N/A	100	150	25	25 (e)	25 (e)	25	45 (f)	50%	N/A
I-2	N/A	100	150	25	25 (e)	25 (e)	25	45 (f)	50%	N/A
PD	3 Acres	(g)	(g)	(g)	(g)	(g)	(g)	(g)	(g)	(g)

(a) For those properties unserved by public sewer systems, compliance with standards established by the State for private sewer systems is required.

(b) There shall be a minimum fifty (50) foot setback for all properties abutting Interstate Highway 35. There shall also be a minimum thirty-five (35) foot setback for all yards abutting a designated major thoroughfare or collector street.

(c) Accessory structures are allowed in rear yards and side yards only. These are to be placed a minimum of ten (10) feet inside the designated setback requirement for front yards, but may be placed in other areas of rear and side yards provided they meet the minimum setback requirements for these areas.

(d) There shall be a total of fifty (50) foot setback from the adjacent property line for buildings in excess of one (1) story in height when adjacent to an R-1, R-2, R-3, SF-A, MH-1, or MH-2 district.

(e) Unless adjacent to a residential district, in which case a fifty (50) foot setback shall be observed.

(f) Except cooling towers, roof gables, chimneys, vent stacks or mechanical equipment rooms which may project not more than twelve (12) feet beyond the maximum building height.

(g) See Section 23 for specific requirements.

(h) Ten thousand (10,000) square feet refers to the minimum development area, however, no individual lot shall contain less than two thousand (2,000) square feet per dwelling unit.

SECTION 34 USE OF LAND AND BUILDINGS

Land and buildings in each of the following classified districts may be used for any of the following listed uses but no land shall hereafter be used and no building or structure shall hereafter be occupied, used, erected, altered, removed, placed, demolished or converted which is arranged or designed to be used for other than those uses specified for the district in which it is located as set forth by the following "Schedule of Uses":

A. Legend for Interpreting Schedule of Uses

- X Designates use permitted in district indicated.
- Blank Designates use prohibited in district indicated.
- S Designates use which may be approved as Specific Use Permit.

B. Index For Schedule of Uses

<u>CATEGORY</u>	<u>SECTION</u>	<u>PAGE #</u>
Agricultural Uses	34.1	34
Residential Uses	34.2	
Commercial, Service Uses	34.3	
Automobile Related Uses	34.4	
Transportation Related Uses	34.5	
Recreational and Entertainment Uses	34.6	
Educational, Institutional and Special Uses	34.7	
Utility Uses	34.8	
General Manufacturing and Industrial Uses	34.9	
Natural Resource Storage and Extraction Uses	34.10	
Accessory and Incidental Uses	34.11	

For alphabetical list of uses, see Section 46.

Other permitted uses are listed in the sections describing regulations for each individual district (Sections 8 through 32 of this code)

34.3 COMMERCIAL SERVICE USES

	A	R-1	R-2	R-3	SF-A	MF-1	MF-2	MB-1	MB-2	O	C-1	C-2	C-3	I-1	I-2	FP
Alcoholic Beverage Sales (On-Premise)											X		X	X		
Alcoholic Beverage Sales (Package)											X	X	X			
Alcoholic Beverage Sales (Wholesale)														X	X	
Antique Shop (Indoor Sales)											X	S	X			
Antique Shop (Outdoor Sales)											X		X			
Appliance - Retail Sales, Service, or Repair (No outside storage)												X	X			
Appliance - Retail Sales, Service, or Repair (With outside storage)													X			
Art Supply Store												X	X			
Bakery or Confectionery Shop (Retail)													X			
Bakery or Confectionery Shop (Wholesale)												X	X			
Bank or Savings & Loan Office											X		X			
Barber or Beauty Shop												X	X			
Book Store, Stationary Shop, or Newsstand												X	X			
Building Material Sales											X		X	X	X	
Cabinet or Upholstery Shop													X			
Child Care Center		S	S	S	S	S	S	S	S			X	X			
Cleaners (Small Shop Pickup)												X	X			
Clothing/Apparel (Retail)												X	X			
Contractor Storage or Equipment Yard														X	X	
Contractor Office													X	X	X	
Custom Personal Service Shop												X	X			
Discount or Department Store											X		X			
Drapery, Needlework, or Weaving Shop												X	X			
Drug Store or Pharmacy												X	X			
Florist												X	X			
Feed, Seed, Fertilizer Store (Retail)													X	X	X	

