



**CITY OF HUTCHINS
PLANNING & ZONING COMMISSION MEETING
AGENDA**

**Monday, March 09, 2026 at 6:00 PM
City Hall - Council Chamber, 400 N. JJ Lemmon Road**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Special Called Meeting of the Planning & Zoning Commission Board to be held on Monday, March 9, 2026 at 6:00 PM at the Hutchins City Hall - Council Chambers located at 400 N JJ Lemmon Rd., Hutchins, Texas, at which time the following items will be discussed and considered.

Commission Members

Chair, Joseph Matthews
Vice Chair, Tod Davis
Secretary, Don Pressler
Commission Member, Teronika Gaines
Commission Member, Ed Williams
Alternate Member, James Spence
Alternate Member, Cornelius Caldwell

A. CALL TO ORDER

Roll Call

Invocation

Pledge of Allegiance

B. CITIZEN COMMENTS: *This agenda item provides an opportunity for citizens to address the Board on any matter that is not posted on the agenda. Anyone wishing to address the Board should complete a Citizen Comments Form and submit it to the recording secretary prior to the start of the Board meeting. There is a three (3) minute time limit for each citizen to speak. However, in accordance with the Texas Open Meetings Act, the Board cannot discuss issues raised or make any decision at this time.*

C. PRESENTATIONS

1. New Zoning Ordinance Presented by Stephen Cook with Dunaway

D. CONSENT AGENDA - *All items presented in the Consent Agenda require no deliberation by the Board. Each Board member has the opportunity of removing an item from this agenda so that it may be considered separately.*

E. PUBLIC HEARING

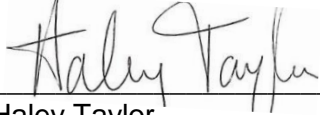
F. REGULAR AGENDA - *As authorized by Section 551.071 of the Texas Government Code, the Commission reserves the right to convene in Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.*

G. ITEMS OF COMMUNITY INTEREST

H. ADJOURNMENT

CERTIFICATION

I certify that a copy of the March 9, 2026 agenda of items to be considered by the Planning & Zoning Commission Board was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website www.cityofhutchins.org, in accordance with Chapter 551 of the Texas Government Code. Posted on February 26, 2026 before 6:00 p.m.



Haley Taylor
Staff Liaison

ACCESSIBILITY STATEMENT

The meeting location is wheelchair accessible from the front door. Request for special services must be received at least 48 hours in advance of scheduled meeting. For assistance, please call the office of the City Secretary at 972-225-6121 or email the City Secretary at colquin@cityofhutchins.org



STAFF REPORT

MEETING DATE: March 9, 2026

MEETING TYPE: Planning & Zoning

SUBMITTED BY: Blake Moore

AGENDA CAPTION: Presentation by Stephen Cook with Dunaway

Presented by: Chief Building Official Blake Moore

Background Information

Stephen Cook with Dunaway has been working on revising our Zoning Ordinance and will be presenting to P&Z the rough draft to be approved for adopting.

Budget Implications

Operational Impact

Legal Review

Staff Recommendation

Supporting Documentation and Attachments

CITY OF HUTCHINS, TEXAS

DRAFT ZONING ORDINANCE

Ordinance No. _____

Repealing Ordinance No. _____

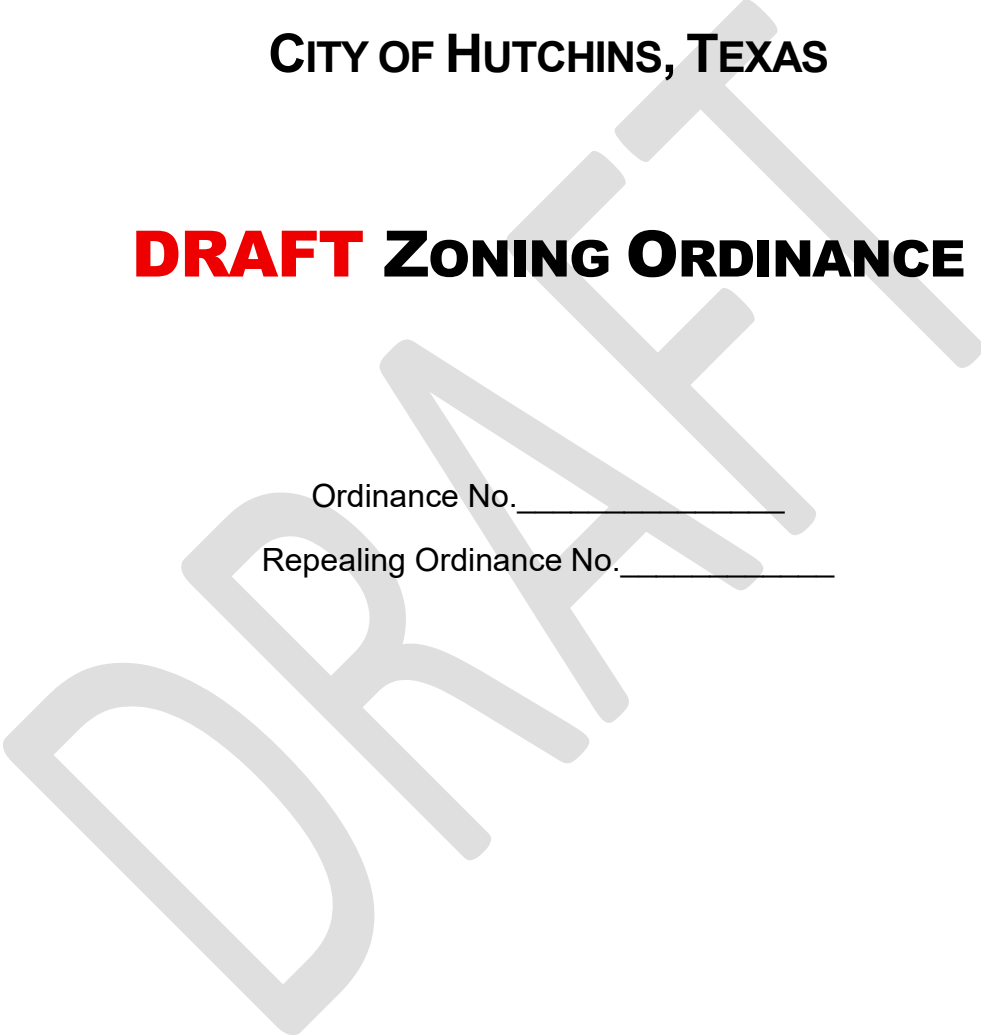


TABLE OF CONTENTS

Division I: Enacting Provisions	4
Section 14A.01.001. Enacting Clause	4
Section 14A.01.002. Title and Purpose	4
Section 14A.01.003. Zoning District Map	4
Section 14A.01.004. Zoning District Boundaries	5
Section 14A.01.005. Compliance Required and Application of Regulations	5
Section 14A.01.006. Zoning Upon Annexation	6
Division II: Administration	7
Section 14A.01.007. Planning and Zoning Commission	7
Section 14A.01.008. City Council	9
Section 14A.01.009. Zoning Board of Adjustments (ZBA)	9
Section 14A.01.010. Nonconforming Uses and Structures	15
Section 14A.01.011. Changes and Amendments to Zoning Ordinance and Districts, and Administrative Procedures	19
Section 14A.01.012. Certificates of Occupancy and Compliance	24
Section 14A.01.013. Site Plan Review	25
Division III: Use Regulations	31
Section 14A.01.014. SUP – Specific Use Permits	31
Section 14A.01.015. Use Regulations	34
Section 14A.01.016. Permitted Use Tables (Use Table 32.2-32.12)	36
Division IV: Permitted Uses	47
Section 14A.01.017. Performance Standards	47
Section 14A.01.018. Accessory Structure and Accessory Dwelling	49
Section 14A.01.019. Home Occupation Regulations	53
Section 14A.01.020. Short-Term Rentals	57
Section 14A.01.021. Commercial Truck Parking Lots	61
Section 14A.01.022. Open Storage Areas	61
Division V: Zoning Districts	62
Section 14A.01.023. Zoning Districts Established	62
Section 14A.01.024. A – Agriculture District	63
Section 14A.01.025. SF-10 – Single-Family Residential-10 District	66
Section 14A.01.026. SF-8.5 – Single-Family Residential-8.5 District	68
Section 14A.01.027. SF-7 – Single-Family Residential-7 District	70
Section 14A.01.028. SF- 6 – Single-Family Residential – 6 District	72
Section 14A.01.029. D–Two-Family Residential (Duplex) District	74
Section 14A.01.030. SFA – Single-Family Attached Residential District (Townhouse)	76
Section 14A.01.031. MF Multifamily Residential District (Apartments)	79
Section 14A.01.032. MH – Manufactured Home District	82
Section 14A.01.033. O – Office District	87

Section 14A.01.034. R – Retail District 89

Section 14A.01.035. C-1 – Commercial-1 District 91

Section 14A.01.036. HC Highway Commercial District 93

Section 14A.01.037. LI – Light Industrial District 96

Section 14A.01.038. HI – Heavy Industrial District 98

Section 14A.01.039. PD – Planned Development District 100

Division VI: Development Standards104

Section 14A.01.040. Off-Street Parking and Loading Requirements 104

Section 14A.01.041. Landscaping, Tree Preservation, and Fencing and Screening 119

Section 14A.01.042. Single-Family Residential Architectural Standards 131

Section 14A.01.043. Supplemental Regulations 133

Section 14A.01.044. Lighting and Glare Standards 138

Division VII: Penalties and Nonconformities140

Section 14A.01.045. Effect of Interpretation 140

Section 14A.01.046. Preserving Rights in Pending Litigation and Violations Under Existing Ordinances 140

Section 14A.01.047. Penalty for Violations 140

Section 14A.01.048. Validity 140

Division VIII: DEFINITIONS141

Section 14A.01.049. Permitted Use and General Defintions 141

Division IX: Summary of Zoning District Regulations and Illustrations182

Section 14A.01.050. Table and Illustrations 182

Division I: Enacting Provisions

SECTION 14A.01.001. ENACTING CLAUSE.

THIS ORDINANCE IS HEREBY ADOPTED AS THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF HUTCHINS, TEXAS. THE PREVIOUS ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 100 (CHAPTER 12 OF THE CODE OF ORDINANCES), ADOPTED ON THE 22ND DAY OF APRIL, 1965, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREBY AMENDED, REPEALED AND REPLACED IN ITS ENTIRETY BY THIS ORDINANCE TO READ AS FOLLOWS:

SECTION 14A.01.002. TITLE AND PURPOSE.

This Ordinance shall be known and may be cited as the City of Hutchins “Comprehensive Zoning Ordinance” or “Zoning Ordinance”.

As authorized by Chapter 211 of the Texas Local Government Code, the zoning regulations and districts as herein established have been made in accordance with an adopted comprehensive plan for the purpose of promoting the public health, safety, morals and general welfare, and protecting and preserving places and areas of historical, cultural and/or architectural importance and significance within the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the overcrowding of land and thus avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of each zoning 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 14A.01.003. ZONING DISTRICT MAP.

The City is hereby divided into zones, or districts, and the boundaries of zoning districts set out herein are delineated upon the Zoning District Map of the City, which may also be cited as the “Zoning Map”, said map being adopted as a part of this Ordinance as fully as if the same were set forth herein in detail.

- (a) One original of the Zoning District Map shall be filed in the office of the City Secretary and labeled as “Zoning Map of the City of Hutchins, Texas – Ordinance No. 782”. This copy shall be the original Zoning District Map and shall bear the signature of the Mayor, attested by the City Secretary, and shall bear the seal of the City under the following words: “This is to certify that this is the original Zoning Map referred to in Section 3 of the Zoning Ordinance, Ordinance No. 782 of the City of Hutchins, Texas, adopted on the 16th day of February, 2004”. This copy shall not be changed in any manner. In case of any question, this copy, together with amending ordinances, shall be controlling.
- (b) A copy of the official Zoning District Map shall be placed in the office of the City Administrator, or his/her designee. The map copy shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments. Reproductions for informational purposes may be made of the official Zoning District Map.
- (c) Any changes/amendments made to the zoning district boundaries shall be made on the map copy promptly after the amendment has been approved by the City Council, together with a descriptive

entry on the map that includes the ordinance number and adoption date of each subsequent ordinance amending the zoning on a parcel of land.

SECTION 14A.01.004. ZONING DISTRICT BOUNDARIES.

- (a) The zoning 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 Zoning District Map, the following rules shall apply:
 - (1) Boundaries indicated as approximately following the centerline of streets, highways or alleys shall be construed to follow such centerline.
 - (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - (3) Boundaries indicated as approximately following City limits shall be construed as following City limits.
 - (4) Boundaries indicated as following railroad lines shall be construed to be midway between the right-of-way lines.
 - (5) Boundaries indicated as following the centerline of creeks, streams or drainageways shall be construed to follow such centerline, and in the event of change in the centerline shall be construed to move with such centerline.
 - (6) Boundaries indicated as parallel to or extensions of features indicated with Subsections 4.a.1 through 4.a.5 above shall be so construed. Distances not specifically indicated on the Zoning District Map shall be determined by the scale of the Map.
 - (7) Whenever any street, alley or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or public way and all areas so involved shall then and henceforth be subject to all regulations of the extended districts.
 - (8) The zoning classification applied to a tract of land adjacent to a street shall extend to the centerline of the street unless, as a condition of zoning approval, it is stated that the zoning classification shall not apply to the street.
 - (9) Where physical features on the ground are at variance with information shown on the Zoning District Map, or if there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Subsections 4.a.1 through 4.a.8, the property shall be considered classified as "A" (Agriculture district).

SECTION 14A.01.005. COMPLIANCE REQUIRED AND APPLICATION OF REGULATIONS.

- (a) All land, buildings, structures or appurtenances thereon located within the City of Hutchins, Texas which are hereafter occupied, used, constructed, erected, removed, placed, demolished, and/or converted shall be occupied, used, erected, altered, removed, placed, demolished and/or converted in conformance with the zoning regulations prescribed for the zoning district in which

such land or building is located, as hereinafter provided, or such shall be subject to penalties as per Section 47 of this Ordinance.

- (b) No lot upon which a building has been erected shall later be so reduced in area that the setbacks, yards and/or open spaces shall be smaller than those required by this Ordinance, nor shall a part of a yard or other open space required by this Ordinance for any building/lot be included as a part of a yard or other open space similarly required for another building/lot.
- (c) No building shall hereafter be erected or altered:
 - (1) That is not in conformance with these zoning regulations;
 - (2) To accommodate or house a greater number of families than is specified within this Ordinance for the zoning district in which such building is located; or
 - (3) On property that is not properly platted in accordance with the City's Subdivision Ordinance.
- (d) Temporary storage of any structure not designed to be transportable shall be prohibited.

SECTION 14A.01.006. ZONING UPON ANNEXATION.

- (a) Any newly annexed territory shall automatically be zoned Agricultural ("A"), and such zoning classification shall run with the land until such a time that the City Council approves and adopts an amending ordinance that changes the zoning of the property to some other permanent zoning classification.
- (b) The City Council may, upon its own motion and at any time following annexation, initiate proceedings to zone newly annexed territory with a more permanent zoning classification (e.g., for single-family, multifamily, retail, etc.) other than the Agricultural ("A") zoning designation upon a determination that such zoning is in conformance with the City's adopted Comprehensive Plan, is the most appropriate zoning classification for the subject property, is in the best interest of the City of Hutchins, and is not detrimental to adjacent property or to the public health, safety and welfare. Said proceedings to establish permanent zoning may be undertaken concurrently with annexation procedures (i.e., notified at the same time, public hearings scheduled at the same time as annexation, etc.), however zoning approval and formal adoption of the ordinance establishing permanent zoning must occur after annexation approval/adoption has occurred and as a separate and distinct City Council action.
- (c) The zoning of a land parcel, whether it is by initiation of the landowner or by initiation of the City, must meet the requirements for notification and public hearings as set forth in Section 11 of this Ordinance and all other applicable State laws.
- (d) The owner of land to be annexed may submit an application for zoning the property simultaneously with submission of the petition for annexation, but no such annexation petition may be made conditioned upon the approval of any particular zoning classification.

Division II: Administration

SECTION 14A.01.007. PLANNING AND ZONING COMMISSION.

- (a) **General.** The Planning and Zoning Commission (also referred to as the “Commission”) shall function according to the following criteria which establishes membership and operating procedures. The powers and duties of the Planning and Zoning Commission are further defined in Section 11 of this Ordinance and in the Code of Ordinances of the City of Hutchins.
- (b) **Created; membership; officers; rules & by laws.**
- (1) There is created, in accordance with Chapter 211 of the Texas Local Government Code, and established by Ordinance No. 782 of the City of Hutchins, the “Planning and Zoning Commission”, hereafter [hereinafter] sometimes referred to as the “Commission”, which shall consist of five (5) full members and two (2) alternates who are resident citizens, taxpayers and qualified voters of the City of Hutchins.
 - (2) Members shall be nominated for appointment by the Mayor or by a member of the City Council of the City of Hutchins, and each person so nominated must be approved by a simple majority vote of the City Council before becoming a member of the Commission.
 - (3) All appointments to the Commission shall be for terms of two (2) years, and expiration of terms shall be staggered so that an overlapping of terms occurs (for example, within any two-year period, the terms of two full members shall expire during one of those years, and the terms of three full members shall expire during the second year). Terms of office of Commission members shall expire on the first (1st) day of July of any given year.
 - (4) Any vacancy(s) on the Commission shall be filled for the unexpired term(s) via appointment by a simple majority vote of the City Council for the remainder of the term(s).
 - (5) Members of the Planning and Zoning Commission may be removed from office at any time by a simple majority vote of the full City Council either upon its own motion or upon recommendation of the Planning and Zoning Commission. Failure to attend three (3) consecutive scheduled meetings shall be deemed as neglect and cause for removal from office, unless such absences were due to unusual circumstances beyond the member’s control such as sickness of the member or someone within the member’s immediate family.
 - (6) The members of the Commission shall regularly attend meetings and public hearings of the Commission, shall serve without compensation, and shall not hold any other office or position with the City while serving on the Commission.
 - (7) The Commission shall elect a Chairperson, a Vice-Chairperson, and a Secretary from among its membership, and each officer shall hold office for one (1) year or until replaced by a simple majority vote of the full Commission. The Secretary shall keep minutes of all meetings held by the Planning and Zoning Commission, as well as the full record of all recommendations made by the Commission to the City Council.
 - (8) The Commission may make rules, regulations and bylaws for its own government, which shall conform as nearly as possible with those governing the City Council. The rules, regulations and bylaws of the Commission shall be subject to approval by City Council. Such rules and bylaws shall include, among other items, provisions for:
 - (i) Regular and special meetings, open to the public;

- (ii) A record of its proceedings, to be open for inspection by the public;
- (iii) Reporting to the governing body and the public, from time to time and annually; and
- (iv) The holding of public hearings on its recommendations.

(c) Parliamentary procedure; quorum; voting.

- (1) The Commission will follow the parliamentary procedure adopted by City Council for all boards and commissions, and procedures shall not be in conflict with the laws applicable to the Commission on the following:
 - (i) Quorum. A quorum shall consist of a majority of the membership of the Commission (i.e., four members), and any issue to be voted upon shall be resolved by a majority of those members present.
 - (ii) Voting. All Commission members, including the presiding Chairperson, shall be entitled to one vote each upon any question, a quorum being present.
 - (iii) Conflict of Interest. If any member has a conflict of interest regarding any item on the Commission's agenda, he/she shall remove himself/herself from the room and shall refrain from voting only on the item for which a conflict exists.

(d) Meetings; public record.

- (1) The Planning and Zoning Commission shall meet in the Council Chamber in City Hall or in some other specified location as may be designated by the presiding Chairperson, and at such intervals as may be necessary to orderly and properly transact the business of the Commission but not less than once each month.
- (2) Meetings shall be open to the public, and minutes shall be kept and shall be treated as public record.

(e) Establishing extraterritorial jurisdiction.

- (1) Statutes of the State of Texas authorizing and empowering cities to regulate the platting and recording of subdivisions or additions within the City's corporate limits and establishing extraterritorial jurisdiction are hereby adopted, and the Commission, acting through its duly authorized officials, shall have all the rights, powers, privileges and authority authorized and granted by and through said statutes pertaining to regulation of subdivisions and extraterritorial powers.

(f) Powers and duties.

- (1) The Commission shall have all the rights, powers, privileges and authority authorized and granted by and through the Statutes of the State of Texas authorizing and granting cities the power of zoning as found in Chapter 211 of the Texas Local Government Code, as amended.
- (2) In general, the Planning and Zoning Commission shall be an advisory body and adjunct to the City Council, and shall make recommendations regarding amendments to the Comprehensive Plan, changes of zoning, and zoning to be given to newly annexed areas, and shall make recommendations regarding the approval of subdivision plats and other planning related matters. The Planning and Zoning Commission shall conduct an annual review of the City's Comprehensive Plan and shall be prepared to make recommendations to the City Council as deemed necessary to keep the City's Comprehensive Plan current

with changing conditions and trends and with the planning needs of the City. The Planning and Zoning Commission shall also serve in an advisory capacity on any planning related item(s) in the City.

- (3) The Planning and Zoning Commission shall be the authority that gives final approval for site plans (see Subsection 13.a.1). Denial of a site plan by the Commission may be appealed to the City Council (see Subsection 13.a.2.).