CITY OF LACY LAKEVIEW - SCHEDULE OF USES

34.3 COMMERCIAL, SERVICE USES (CONTINUED)

	A	R-1	R-2	R-3	SE-A	MF-1	MF-2	MB-1	MB-2	O	C-1	C-2	C-3	I-1	I-2	FP
Food Store											X	S	X			
Ria Market													S	S	S	
Furniture Store (Retail)											X		X			
Gift and Accessory Shop (Retail)												X	X			
Greenhouse or Plant Nursery (Retail)	X										X	X	X	X		
Hobby Handcraft Shop											X	X	X			
Hardware Store											X	X	X			
Key/Locksmith Shop												X	X			
Laundry and Cleaning (Self - Service)												X	X			
Machinery Sales, Storage, or Repair													X	X	X	
Medical Appliances, Fitting, Sales, or Rental													X	X		
Medical, Optical or Dental Laboratory										X			X	X	X	
Medical, Optical, or Dental Office/Clinic										X		X	X			
Mortuary or Funeral Home													X	X	X	
Paint Shop													X			
Pawn Shop													X			
Pet Shop												S	X			
Plumbing, Heating, or Air Conditioning Shop													X	X	X	
Plumbing Supply (Wholesale/Retail)													X	X		
Print Shop													X	X	X	
Restaurant or Cafeteria										X	X	X	X	X	X	
Retail Store Other Than Listed													X			
Sexually Oriented Businesses													S	S	S	
Shoe/Boot Repair or Sales												X	X			

CITY OF LACY LAKEVIEW - SCHEDULE OF USES

34.3 COMMERCIAL, SERVICE USES (CONTINUED)

	A	R-1	R-2	R-3	SF-A	MF-1	MF-2	MB-1	MB-2	O	C-1	C-2	C-3	I-1	I-2	FP
Shopping Center											X		X			
Self-Storage Warehouse													X	X	X	
Studio (Decorator, Artist, or Photographer)													X			
Studio (Health or Exercise)													X			
Tailor Shop												X	X			
Tool Rental													X	X		
R.V. Trailer or Mobile Home Sales or Rental										X			X	X	X	
Travel Agency													X			
Variety Store													X			
Veterinarian Office (No Outside Animals)													X	X		
Veterinarian Office (With Outside Animals)	X												S	X	X	
Welding or Machine Shop													S	X	X	

34.4 AUTOMOBILE AND RELATED USES

	A	R-1	R-2	R-3	SF-A	MF-1	MF-2	MB-1	MB-2	O	C-1	C-2	C-3	I-1	I-2	FP
Auto Glass, Seat Cover and Muffler Shop													X	X	X	
Auto Painting and Body Shop													X	X	X	
Auto Parts and Accessory Sales (Indoors)												X	X	X		
Auto Storage or Auto Auction														X	X	
Car Wash (Automated)													X	X	X	
Car Wash (Self-Service)												X	X	X	X	
Fuel/Service Station (Auto)										X	X	X	X	X	X	
Fuel/Service Station (Truck)											X		S	X	X	
Motorcycle Sales/Repair													X	X		
New Auto Sales (Primary Sales)											X		X	X		

34.6 RECREATIONAL AND ENTERTAINMENT USES

[illegible]