(g) Procedure on zoning hearings.

- (1) The procedure and process for zoning changes/amendments shall be in accordance with Section 11 of this Ordinance.

(h) Joint meetings with City Council.

- (1) Whenever the City Council and the Planning and Zoning Commission are required by the laws of the State of Texas to conduct public hearings in matters pertaining to planning, zoning and/ or subdividing property, and at other times when it is in the best interest of the City to do so, the City Council and the Planning and Zoning Commission are hereby authorized, after published notice as required by law, to hold joint meetings and to conduct joint public hearings, provided that the City Council shall not take action on any matter heard until it has received the recommendation of the Planning and Zoning Commission.

SECTION 14A.01.008. CITY COUNCIL

(a) Powers and Duties

- (1) In addition to any authority granted to the City Council by state law, or other City Ordinance, the City Council may:
 - (i) Adopt, make modifications to, and implement the comprehensive plan and supporting studies;
 - (ii) Amend, supplement, or change the regulations established in this Ordinance;
 - (iii) Amend, supplement, or change the zoning district boundaries;
 - (iv) Annex land into the corporate limits of the City according to Texas Local Government Code Chapter 43, as amended.
 - (v) Establish fees for processing development applications, zoning verification letters, zoning maps, or other applications required by this Article.
 - (vi) Grant, deny, or impose conditions for a Conditional Use Permit consistent with the purposes stated in **Section 3**. Appoint and remove members of the Planning and Zoning Commission, and Zoning Board of Adjustment.

SECTION 14A.01.009. ZONING BOARD OF ADJUSTMENTS (ZBA).

(a) Creation.

- (1) There is hereby created a Zoning Board of Adjustments (Zoning Board of Adjustments), hereafter [hereinafter] referred to as the “Board”, for the purpose, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of this Ordinance that are consistent with the general purpose and intent of this Ordinance.

The Board shall be composed of members who are resident citizens, taxpayers and qualified voters of the City of Hutchins.

(b) Members; terms of office.

- (1) The Zoning Board of Adjustment shall consist of seven (7) regular members with two (2) alternate members, who shall be appointed by a simple majority vote of the City Council, in accordance with Sections 211.008 through 211.011 of the Texas Local Government Code, as amended.
- (2) The City Council may provide for the appointment of alternate members to serve in the absence of regular Board members, as requested by the City Administrator.
- (3) Regular Board members shall serve for terms of two (2) years, and expiration of terms shall be staggered so that an overlapping of terms occurs (for example, in any two-year period, the terms of two regular members shall expire during one of those years, and the terms of three regular members shall expire during the second year).
- (4) Any vacancy(s) on the Board shall be filled for the unexpired term(s) via appointment by a simple majority vote of the City Council for the remainder of the term(s).
- (5) Members of the Board may be removed from office for cause, and after a public hearing, by a simple majority vote of the full City Council. Failure to attend three (3) consecutive scheduled meetings shall be deemed as neglect and cause for removal from office, unless such absences were due to unusual circumstances beyond the member's control such as sickness of the member or someone within the member's immediate family.
- (6) The members of the Board (and alternate members, as needed) shall regularly attend meetings and public hearings of the Board, shall serve without compensation, and shall not hold any other office or position with the City while serving on the Board.
- (7) The Board shall elect a Chairperson and a Vice-Chairperson from among its membership, and each officer shall hold office for one (1) year or until replaced by a simple majority vote of the full Board. The City Administrator's designee shall serve as Secretary to the Zoning Board of Adjustments, and shall keep minutes of all meetings held by the Board.
- (8) The Board may establish rules, regulations and bylaws for its own government, which shall conform as nearly as possible with those governing the City Council. The rules, regulations and bylaws of the Zoning Board of Adjustments shall be subject to approval by City Council.

(c) Meetings.

- (1) Meetings of the Zoning Board of Adjustments shall be held at the call of the Chairperson and at such other times as the Board may determine. All meetings of the Board shall be open to the public. Five (5) members of the Board shall constitute a quorum for the conduct of business. All cases to be heard by the Board shall always be heard by at least seventy-five percent (75%) of the members, which constitutes five (5) members.

(d) Authority of board. The Zoning Board of Adjustments shall have the authority, subject to the standards established in Sections 211.008 through 211.011 of the Texas Local Government Code and those established herein, to exercise powers and to perform duties including the following:

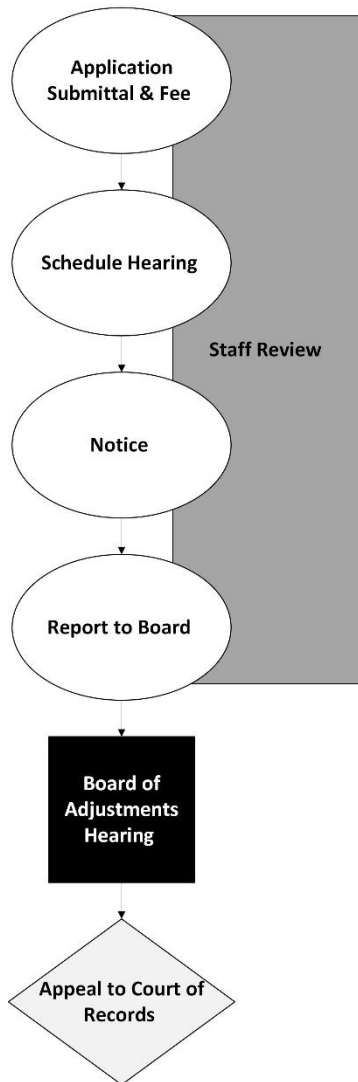
- (1) Hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this Ordinance; and

- (2) Authorize, in specific cases, a variance (see Subsection 3 below) from the terms of this Ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship, and so that the spirit of this Ordinance is observed and substantial justice is done.
- (3) In exercising its authority under Subsection 1 above, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision or determination from which an appeal is taken and make the correct order, requirement, decision or determination, and for that purpose the Board has the same authority as the administrative official.
- (4) The concurring vote of at least seventy-five percent (75%), or five (5) members, of the full Board is necessary to:
 - (i) Reverse an order, requirement, decision or determination of an administrative official;
 - (ii) Decide in favor of an applicant on a matter on which the Board is required to review under this Zoning Ordinance;
 - (iii) Authorize a variance from the terms of this Zoning Ordinance; or
 - (iv) Authorize special exceptions to this Zoning Ordinance.

(e) Limitations on authority of board.

- (1) The Board may not grant a variance authorizing a use other than those permitted in the district for which the variance is sought, except as provided in Section 9.h
- (2) The Board shall have no power to grant or modify Specific Use Permits authorized under Sections 14 and 15 of these regulations.
- (3) The Board shall have no power to grant a zoning amendment. In the event that a request for a zoning amendment is pending before the Planning and Zoning Commission or the City Council, the Board shall neither hear nor grant any variances with respect to the subject property until final disposition of the zoning amendment.
- (4) The Board shall not grant a variance for any parcel of property or portion thereof upon which a site plan, preliminary plat or final plat, where required, is pending on the agenda of the Planning and Zoning Commission and, where applicable, by the City Council. All administrative remedies available to the applicant shall have been exhausted prior to hearing by the Zoning Board of Adjustments.

(f) Variances.



The Zoning Board of Adjustments may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Board shall prescribe only conditions that it deems necessary for, or desirable to, the public interest. In making the findings hereinbelow required, the Board shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work within the proposed use, and the probable effect such variance will have upon traffic conditions and upon the public health, safety, convenience and welfare of the community.

(1) **Conditions Required for Variance.** No variance shall be granted without first having given public notice and having held a public hearing on the variance request in accordance with **Subsection 9.h** of this Ordinance and unless the Zoning Board of Adjustments finds:

- (i) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his/her land; and
- (ii) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (iii) That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and
- (iv) That the granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Ordinance.

Such findings of the Zoning Board of Adjustments, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Board meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety and welfare may be secured and that substantial justice may be done.

(2) **Findings of Undue Hardship.** In order to grant a variance, the Board must make findings that an undue hardship exists, using the following criteria:

- (i) That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and
- (ii) That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
- (iii) That the relief sought will not injure the permitted use of adjacent conforming property; and
- (iv) That the granting of a variance will be in harmony with the spirit and purpose of these regulations.

- (3) A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely upon economic gain or loss, nor shall it permit any person the privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in the particular zoning district.
- (4) The applicant bears the burden of proof in establishing the facts that may justify a variance or a special exception.
- (5) *Special Exceptions for Nonconforming Uses and Structures.* Upon written request of the property owner, the Zoning Board of Adjustments may grant special exceptions to the provisions of this Ordinance, limited to the following, and in accordance with the following standards:
 - (i) Expansion of a nonconforming use within an existing structure a maximum of ten percent (10%) provided that, in the case of a nonconforming residential use, such expansion does not increase the number of dwelling units to more than the number that was existing when the use first became nonconforming; or
 - (ii) Relocation of a nonconforming structure to another site or location on the same lot/tract, pursuant to **Subsection 10.g.**; or
 - (iii) Expansion of the gross floor area of a nonconforming structure a maximum of ten percent (10%) over its original size.
 - (iv) Change from one nonconforming use to another, re-construction of a nonconforming structure that has been totally destroyed, or resumption of a nonconforming use previously abandoned, only upon a finding that the failure to grant the special exception deprives the property owner of substantially all use or economic value of the land.
 - (v) In granting special exceptions under this Section, the Zoning Board of Adjustments may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including, but not limited to, conditions specifying the period during which the nonconforming use may continue to operate or exist before being conformed to the standards of the Zoning Ordinance.
 - (vi) For existing single-family and duplex structures that were constructed prior to the effective date of this Ordinance, the Zoning Board of Adjustments may authorize a special exception for any structure that was constructed over a setback line established by this Ordinance.
- (6) The Zoning Board of Adjustments may authorize the reconstruction and occupancy of a nonconforming structure, or a structure containing a nonconforming use, where such structure has been damaged by fire or other causes to the extent of more than sixty percent (60%), but less than the total, of the replacement cost of the structure as of the date of the damage. Such action by the Zoning Board of Adjustments shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.
- (7) The Zoning Board of Adjustments may authorize the enlargement, expansion or repair of a nonconforming structure if such enlargement, expansion or repair will improve the

condition of the structure, if it will bring the structure closer into compliance with this Ordinance, or if it will otherwise improve or enhance public health, safety or welfare.

(g) Appeals to the zoning board of adjustments.

- (1) *Authority.* In addition to the authorization of variances from the terms of this Ordinance, the Zoning Board of Adjustments shall have the authority to hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this Ordinance. The Zoning Board of Adjustments may reverse or affirm, in whole or in part, or may modify the administrative official's order, requirement, decision or determination from which an appeal is taken and make the correct order, requirement, decision or determination, and for that purpose, the Zoning Board of Adjustments has the same authority as the administrative official. The Zoning Board of Adjustments may also hear and decide other matters authorized by the Subdivision Ordinance and other ordinances regarding land use/development regulations.
- (2) *Who May Appeal.* Any of the following persons may appeal to the Zoning Board of Adjustments a decision made by an administrative official:
 - (i) A person who is aggrieved by the decision; or
 - (ii) Any officer, department, board or office of the municipality affected by the decision.
- (3) *Procedure for Appeal.* The appellant must file with the Zoning Board of Adjustments and the official from whom the appeal is taken a written notice of appeal specifying the grounds for the appeal. The appeal must be filed within fifteen (15) calendar days after the decision has been rendered. Upon receiving the notice, the official from whom the appeal is taken shall immediately transmit to the Zoning Board of Adjustments all papers constituting the record of action that is appealed. An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the Zoning Board of Adjustments facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the Zoning Board of Adjustments or a court of record on application, after notice to the official, if due cause is shown. The appellant party may appear at the appeal hearing in person or by agent or attorney. The Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision or determination from which an appeal is taken, and may make the correct order, requirement, decision or determination.

(h) Procedures.

- (1) *Application and Fee.* An application for a variance by the Zoning Board of Adjustments shall be made in writing using forms prescribed by the Board, and shall be accompanied by an application fee (See City Fee Schedule), a site plan and/or additional information as may be requested in order to properly review the application. Such information may include, but is not limited to, plat plans, site building plans, photographs, topographic contour maps, and/or other similar documents.
- (2) *Review and Report by the City.* The City Administrator, or his/her designee, shall visit the site where the proposed variance will apply and the surrounding area, and shall report his/her findings to the Zoning Board of Adjustments.
- (3) *Notice and Public Hearing.* The Zoning Board of Adjustments shall hold a public hearing for consideration of the variance request no later than forty-five (45) days after the date the

application for action, or an appeal, is filed. Notice of the public hearing shall be provided to all property owners within two hundred feet (200') of the affected property at least ten (10) days prior to the public hearing, and also published in the official local newspaper at least ten (10) days prior to the public hearing.

- (4) *Action by the Zoning Board of Adjustments.* The Zoning Board of Adjustments shall not grant a variance unless it finds, based upon compelling evidence, that each of the conditions in Subsection 9.f has been established. The Zoning Board of Adjustments may impose such conditions, limitations and safeguards as it deems appropriate upon the granting of any variance. Violation of any such condition, limitation or safeguard shall constitute a violation of this Ordinance.

(i) **Judicial review.**

- (1) All decisions of the Zoning Board of Adjustments are final and binding. However, any person aggrieved by a decision of the Zoning Board of Adjustments may present a verified petition to a court of record which states that the decision of the Board is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition must be presented within ten (10) days after the date the decision is filed in the City Secretary's office. Subject to the provisions of Chapter 211.011 of the Texas Local Government Code, only a court of record may reverse, affirm or modify a decision of the Zoning Board of Adjustments.

SECTION 14A.01.010. NONCONFORMING USES AND STRUCTURES.

(a) **Intent of provisions.**

- (1) Within the districts established by this Ordinance or amendments thereto, there may exist lots, structures, uses of land and structures, and characteristics of use which were lawfully in existence and operating before this Ordinance was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which they are located. It is the intent of this Ordinance to permit such nonconforming uses to continue, as long as the conditions within this Section and other applicable sections of the Ordinance are met.
- (2) It is further the intent of this Ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, and shall not be used as a basis for adding other structures or uses prohibited elsewhere in the same district.
- (3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

(b) **Nonconforming status.** Any use, platted lot, or structure which does not conform with the regulations of the zoning district in which it is located shall be deemed a nonconforming use, platted lot, or structure when:

- (1) Such use, platted lot, or structure was in existence and lawfully operating as of the effective date of this Ordinance, and has since been in regular and continuous use; or
- (2) Such use, platted lot, or structure was in existence and lawfully operating as of the effective date of any amendment to this Ordinance, but by such amendment is placed in a district wherein such use, platted lot, or structure is no longer permitted, and has since been in regular and continuous use; or

- (3) Such use, platted lot, or structure was in existence and lawfully operating at the time of annexation into the City and has since been in regular and continuous use.

(c) **Continuing lawful use of property and existence of structures.**

- (1) The lawful use of land or lawful existence of structures as of the effective date of this Ordinance, although such do not conform to the provisions hereof, may be continued; but if said nonconforming use or structure is discontinued or abandoned, as these terms are defined in Subsection 2 below, any future use of said premises shall be in conformity with the provisions of this Ordinance.
- (2) "Discontinuance" of a nonconforming use shall be defined as the actual act or date that the use is discontinued (i.e., ceases to operate on the subject property). "Abandonment" of a nonconforming use or structure shall be defined as the actual act or date of abandonment as described in Subsection 3 below.
- (3) When a nonconforming use or structure which does not meet the development standards in this Ordinance ceases to be used in such manner as stated in Subsection 2 above for a time period of six (6) months or longer, such use shall not be resumed and proof of such event shall constitute prima facie evidence of an act of abandonment, except as allowed in Subsection 10.e. Any nonconforming use which does not involve a permanent type of structure or operation and which is moved from the premises shall be considered to have been abandoned.
- (4) No nonconforming use or structure may be expanded, re-occupied with another nonconforming use, or increased following the effective date of this Ordinance except as provided in Subsection 10.e.5.
- (5) Conforming single-family residential uses on platted lots which were approved prior to the effective date of this Ordinance, which may now be nonconforming due to stricter standards, shall be deemed in conformance with this Ordinance as long as the use of the lot is allowed in the respective district. Only the lot size, depth, setbacks and width shall be allowed to be less than the regulations prescribed in the zoning district in which it is located. All other regulations of this Ordinance shall be met or the lot shall be considered nonconforming.
- (6) Any existing vacant lot platted prior to the effective date of this Ordinance, which was legally conforming, shall be deemed a conforming lot.

(d) **Changing nonconforming uses.**

- (1) Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not be changed back to a nonconforming use.
- (2) Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by the process outlined in Subsection 10.e below.
- (3) A nonconforming use may not be changed to another nonconforming use.

(e) **Expansion of nonconforming uses and buildings.** An expansion of a nonconforming use or structure is allowed in accordance with the following:

- (1) A nonconforming use located within a building may be extended throughout the existing building, provided that;

- (i) No structural alteration (except as provided in Subsection 5 below) may be made on or in the building except those required by law to preserve such building in a safe and structurally sound condition.
 - (ii) The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing at the time said use became a nonconforming use.
 - (2) No nonconforming use within a building may be extended to occupy any land outside the building.
 - (3) No nonconforming use of land or building shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the land became a nonconforming use, except to provide off-street loading or off-street parking space.
 - (4) The minimum residential lot areas for the various zoning districts shall be in accordance with their respective districts, except that a lot having less area than herein required which was an official "lot of record" prior to the effective date of this Ordinance, may be used for a single-family dwelling.
 - (5) Buildings or structures which do not conform to the area regulations or development standards in this Ordinance, but where the uses are deemed conforming, shall not increase the gross floor area by more than ten percent (10%).
 - (6) Buildings or structures which have been vacant or abandoned for more than six (6) months and do not meet the current area regulations or development standards shall be allowed to be reoccupied by a conforming use if Subsection 5 above is followed.
- (f) Restoration of nonconforming structure.**
- (1) If a structure occupied by a nonconforming use is destroyed by fire, the elements, or some other cause, it may not be rebuilt except to conform to the provisions of this Ordinance. In the case of partial destruction of a nonconforming structure which does not exceed fifty percent (50%) of its total appraised value as determined by the Dallas County Central Appraisal District, reconstruction will be permitted, but the previously existing square footage of the structure and/ or the function of the nonconforming use cannot be expanded.
- (g) Relocation of nonconforming structure.**
- (1) A nonconforming structure can be relocated (i.e., moved) to another site (i.e., location) on the same lot/tract upon which it was previously located, subject to submission of a structure relocation plan to the Building Official (or his/her designee) for review and approval, and subject to compliance with all setback regulations for the zoning district in which the structure is located. If said setback regulations of the zoning district cannot be reasonably adhered to, then the Zoning Board of Adjustments may authorize a variance or special exception (see Section 9 of this Ordinance) to the required setbacks upon a finding that such action would be in the public interest and would not be detrimental or hazardous to the health, safety, welfare or convenience of nearby property owners or other citizens.
 - (2) Should a nonconforming structure be relocated (i.e., moved) from its original site to a different lot/tract, it shall thereafter conform to the regulations (e.g., setbacks, height, square footage, construction materials, etc.) for the zoning district into which it is moved.
- (h) Completion of structures.**

- (1) Nothing herein contained shall require any change in the plans, construction or designated use of the following:
 - (i) A building or structure for which a building permit has been issued or a site plan approved prior to the effective date of this Ordinance; or
 - (ii) A building or structure for which a substantially complete application for a building permit was accepted by the Building Official (or his/her designee) on or before the effective date of this Ordinance provided, however, that such building permit shall comply with all applicable ordinances of the City of Hutchins in effect on the date such application was filed and the building permit is issued within thirty (30) days of the effective date of this Ordinance.

SECTION 14A.01.011. CHANGES AND AMENDMENTS TO ZONING ORDINANCE AND DISTRICTS, AND ADMINISTRATIVE PROCEDURES.