CITY OF LACY LAKEVIEW - SCHEDULE OF USES

34.7 EDUCATIONAL, INSTITUTIONAL, AND SPECIAL USES

	A	R-1	R-2	R-3	SF-A	MF-1	MF-2	MB-1	MB-2	O	C-1	C-2	C-3	I-1	I-2	FP
Art Gallery or Museum	S									X	X		X	X		
Cemetery or Mausoleum	S												S	S	S	
Church or Rectory	X	S	S	S	S	S	S	S	S	X	X	X	X	S	S	
College or University	S											S	S	S	S	
Community Center (Public)	S	S	S	S	S	S	S	S	S	S	S	X	X	S	S	
Convent or Monastery	S	S	S	S	S	S	S	S	S	S	S	X	X	S	S	
Day Nursery										X		X	X			
Fairgrounds or Exhibition Area	S												S	S	X	
Fraternal Organization, Lodge, or Union Hall											X	X	X	S	S	
Home for Aged (Residence)						X	X					X	X	S		
Hospital (Acute Care)											X		X	S	S	
Hospital (Chronic Care)											X		X	S	S	
Institution for Alcoholic, Narcotic or Psychiatric Patients													S	S	S	
Institution of Religious, Charitable or Philanthropic Nature													X			
Kindergarten or Nursery School		S	S	S		S	S	S				X	X			
School (Business)										S			X	X		
School (Public or Denominational)		X	X	X	X	X	X	X	X	X	X	X	X			
School (Trade)										S			X	X		

34.9 GENERAL MANUFACTURING AND INDUSTRIAL USES

[illegible]

34.9 GENERAL MANUFACTURING AND INDUSTRIAL USES (CONTINUED)

[illegible]

34.9 GENERAL MANUFACTURING AND INDUSTRIAL USES (CONTINUED)

[illegible]

34.9 GENERAL MANUFACTURING AND INDUSTRIAL USES (CONTINUED)

[illegible]

CITY OF LACY LAKEVIEW - SCHEDULE OF USES

34.10 NATURAL RESOURCE STORAGE AND EXTRACTION

	A	R-1	R-2	R-3	SF-A	MF-1	MF-2	MH-1	MH-2	O	C-1	C-2	C-3	I-1	I-2	FP
Caliche Pit and Caliche Storage	S														S	S
Mining and Storage of Mining Materials	S															S
Oil and Gas Extraction/Collection Facilities and Storage	S													S	X	S
Sand/Gravel Extraction or Storage	S														S	S
Topsoil, Earth, Clay, or Stone Extraction or Storage	S														S	S

34.11 ACCESSORY AND INCIDENTAL USES

	A	R-1	R-1	R-3	SF-A	MF-1	MF-2	MH-1	MH-2	O	C-1	C-2	C-3	I-1	I-2	FP
Accessory Building (Residential)	X	X	X	X	X	X	X	X	X							
Accessory Building (Commercial)											X	X	X	X	X	
Accessory Building (Farm)	X															
Off-Street Parking Incidental to Main Use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tennis Court (Private)	X	S	S	S	S	S	S	S	S			S	S	S	S	X

SECTION 35 "SUP" SPECIFIC USE PERMIT

35.1 General Provisions: After proper notice and a public hearing, the City Council may grant a permit for a specific use of property as authorized by the zoning district in which the property is situated. An application for Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale 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 and 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 two hundred (200) feet. The City Council may require information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed.

35.2 Specific Use Permit Regulations:

A. In recommending that a specific use permit for the premises under consideration be granted, the City Council shall determine that such uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of street, alleys and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures and compatibility of buildings.

B. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the building inspector for use of the building on such property pursuant to such Specific Use Permit; and such conditions precedent to the granting of the certificate of occupancy.

C. 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 specific use permit, as attached to the site plan drawing (or drawings) and approved by the City Council. No public hearing is necessary for site plan approval.

D. Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule or regulation, the regulations, rules or restrictions which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this code, no land shall be used and no structure erected or maintained in violation of any state or federal pollution control or environmental protection law or regulation.