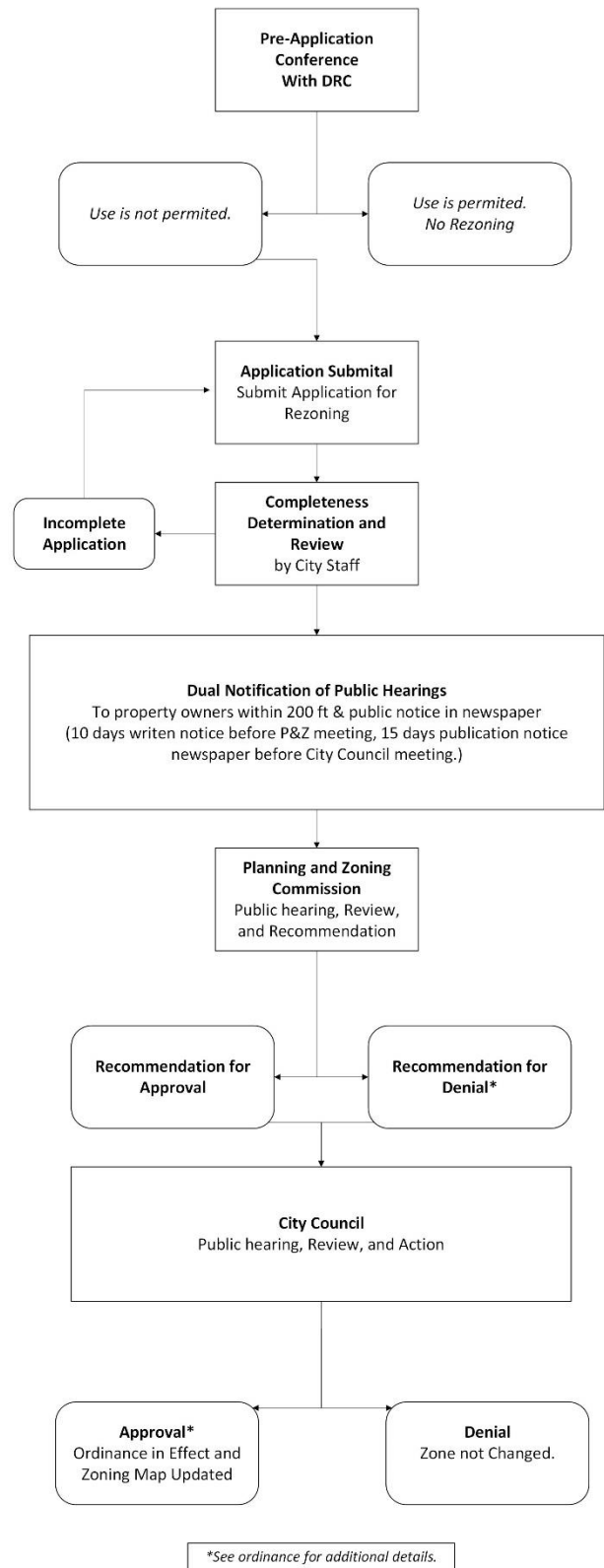
(a) Declaration of policy and review criteria.

(1) The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

- (i) To correct any error in the regulations or map;
- (ii) To recognize changed or changing conditions or circumstances in a particular locality;
- (iii) To recognize changes in technology, the style of living, or manner of conducting business;
- (iv) To change the property to uses in accordance with the approved Comprehensive Plan; or
- (v) To implement policies within the Comprehensive Plan.

(2) In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

- (i) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole;
- (ii) Whether the proposed change is in accord with any existing or proposed plans for providing



public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings;

- (iii) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development;
- (iv) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
- (v) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved; and
- (vi) Any other factors which will substantially affect the public health, safety, morals, or general welfare.

(b) Authority to amend ordinance.

- (1) The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning District Map. Any Ordinance regulations or zoning district boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property.
 - (2) Consideration for a change in any district boundary line or special zoning regulation may be initiated only by the property owner or his/her authorized agent (proof of such authorization must be submitted with the zoning application, per Subsection 11.c), or by the Planning and Zoning Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown in City records are different, the applicant shall submit proof of ownership and/or verification that he/she is acting as an authorized agent for the property owner.
 - (3) No person who owes delinquent taxes, delinquent paving assessments, impact fees, or any other delinquent debts or obligations to the City of Hutchins, and which are directly attributable to a piece of property requested for zoning shall be allowed to submit a zoning request until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence/proof that the taxes have been paid.
- (c) **Application.** Each application for zoning or for an amendment or change to the existing provisions of this Zoning Ordinance shall be made in writing on an application form available at the City, filed with the City, and shall be accompanied by payment of the appropriate fee as established in the City's fee schedule. The application shall also be accompanied by additional information/materials (i.e., plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the City Administrator, or his/her designee, in order to ensure that the request is understood.

(d) Public hearings and action.

- (1) Upon receipt of a complete application for a zoning amendment, the City Administrator, or his/her designee, will set a date for a public hearing before the Planning and Zoning Commission. Notice of such hearing shall be given according to subsection (e).
- (2) The Planning and Zoning Commission shall hold a public hearing on any application for a zoning amendment prior to making its recommendation and report to the City Council. The Planning and Zoning Commission may establish such regulations and restrictions regarding the presentation of a zoning amendment at the public hearing, as they may deem necessary and as permitted by state law.
- (3) Following the public hearing, the Planning and Zoning Commission shall vote to recommend approval, recommend approval with changes and/or conditions, table, or recommend denial in whole or in part of the application, as permitted by this ordinance and state law. When an application is recommended for denial, the Planning and Zoning Commission shall offer reasons to the applicant for such denial.
- (4) After a public hearing before the Planning and Zoning Commission, the applicant, City Secretary, and the City Council shall be notified of any action taken by the Planning and Zoning Commission on the application. The City Administrator, or his/her designee, shall schedule a public hearing regarding the application to be held before the City Council.
- (5) A public hearing shall be held by the City Council before adopting any proposed zoning amendment. Notice of such hearing shall be given according to subsection (e). If the Planning and Zoning Commission has recommended denial as a whole or in part of the application, then the proposed change must receive the affirmative vote of at least four-fifths (4/5) of all members of the City Council to be approved. See also the protest procedures in subsection (j).
- (6) *Joint meeting.* The Planning and Zoning Commission and City Council may hold a joint meeting according to the provisions of Chapter 211 of the Texas Local Government Code.

(e) Public notice.

- (1) *General.* Comprehensive zoning changes. For zoning amendments that meet the definition of a comprehensive zoning change, as defined by Chapter 211 of the Texas Local Government Code, only subsections (f) and (i) below apply.
- (2) *Electronic delivery of notice.*
 - (i) Where permitted by this section and by the provisions of Chapter 211 of the Texas Local Government Code, the City of HUTCHINS may deliver notice electronically if the recipient elects to receive electronic notices and has the ability to manage preferences through the City of HUTCHINS's website.
 - (ii) The city shall request that the recipient of a notice delivered electronically acknowledge receipt of the notice. If the recipient does not acknowledge receipt of the notice delivered electronically, the municipality must deliver the notice as otherwise provided by this section.
- (3) *Property owner notice.*
 - (i) Before the 10th day before the hearing date with the Planning and Zoning Commission, written notice of each public hearing on a proposed change in zoning classification shall be sent to each owner, as indicated by the most recently

approved municipal tax roll, of real property within two hundred (200) feet of the property on which the change in classification is proposed.

- (ii) Such notice may be served by depositing the same properly addressed and postage paid in the city Post Office, or by electronic delivery according to the terms of **subsection (1)(B)** above.
- (iii) Recently annexed property. If the property within two hundred (200) feet of the property on which the change is proposed is located in territory which was annexed to the city after the final date for making renditions which are included on the last approved city Tax roll, the notice shall be given by publishing the time and place of each public hearing in a newspaper of general circulation in the City of HUTCHINS and on the city's website before the 10th day before the hearing date with the Planning and Zoning Commission.

(f) Nonconforming use notice.

(1) Applicability. The requirements of this subsection apply to any proposed zoning amendment in which current conforming uses shall be nonconforming upon approval of said adoption or change. The requirements of this subsection are in addition to other applicable notice requirements.

- (i) Not later than the 10th day before the hearing date, written notice of each public hearing shall be mailed to:
- (ii) Each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll; and

- (2) Each occupant of the property where the proposed nonconforming use is located.
- (3) Such notice shall be served by depositing the same properly addressed and postage paid in the city Post Office, or by electronic delivery according to the terms of subsection (2)(ii) above.
- (4) The notice sent under this subsection shall contain the time and place of the hearing and include the following text in bold 14-point type or larger:
 - (i) THE City of HUTCHINS, TEXAS, IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY.

(g) School districts notice requests. A school district that has territory in the City of HUTCHINS may request notice of public hearings before the Planning and Zoning Commission concerning certain proposed zoning amendments.

- (1) Applicability. The notice requirements of this subsection apply to a proposed change in zoning classification affecting single-family or multifamily residential zoning for properties within said school district.
- (2) Timing. Such notice shall be sent before the 10th day before the hearing date with the Planning and Zoning Commission and may be served by depositing the same properly addressed and postage paid in the city Post Office, or by electronic delivery according to the terms of **subsection (2)(ii)** above.

- (3) Expiration. After a request is made under the terms of this subsection, notice shall be sent until the school district request that no further notices be given.

(h) Notice sign.

- (1) *Applicability.* The requirements of this subsection apply to a proposed change in zoning classification that does not apply to the whole municipality.
- (2) *Timing.* The notice sign shall be posted not later than the 10th day before the hearing date with the Planning and Zoning Commission and until the date of a final determination on the proposed change by the City Council.
- (3) *Size and location.* The notice sign must be at least two (2) feet long by four (4) feet wide and shall be posted either:
 - (i) On the property affected by the change; or
 - (ii) A public right-of-way for a change initiated by the city that affects multiple properties.
- (4) The Planning and Zoning Commission may require an applicant for a change in zoning classification to provide, maintain, and pay for the sign.

- (i) **Newspaper and city website notice.** Before the 15th day before the hearing date with the City Council for a zoning amendment, written notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the City of HUTCHINS and on the City of HUTCHINS's website.

(j) Protest procedures.

- (1) *Applicability.* This subsection applies to a proposed change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change.
- (2) *Calculations.* In computing the percentage of land area under this subsection:
 - (i) The area of streets and alleys shall be included;
 - (ii) The land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change; and
 - (iii) Unincorporated areas are excluded from this calculation.
- (3) *Subject property landowner protest.* If a written protest is signed by owners of at least twenty (20) percent of the area covered by the proposed zoning change, then the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council to be approved.
- (4) *Typical adjoining property landowner protest.* Except as provided under subsection (5) below, if a written protest is signed by owners of twenty (20) percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet from that area, then the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council to be approved.

(k) Restricted adjoining property landowner protest.

- (1) *Applicability.* This subsection applies to a proposed zoning change that:

- (i) Has the effect of allowing more residential development than the existing zoning regulation or district boundary; and
 - (ii) Does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed thirty-five (35) percent of the overall development.
- (2) If a written protest is signed by owners of sixty (60) percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet from that area, then the proposed change needs to receive the affirmative vote of at least a majority of all members of the City Council to be approved.
- (3) A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

SECTION 14A.01.012. CERTIFICATES OF OCCUPANCY AND COMPLIANCE.

- (a) Certificates of Occupancy shall be required for any of the following:
- (1) Occupancy and use of a building hereafter erected or structurally altered (including minor renovation/rehabilitation of residential structures, as described in Subsection 12.d below);
 - (2) Change in use of an existing building to a use of a different classification;
 - (3) Change in the use of land to a use of a different classification; and
 - (4) Expansion of a building or structure more than thirty percent (30%) of its floor area.
- No such use, or change of use, shall take place until a Certificate of Occupancy therefor shall have been issued by the Building Official, or his/her designee.
- (b) **Procedure for new or altered buildings.** Written application for a Certificate of Occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the Building Permit for such building. Said Certificate shall be issued after the Building Official, or his/her designee, orders the building or structure inspected and finds no violations of the provisions of this Ordinance or other regulations which are enforced by the Building Official, or his/her designee. Said Certificate shall be issued by the Building Official, or his/her designee, after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this Ordinance.
- (c) **Contents.** Every Certificate of Occupancy shall contain the following:
- (1) building permit number;
 - (2) the address of the building;
 - (3) the name and address of the owner;
 - (4) a description of that portion of the building for which the Certificate is issued;

- (5) a statement that the described portion of the building has been inspected for compliance with the requirements of the City's Building Codes for the particular group and division of occupancy;
 - (6) the name of the Building Official (or his/her designee);
 - (7) use(s) allowed;
 - (8) maximum number of persons/occupants; and
 - (9) issue date of Certificate of Occupancy.
- (d) **Posting.** The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official, or his/her designee.
- (e) **Revocation.** The Building Official (or his/her designee) may, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this Ordinance whenever the Certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provision of this Ordinance or the building code and other codes adopted by the City, and any amendments thereto.

SECTION 14A.01.013. SITE PLAN REVIEW.

(a) **Site plan review.**

- (1) *Purpose.* This Section establishes a site plan review process for proposed nonresidential and multifamily residential developments. The purpose of the review is to ensure efficient and safe land development, harmonious use of land, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and adequate water supply, drainage and storm water management, sanitary facilities, and other utilities and services.
- (2) *Applicability.* Site plan review and approval shall be required for the following:
- (i) Any nonresidential development in any zoning district, including but not limited to a school, church, child care center, private recreation facility, etc. within a residential zoning district;
 - (ii) Any multifamily development or manufactured/mobile home park;
 - (iii) Any development with two (2) or more buildings per platted lot;
 - (iv) Any nonresidential building or use expansion above thirty percent (30%) of its floor area; and
 - (v) Any Planned Development district or Specific Use Permit (public hearings may also be required, see Sections 39 and 14).

No building permit shall be issued for any of the above developments until a site plan and all other required engineering/construction plans are first approved by the City. No certificate of occupancy shall be issued until all **construction** and development conforms to the site plan and engineering/construction plans, as approved by the City. A public hearing on a site plan is not required unless a site plan is prepared in conjunction with a zoning request for a Planned Development or an SUP.

- (3) *Exemptions and Exceptions.* Site plan review shall not be required for single-family (attached or detached) or two-family (duplex) residential developments, except as provided in Subsection. 2.iv) above, unless the proposed subdivision will include a private amenity/facility comprised of one or more buildings (e.g., a private recreation/swimming facility, clubhouse, golf course, etc.) or unless the proposed subdivision will have private (i.e., not public) streets. In these instances, site plan submission and approval (in accordance with this Section) will be required for the private amenity/facility, the golf course clubhouse/hospitality area, and the gated (i.e., restricted access) entrances.
- (4) *Site Plan Submission Requirements.* The site plan submission shall be comprised of the following (all required items/information must be received by the City Administrator, or his/her designee, in order for a site plan/development review submission to be considered complete - incomplete submissions will not be reviewed until all deficient items/information have been received):
- (i) Verification that all taxes and assessments on the subject property have been paid (see **Subsection v** below).
 - (ii) Copies of the site plan (on 24" x 36" sheet, and drawn to a known engineering scale that is large enough to be clearly legible), the quantity of which shall be determined by the City Administrator (or his/her designee) and (if applicable) an application form and filing fee.
 - (iii) If required, complete sets of engineering/construction plans (including the site plan and plat) for all site work and for all required public improvements (e.g., water, wastewater, grading/storm drainage, streets, alleys, fire lanes and hydrants, etc.), the quantity of which shall be determined by the City Administrator, or his/her designee.
 - (iv) Preliminary plat/final plat submission (as per the Subdivision Ordinance), if the property has not yet been platted, or a replat submission if additional easements or rights-of-way will need to be established for the proposed development.
 - (v) Landscaping plans (the required number of copies of the plans shall be determined by the City Administrator, or his/her designee).
 - (vi) Building facade (i.e., elevation) plans (the required number of copies of the plans shall be determined by the City Administrator, or his/her designee; applicable in the PD and SUP districts only).
 - (vii) Any additional information/materials (i.e., plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the City Administrator, or his/her designee, in order to ensure that the request is understood.
 - (viii) Application form (format to be provided by the City) signed by the owner or his/her designated representative (if the applicant is not the owner of the subject property, then he/ she shall submit verification in the form of a notarized statement that he/she is acting as an authorized agent for the property owner).
 - (ix) Filing fee (as established by the City's fee schedule).
- (5) No person who owes delinquent taxes, delinquent paving assessments, impact fees, or any other delinquent debts or obligations to the City of Hutchins, and which are directly

attributable to a piece of property shall be allowed to submit an application for site plan/development review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully paid, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence or proof that the taxes have been paid.

- (6) *Site Plan Details.* The site plan and accompanying engineering/construction plans (if required) shall contain sufficient information relative to site design and construction to clearly show the extent of the proposed development/construction, and shall include but not be limited to the following:
 - (i) A site inventory analysis including major existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any floodprone areas.
 - (ii) Any existing and proposed public/private streets and alleys; building sites or lots; any areas as parks, parkways, playgrounds, utility easements or school sites; any proposed street widening and street changes (i.e., median cuts and turn lanes); the points of ingress and egress from existing/proposed streets; location and description of existing and proposed utility services, including size of water and sewer mains and laterals, and storm drainage structures (including grading); the location and width for all driveway openings; topography at no more than two-foot (2') contours; and existing development on all abutting sites and the zoning classification thereof.
 - (iii) Placement of all buildings on the site, showing the building footprints and setback lines, and all property lines, street curblines, alley lines, easements, screening walls, signage, any service/delivery areas for trucks, fire lanes, and parking areas (including parking space counts and a schedule of parking ratios used for the various proposed uses).
 - (iv) A landscape plan showing turf areas, screening walls, ornamental plantings, any existing trees that will be p (and techniques to be used to ensure preservation) or removed, all new trees to be planted, and irrigation plans (if required).
 - (v) Building facade (i.e., elevation) plans showing all building elevations and any attached (i.e., wall-mounted) signage that will be used on the building (the required number of copies of the plans shall be determined by the City Administrator, or his/her designee; applicable in the PD and SUP districts only).

Provision of the above items shall conform to the principles and standards of this Ordinance. To ensure the submission of adequate information, the City is hereby empowered to maintain and distribute a separate list of specific requirements for site plan review applications. Upon periodic review, the City Administrator (or his/her designee) shall have the authority to update such requirements for site plan/development review applications. It is the applicant's responsibility to be familiar with, and to comply with, all City requirements and procedures for site plan review/approval.

- (7) *Supplemental Requirements.* The City's staff may require other information and data for specific site plans. This data may include but is not limited to geologic information, water yields, flood data and/or hydrological studies, environmental information, traffic impact

analysis, road capacities, market information, economic data for the proposed development, hours of operation, elevations and perspective drawings, lighting, and similar information. Approval of a site plan may establish conditions for construction based upon such information if such conditions are deemed to be necessary bring the site plan into full compliance with the provisions of this Ordinance, or to protect the public health, safety or welfare. A conceptual plan showing a larger land area surrounding the proposed development may also be required so that the City can get a better understanding of how the proposed development will fit into (or will possibly affect) the surrounding area.

- (8) *Principles and Standards for Site Plan Review and Evaluation.* The following criteria have been set forth as a guide for evaluating the adequacy of proposed development within the City of Hutchins, and to ensure that all developments are, to the best extent possible, constructed according to the City's codes and ordinances.

The City Administrator, or his/her designee, shall review the site plan for compliance with all applicable City ordinances and with the Comprehensive Plan; for harmony with surrounding uses and with long-range plans for the future development of Hutchins; for the promotion of the health, safety, order, efficiency, and economy of the City; and for the maintenance of property values and the general welfare.

Site plan review and evaluation by the City Administrator, or his/her designee, shall be performed with respect to the following:

- (i) The site plan's compliance with all provisions of the Zoning Ordinance and other ordinances of the City of Hutchins including but not limited to off-street parking and loading, lighting, open space, landscaping, existing tree preservation/removal, and the generation of objectionable smoke, fumes, noise, odors, dust, glare, vibration, or heat.
- (ii) The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
- (iii) The relationship of the development to adjacent uses in terms of harmonious design, setbacks, maintenance of property values, and any possible negative impacts.
- (iv) The provision of a safe and efficient vehicular and pedestrian circulation system.
- (v) The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
- (vi) The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
- (vii) The coordination of streets so as to arrange a convenient system consistent with the Comprehensive Plan of the City of Hutchins, as amended.
- (viii) The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.

- (ix) Exterior lighting to ensure safe movement and for security purposes, which shall be arranged so as to minimize glare and reflection upon adjacent properties.
- (x) The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
- (xi) Protection and conservation of soils from erosion by wind or water or from excavation or grading.
- (xii) Protection and conservation of watercourses and areas subject to flooding.
- (xiii) The adequacy of water, drainage, sewerage facilities, solid waste disposal, and other utilities necessary for essential services to residents and occupants.

(b) Approval process.

- (1) The City Administrator (or his/her designee) shall review and evaluate all site plan submissions, and shall have the authority to recommend approval of the site plan, approval of the site plan with conditions or stipulations, or denial of the site plan for specific reasons to the Planning and Zoning Commission. The Planning and Zoning Commission shall have the authority to approve the site plan based upon information provided to the Commission by the City Administrator.
- (2) If the site plan is denied by the Planning and Zoning Commission, then the applicant may appeal (in writing) this decision to the City Council. The City Administrator, or his/her designee, shall schedule consideration of the site plan on the regular agenda of the City Council within thirty (30) days after receipt of the written appeal. The City Council shall review the site plan and shall have final authority to approve the site plan, approve the site plan with conditions or stipulations, or deny the site plan.
- (3) Effect of Site Plan Approval. If development of a lot with an approved site plan has not commenced (i.e., a building permit has not been applied for or issued) within one (1) year of the date of final approval of the site plan, then the site plan shall be deemed to have expired. Resubmission of the site plan (i.e., following expiration as described herein) shall be in accordance with site plan submission and review procedures then in effect and shall be accompanied by all required items/information (including payment of filing fees), and reconsideration of the site plan shall take into account all changes to applicable ordinances which may have occurred since prior approval of the site plan.

(c) Revisions to the approved site plan.

- (1) *Minor Revisions/Amendment.* It is recognized that final architectural and engineering design may necessitate minor changes in the approved site plan. In such cases, the City Administrator, or his/her designee, shall have the authority to approve minor modifications to an approved site plan (which shall be submitted as an “amended site plan” which substantially conforms to the previously approved site plan), provided that such modifications do not materially change traffic circulation, building location(s) on the site, proximity of building(s) to nearby residential areas, the size or height (i.e., enlarge) of building(s), or any other conditions specifically attached as part of City Council's approval of the site plan. Submission materials and requirements for approval of an amended site plan shall be as determined by the City Administrator, or his/her designee.
- (2) *Major Revisions.* In the event of revisions that are more extensive in nature (i.e., do not conform to the description for minor amendments above), a “revised site plan” must be

resubmitted and shall be reviewed by the City Administrator (or his/her designee) in accordance with the procedures set forth in this Section.