E. When the City Council authorizes granting of a Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and suffixed by the designation "SUP."

SECTION 36 OFF-STREET PARKING AND LOADING REQUIREMENTS

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.

36.1 Special Off-Street Parking Provisions - All Districts:

- A. All required parking spaces shall be located behind the required front setback line in the residential districts.
- B. Required off-street parking shall be provided on the same site as the use it is to serve.
- C. No required parking shall be allowed except on a paved concrete or asphalt parking space.

36.2 Size of Parking Spaces - All Districts:

A. Head-in Parking:

- 1. Each parking space shall measure not less than nine (9) feet by twenty (20) feet, exclusive of access drives or aisles.
- 2. Each Parking space located in a parking garage shall measure not less than nine (9) feet by eighteen (18) feet, exclusive of access drives or aisles.
- 3. Each small car parking space shall measure not less than eight and one-half (8.5) feet by sixteen (16) feet, exclusive of access drives or aisles. A maximum of twenty-five percent (25%) of the required parking may be permitted as small car parking. Signage shall identify the small car spaces.

B. Parallel Parking:

- 1. Each parking space (on-street or off-street) designed for parallel parking shall have a minimum dimension of eight (8) feet by twenty-two (22) feet.

36.3 Off-Street Loading Space - All Districts:

A. All retail, commercial, and industrial structures having three thousand (3,000) square feet or more of gross floor area shall provide and maintain off-street parking facilities for the loading and unloading of merchandise and goods at a ratio of at least one (1) space for each twenty thousand (20,000) square feet of gross floor area. A Loading space shall consist of an area of a minimum of ten (10) by twenty-five (25) feet. All drives and approaches shall provide adequate space and clearances to allow for maneuvering of trucks off-street.

B. Kindergartens, day schools, and similar child training and care establishments shall provide at least one (1) off-street loading and unloading space on a private drive to adequately accommodate students or children cared for by the establishment.

C. Loading docks and areas shall be located within the building or on the lot adjacent to a public alley or private service drive.

D. All off-street loading spaces shall be constructed of concrete paving except those listed in Section 36.3B, in which case asphalt or concrete paving may be used.

36.4 Schedule of Parking Requirements Based on Use:

In all districts there shall be provided at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements:

- A. Bank, savings and loan: one (1) space for each three hundred (300) square feet of floor area.

- B. Bowling alley: four (4) parking spaces for each alley or lane.
- C. Business or professional office, (general): one (1) space per three hundred (300) square feet of gross floor area.
- D. Church or other place of worship: one (1) parking space for each four (4) seats in the main auditorium.
- E. Commercial amusement: thirty (30) spaces plus one (1) space for each one hundred (100) square feet of floor area over two thousand (2,000) square feet.
- F. Day nursery: one and one-half (1.5) spaces per teacher.
- G. Dwelling, single family: two (2) spaces per dwelling.
- H. Dwelling, two family: two (2) spaces per dwelling.
- I. Dwelling, multi-family: one and one-half (1.5) spaces per bedroom in each standard unit, or for each efficiency unit.
- J. Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service: one (1) parking space for each four hundred (400) square feet of floor area, or a minimum of four (4) spaces.
- K. Gasoline station: minimum of four (4) spaces.
- L. High school, college or university: one (1) space per each three (3) students accommodated in the institution.
- M. Hospital: one and one-half (1.5) spaces per each bed.
- N. Hotel: one (1) parking space for each (1) sleeping room or suite, plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.
- O. Library, museum or art gallery: one (1) parking space for each three hundred (300) square feet of floor area.
- P. Lodge, or fraternal organization: one and one-fourth (1.25) spaces per two hundred (200) square feet.
- Q. Manufacturing or industrial establishment, processing or repairing: one (1) parking space for each two employees, or one (1) space for each one thousand (1,000) square feet of floor area, whichever is greater.
- R. Medical or dental office: one (1) space per three hundred (300) square feet of floor area, or a minimum of four (4) spaces.
- S. Mini-warehouse: four (4) spaces per complex plus one (1) space per five thousand (5,000) square feet of storage area.
- T. Manufactured housing (HUD Code) park: two (2) spaces for each lot, plus additional spaces as required herein for accessory uses.

U. Manufactured housing (HUD Code) subdivision: two (2) spaces per lot.

V. Mortuary or funeral home: one (1) parking space for each two (2) persons normally accommodated in service.

W. Motel: one (1) parking space for each sleeping room or suite, plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.

X. Motor-vehicle salesrooms and used car lots: one (1) parking space for each five hundred (500) square feet of sales floor for indoor uses, or one (1) parking space for each one thousand (1,000) square feet of lot area for outdoor uses.

Y. Nursing home: one (1) space per four (4) beds.

Z. Private club, country club, or golf course: one parking space for each one hundred-fifty (150) square feet of floor area or for every five (5) members, whichever is greater, or a minimum of thirty (30) spaces.

AA. Restaurant, café, or similar recreation or amusement establishment: one (1) parking space for every three (3) seats under maximum seating arrangement.

BB. Retail store or personal service establishment, except as otherwise specified herein: one (1) space per two hundred (200) square feet of gross floor areas, or a minimum of four (4) spaces.

CC. Rooming or boarding house: one (1) parking space for each sleeping room.

DD. Sanitarium, convalescent home, home for the aged, or similar institution: one (1) parking space for each six (6) beds.

EE. School, elementary or junior: one (1) parking space for each four (4) seats in the auditorium or main assembly room, and one (1) space for each classroom.

FF. Theater, auditorium (except school), sports arena, stadium or gymnasium: one (1) parking space for each three (3) seats or bench seating spaces.

GG. Warehouse, wholesale, manufacturing, and other industrial type uses: one (1) space for one thousand (1,000) square feet of gross floor area, or one (1) space per two (2) employees.

HH. Uses not listed in Section 36.4 shall provide required off-street parking according to the most similar use listed in Section 36.4 as determined by the City Council.

36.5 Rules for computing Number of Parking Spaces - All Districts: In computing the number of parking spaces required for each of the above uses the following rules shall govern:

A. "Floor Area" shall mean the gross floor area of the specific use.

B. Where fractional spaces result, the parking spaces required shall be rounded up to the nearest whole number.

C. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.

D. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

36.6 Location of Parking Spaces - All Districts: All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

A. 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 (2) or more buildings or establishments, the required spaces may be located not more than three hundred (300) feet from an institutional building served, and not more than three hundred (300) feet from any other non-residential building served.

B. Not more than fifty (50) percent of the parking spaces required for theaters, bowling alleys, cafes, or similar uses, and not more than eighty (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 below.

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 assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the City Attorney, and shall be filed with the application for a building permit.

36.7 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, or products for sale

SECTION 37 HOME OCCUPATIONS

Purpose: The purpose of this section is to permit the conduct of some home occupations within residential districts which are compatible with the neighborhoods in which they are located. Some home occupations are a permitted accessory use in a residential district and are subject to the requirements of that district in which the use is located, in addition to the following:

37.1 General Provisions:

A. Only the member of the immediate family occupying the dwelling shall be engaged in the home occupation:

B. The home occupation shall be conducted only within the enclosed area of the dwelling unit, garage, or accessory structures. No storage or display of materials, goods, supplies, or equipment related to the operation of the home occupation shall be visible outside any structure located on the premises:

C. There shall be no exterior alterations which change the character of the dwelling unit and/or exterior evidence of the home occupation other than those signs permitted in the district:

D. No use shall create smoke, glare, noise, dust, vibration, fire hazard, electrical interference or any other nuisance not normally associated with the average residential use within the district;