Division III: Use Regulations

SECTION 14A.01.014. SUP – SPECIFIC USE PERMITS.

(a) Specific Uses:

- (1) The purpose of this district is to allow certain uses within base zoning districts that, under most circumstances, would not be compatible with other permitted uses but with certain conditions and development restrictions may be compatible.
- (2) The City Council by an affirmative vote may, after public hearing and proper notice (in accordance with the procedures set forth in Section 11) to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the intent of the Comprehensive Plan and with general objectives of the City, and containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a Specific Use Permit (SUP). As a zoning action, issuance of an SUP shall only apply to real property (i.e., shall not be attached to any person, business entity, etc.), shall not be transferred from one property to another (i.e., shall not move if a business operation relocates), and shall not expire without proper zoning action to rescind the SUP (i.e., change the zoning to remove the SUP, with appropriate public notification, public hearing, etc.).
- (3) A zoning application for an SUP shall be accompanied by a metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the SUP is being requested, and by a site plan (see Section 13) drawn to scale and showing the general arrangement 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 allowed; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings 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 feet (200'). The City shall make available application forms specifying drawing requirements. The City Administrator (or his/her designee), Planning and Zoning Commission or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed. The site plan shall be reviewed and approved along with the SUP zoning application, and in accordance with Section 13 of this Ordinance.

(b) Specific Use Permit Regulations:

- (1) In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off- street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested SUP, the Planning and Zoning Commission and City Council may consider any or all of the following:
 - (i) The use is harmonious and compatible with surrounding existing uses or proposed uses;

- (ii) The activities requested by the applicant are normally associated with the permitted uses in the base district;
 - (iii) The nature of the use is reasonable;
 - (iv) Any negative impact on the surrounding area has been mitigated;
 - (v) That any additional conditions specified ensure that the intent of the district purposes are being upheld;
 - (vi) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
 - (a) Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
 - (b) Off-street parking and loading areas;
 - (c) Refuse and service areas;
 - (d) Utilities with reference to location, availability, and compatibility;
 - (e) Screening and buffering, features to minimize visual impacts, and/or set-backs from adjacent uses;
 - (f) Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - (g) Required yards and open space;
 - (h) Height and bulk of structures;
 - (i) Hours of operation;
 - (j) Exterior construction material, building design and building facade treatment;
 - (k) Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets;
 - (l) Provision for pedestrian access, amenities and areas; and
 - (vii) The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.
- (2) In granting a Specific Use Permit, the Planning and Zoning Commission and 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 Official, or his/her designee, 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. Any special conditions shall be

set forth in writing by the City Council prior to issuance of the certificate of occupancy, and shall be incorporated into the amending ordinance establishing the SUP.

- (3) A building permit or certificate of occupancy shall be applied for (following site plan approval) and secured within one (1) year from the time of granting the Specific Use Permit, provided however, that the City Council may authorize an extension of up to one (1) additional year. After the one-year period (and the extension, if such has been granted by City Council) has elapsed, the SUP's site plan shall be deemed to be expired. The applicant/property owner(s) must then submit a new site plan for approval prior to any construction or to application for a building permit for the area designated for the Specific Use Permit. The new site plan must be resubmitted for review and approval in accordance with **Section 13** of this Ordinance.

- (4) No building, premises, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Specific Use Permit is granted for such enlargement, modification, structural alteration, or change. Uses should only be for the specific use(s) authorized in the ordinance granting the SUP.

Only minor changes or alterations to the building itself (i.e., those that do not involve the addition of land area covered by the SUP or modification of any special stipulations adopted in the ordinance granting the SUP, either of which must be done using the procedures outlined in Section 10) may be approved by the City Administrator, or his/her designee.

- (5) The Zoning Board of Adjustments shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Specific Use Permit.
- (6) When the City Council authorizes granting of a Specific Use Permit, the Zoning District 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 zoning district for the approved use and prefixed by a "SUP", or "S" designation followed by the identification number assigned to that particular SUP (e.g., S-1, S-2, S-3, and so on). A list of all issued SUPs, showing the uses permitted and any other special stipulations of each SUP, shall be maintained as part of this Ordinance.

(c) Use Regulations:

- (1) Uses allowed by SUP are specified in Section 16 (Use Charts).

(d) Expiration and Extension:

- (1) Termination of approval of a site plan associated with an SUP for failure to commence development and extension of the time for performance for a site plan associated with an SUP shall be governed by **Section 13** of this Ordinance.

(e) Prior Sup Ordinances Remaining in Effect:

- (1) Prior to adoption of this Ordinance, the City Council had established various SUPs, some of which are to be continued in full force and effect. The permits or parts of permits approved prior to this Ordinance shall be carried forth in full force and effect and are the conditions, restrictions, regulations and requirements which apply to the respective Specific Use Permits shown on the Zoning District Map as of the effective date of this Ordinance. Each prior SUP ordinance is hereby assigned a unique identification number

(e.g., S-1, S-2, S-3, and so on) as, and subsequent SUP ordinances adopted after the effective date of this Ordinance shall be similarly numbered for identification purposes.

SECTION 14A.01.015. USE REGULATIONS

- (a) The use of land and/or buildings shall be in accordance with those listed in the following Use Charts. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses specified in the zoning district in which it is located. The legend for interpreting the permitted uses in the Use Charts is:

P	Designates use permitted in the zoning district indicated.
D	Designates use prohibited (i.e., not allowed) in the zoning district indicated.
S	Designates use may be permitted in the zoning district indicated by Specific Use Permit (also see Section 14).

See **Section 49** for further description of uses identified with an asterisk (*).

- (b) If a use is not listed, it is not allowed in any zoning district.
- (c) Use Chart Organization:
 - (1) Primary Residential Uses (Use Chart 16.1)
 - (2) Accessory, Temporary, & Other Uses (Incidental Uses) (Use Chart 16.2)
 - (3) Utility, Civic Services, & Communication (Use Chart 16.3)
 - (4) Recreation, Hospitality, Entertainment Uses (Use Chart 16.4)
 - (5) Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 16.5)
 - (6) Transportation Uses (Use Chart 16.6)
 - (7) Automobile and Related Uses (Use Chart 16.7)
 - (8) Office and Professional Uses (Use Chart 16.8)
 - (9) Retail, Commercial, & Related Service Uses (Use Chart 16.9 & 16.10)
 - (10) Industrial and Related Uses (Use Chart 16.11)
- (d) **Classification of New/Unlisted Uses:** It is recognized that new types of land use will develop, and forms of land use not presently anticipated may seek to locate in the City of Hutchins. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Use Charts (**Sections 16.1 through 16.11**) shall be made as follows:
 - (1) Initiation:
 - (i) A person, City department, the Planning and Zoning Commission, or City Council may propose zoning amendments to regulate new and previously unlisted uses.
 - (ii) A person requesting the addition of a new or unlisted use shall submit to the City Administrator, or his/her designee, all information necessary for the classification of the use, including but not limited to:

- (a) The nature of the use and whether the use involves dwelling activity, sales, services, or processing;
 - (b) The type of product sold or produced under the use;
 - (c) Whether the use has enclosed or open storage and the amount and nature of the storage;
 - (d) Anticipated employment typically anticipated with the use;
 - (e) Transportation requirements;
 - (f) The nature and time of occupancy and operation of the premises;
 - (g) The off-street parking and loading requirements;
 - (h) The amount of noise, odor, fumes, dust, toxic materials and vibration likely to be generated; and
 - (i) The requirements for public utilities such as sanitary sewer and water and any special public services that may be required.
- (2) The City Administrator, or his/her designee, shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting a recommendation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by the statement of facts in **Subsection 1.ii** above. An amendment to this Ordinance shall be required as prescribed by **Section 11**
- (3) The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use is most similar and should be permitted.
- (4) The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall approve or disapprove the recommendation of the Planning and Zoning Commission or make such determination concerning the classification of such use as is determined appropriate based upon its findings. If approved, the new or unlisted use shall be amended in the use charts of the Zoning Ordinance according to **Section 11** (i.e., following notification and public hearing, etc.).
- (5) Standards for new and unlisted uses may be interpreted by the Building Official, or his/her designee, as those of a similar use. When a determination of the appropriate zoning district cannot be readily ascertained, the same criteria outlined above (“b”) shall be followed for determination of the appropriate district. The decision of the Building Official, or his/her designee, may be appealed
- (6) according to the process outlined in **Subsections “2” through “4” above.**

SECTION 14A.01.016. PERMITTED USE TABLES (USE TABLE 32.2-32.12)

(a) **Use Chart**

USE CHART	
CITY OF HUTCHINS, TEXAS ZONING ORDINANCE	
Legend for Interpreting Use Charts	
P	Designates use permitted in District indicated
	Designates use prohibited in District indicated
S	Indicates use may be approved as Specific Use Permit (SUP)

	A	SF -10	SF - 8.5	SF -7	SF -6	SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Primary Residential Uses 16.1	A	SF -10	SF - 8.5	SF -7	SF -6	SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Community Home*	P	P	P	P	P	P	P	P	P							
Group Housing (Boarding or Rooming)*									S							
Housing For the Elderly/Senior Apartments/Congregate Housing*							S	S	P							
Industrialized Home*	P	P	P	P	P	P	P	P	P	P						
Manufactured/Mobile Home Subdivision or Park*										P						
Mobile Home or HUD-Code Manufactured Home*										P						
Multiple Family Dwelling (Apartments)*									P							
Multiple Family Dwelling (Duplex, Triplex, Quadruplex):									P							
Patio Home (Zero Lot Line Dwelling)*						P		P	P							
Private Residential Subdivision		S	S	S	S	S	S	S	S							
Recreational Vehicle Park (RV)*										S						
Short Term Rentals *						S	S	S	S							
Single Family Dwelling Attached*								P	P							
Single Family Dwelling Detached*	P	P	P	P	P	P	P	P	P	P						
Two-Family Dwelling (Duplex)*							P		P							
Accessory, Temporary & Other Uses (Incidental Uses) 16.2	A	SF -10	SF - 8.5	SF -7		SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Accessory Building (Residential)*	P	P	P	P	P	P	P	P	P	P						
Accessory Building-Nonresidential (Business or Industry)*											P	P	P	P	P	P
Caretakers' or Guards' Residence*	P	S	S	S	S	S	S	S	P	P	S	S	S	S	S	S
Garage/Accessory Dwelling*	S	S	S	S	S	S	S	S	S							
Home Occupation*	P	P	P	P	P	P	P	P	P	P						
Off-Street Parking Incidental to Main Use*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Seasonal Uses (Temporary)*	P	S	S	S	S	S	S	S	S	S	P	P	S	S	P	P
Swimming Instructions as Home Occupation*	S	S	S	S	S	S	S	S	S	S						
Swimming Pool (Private)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Field Office or Construction Office*	Subject to Temporary Permit Issued by Building Official. Conversion of all temporary field offices or construction offices to permanent structures shall be permitted through the City of Hutchins and be tied to a permanent foundation and connect to public water and wastewater utilities.															
Tennis Court (Lighted)*	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	
Tennis Court (Private) (No Lights)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility, Civic Services , & Communication 16.3	A	SF -10	SF - 8.5	SF -7		SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Antenna (Noncommercial)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Antenna (Commercial)																
Electrical Substation or Transmission (High Voltage, Bulk Power)*	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Farm, Ranch, Garden, Crops, or Orchard*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fire, Police, or Municipal Buildings*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Franchised Private Utility (Not Listed)*	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Local Utility Line*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Agency Building, Shop, Yard or Facility*	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P
Public facilities, major*															S	S
Public facilities, minor*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Studio, For Radio or Television*	S										S	S	P	P	P	P
Telephone Exchange, Switching or Relay or Transmitting Station*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational, Hospitality and Entertainment Uses 16.4	A	SF -10	SF - 8.5	SF -7		SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Amusement, Commercial (Indoor)*												S	P	P	P	P
Amusement, Commercial (Outdoor)*												S	S	S	S	S

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Ballroom Dancing*												S		S	P	P
Bed And Breakfast Inn or Facility*		S	S	S	S	S	P	P	S		P	P	P			
Carnival, Circus Or Tent Service (Temporary) *	Subject To Temporary Permit Issued By City Of Hutchins															
Country Club (Private)*	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P
Dance Hall and Night Club*												S	S	S	S	S
Swimming Pool (Commercial)	P	S	S	S	S	S	S	S	S	S	S	P		P	S	S
Day Camp For Children*	P	S	S	S	S	S	S	S	S	S	S	P		P	S	S
Golf Course*	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P
Hotel Extended Stay*												S	P	P	P	P
Motel/Hotel (75 or Greater)***												S	P	P	P	P
Motel/Hotel (Less Than 75 Rooms)***												S	S	S	S	S
Parks, playgrounds, outdoor recreation areas (private, non-commercial)*	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Private Club*												S	S	S	S	S
Recreation facility, commercial Indoor*											S	P	P	P	P	P
Recreation facility, commercial indoor-gun shooting range*														S	S	S
Recreation Facility, rodeo ground and arena*	S													S	S	S
Recreational Facility, Driving Range*																
Stable, Commercial*	P									S			S	0	S	S
Stable, Private*	P														S	S
Theater, Drive-In (Outdoor)*															S	S
Theater Or Playhouse (Indoor)*											S	P	P	P	P	P
Wedding Chapel, Commercial*	S										S	P	P	P	P	P
Zoo (Private & Public)*	S														S	S
Educational, Institutional & Civic Specific Uses (Medical) 16.5	A	SF -10	SF - 8.5	SF -7		SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Ambulance Service*													P	S	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Animal Services, Shelter or Rescue *	P										P	P	P	P	P	P
Art Gallery or Museum*	S										P	P	P	P	P	P
Assisted Living Facility*								S	P	S	S	S				
Cemetery or Mausoleum*	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Cemetery, Animal *	S															S
Child Care Center/Day Care Center*	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S
Church, Rectory or Temple*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Medical Clinic or Office											P	P	P	P	P	P
College or University*	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P
Community Center (Public)*	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P
Continuing Care Retirement Community*									P	S	S	S	P	P	P	P
Convent or Monastery*	S	S	S	S	S	S	S	S	P	S	P	P	P	P	P	P
Correctional Facility*																
Fairgrounds or Exhibition Area*	S													S	S	S
Family Home (Child Care)*	P	P	P	P	P	P	P	P	P	P						
Fraternal Organization, Lodge Union Hall or Civic Club*	S										S	S	P	P	P	P
Group Day Care Home*	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S
Hospital, Chronic Care*	S										S	S	P	P	P	P
Hospital, Acute Care*	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P
Institution For Alcoholic, Narcotic or Psychiatric Patients*	S										S	S	S	S	S	S
Kindergarten or Nursery School (Private)*	S	S	S	S	S	S	S	S	P	P	S	P	P	P	P	P
Medical Laboratory*											S	S	P	P	P	P
Minor Medical Emergency Clinic*											S	P	P	P	P	P
Nonprofit Activities by a Church*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation Areas (Public)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Place of Worship*	S	S	S	S	P	S	S	S	S	S	P	S	P	P	P	P
Playfield or Stadium (Public)*	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P
Rehabilitation Care Facility (Halfway House)*	S								S			S	P			
Retirement Housing For the Elderly*							S	P	P	S	S	P	P			
School, Private (Primary or Secondary)*	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P
School, Public or Parochial*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, Specialized Training*												S	P	P	P	P
Skilled Nursing Facility*										S	S	P	P	S	P	P
Transportation Uses 16.6	A	SF -10	SF - 8.5	SF -7		SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Airport or Landing Field*	S												S		S	S
Bus Station or Terminal*													S		P	P
Heavy Load Vehicle Storage*													S	S	S	S
Heliport*	S											S	S	S	S	S
Helistop*	S										S	S	S	S	S	S
Motor Freight Company/Terminal*													S	S	S	P
Parking Lot or Structure Commercial (Auto)*											S	S	S	P	P	P
Parking Lot, Commercial Trucking	S												S	S	S	S
Parking Lot, Trucks and Trailers													S	S	S	S
Automotive & Related Uses 16.7	A	SF -10	SF - 8.5	SF -7		SF-PH	D	SF A	MF	M H	O	R	C-1	HC	LI	HI
Auto Financing And Leasing (No Outdoor Lot or Display)*											S	P	P	P	P	P
Auto Laundry or Carwash (Attended & Unattended)*												S	P	S	P	P
Auto Repair, Major*													P	S	P	P
Auto Repair, Minor*												P	P	P	P	P
Auto Storage or Auto Auction*															S	S

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Automobile Accessory Installation, Minor*												S	P	P	P	P
Gasoline Sales (retail) or Motor Fuel Service Station*												S	S	S	P	P
Motorcycle Sales And Repair*												S	P	S	P	P
Used Auto Sales*													S	S	S	P
Vehicle sales and rental (RV, Campers, etc.)*													S	S	P	P
Vehicle sales and rental: automobiles, light trucks, boats*													S	S	P	P
Wrecking Yard (Auto Salvage)*																S
Office & Professional Uses 16.8	A	SF -10	SF - 8.5	SF -7		SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Armed Services Recruiting Center											P	P	P	P	P	P
Custom Personal Service Shop*											P	P	P	P		
Funeral Home or Mortuary*												P	P	P	P	P
General offices and services (with drive thru)*											S	S	P	P	P	P
General offices and services, alternative financial establishments*											S	P	P	P	P	P
General offices and services, bail bond establishment*											S	P	P	P	P	P
General offices and services, bank/financial services*											P	P	P	P	P	P
General offices and services, business services*											P	P	P	P	P	P
General offices and services, business support services*											P	P	P	P	P	P
General offices and services, construction and building services*											S	S	P	P	P	P
General offices and services, personal services*											P	P	P	P	P	P
Kennel (Indoor Pens)*	S											S	P	S	P	P
Kennel (Outdoor Pens)*	S												S		P	P
Key Shop											S	P	P	P	P	P
Laboratory, Scientific or Research*											S	S	P	P	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Office Showroom*											S	S	P	S	P	P
Offices, Professional and General Business *											P	P	P	P	P	P
Studio, Health/Reducing/Fitness or Similar Service/Establishment*											P	P	P	P	P	P
Studio, Music, Drama or Art**											P	P	P	P	P	P
Studio, Tattoo or Body Piercing*												S	S			
Taxidermist***												S	P	S	P	P
Veterinarian Hospital (Inside Animal Pens Only)*	P											S	P	P	P	
Veterinarian Hospital (With Outside Animal Pens)*	P												S	S	S	P
Veterinarian, Office Only (No Animal Pens)*											S	S	P	P	P	P
Retail, Commercial & Related Service Uses 16.9 & 16.10	A	SF -10	SF - 8.5	SF -7		SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Antique Shop, Sales Indoors*											S	P	P	P	P	P
Bakery or Confectionery (Wholesale or Commercial)*												S	P	P	P	P
Bakery or Confectionery (Retail)											P	P	P	P	P	P
Building Materials, Hardware or Home Improvement (Outdoor Storage)*												S	P	P	P	P
Building Materials, Hardware or Home Improvement Center (Indoor Only)*											S	P	P	P	P	P
Contractor's Shop with Outside Storage Yard*													S	S	P	P
Convenience Store with Gasoline Sales*												S	S	S	P	P
Convenience Store without Gasoline Sales*												P	P	P	P	P
Feed and Grain Store*	S											S	P	S	P	P
Florist Shop*											S	P	P	P	P	P
Garden Shop*												P	P	P	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
General retail (indoor)*											S	P	P	P	P	P
General retail (outdoor)*											P	P	P	P	P	P
General retail, alcohol sales*											S	P	P	P	P	P
General retail, auto parts*											S	P	P	P	P	P
Grocery* or Food Store*												P	P	P	P	P
Incidental or Accessory Retail or Service Uses											S	P	P	P	P	P
Kiosk*											S	S	S	S	S	S
Copy or Print Shop, Lithographic ***											P	S	P	P	P	P
Mini-Warehouse/Self-Storage*												S	P	S	P	P
Mobile Food Unit/Food Truck (Health Permit Required)*	P											P	P	P	P	P
Paint Shop*													P	P	P	P
Pawn Shop*												S	P			
Pet Shops & Grooming*												P	P	P	P	P
Portable Building Sales (Outdoor Display)													S	S	P	P
Propane Sales (Retail)												S	P	S	P	P
Restaurant (No Drive-Thru Service)*											S	P	P	P	P	P
Restaurant with Drive-Thru Service*												P	P	P	P	P
Restaurant with micro- brewery*											S	S	P	P	P	P
Restaurant with outdoor dining or service*											S	P	P	P	P	P
Retail Shop (For Apparel, Gifts, Accessories And Similar Items)*											S	P	P	P		

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Secondhand Merchandise, Retail Sales*												S	P	S	P	P
Bar/Tavern*											S	S	P	P	P	P
Tobacco, Hookah, and Vape Store*											S	S	P	S	P	P
Industrial & Related Manufacturing Uses 16.11	A	SF -10	SF - 8.5	SF -7		SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Animal Rendering Plant																S
Cement or Hydrated Lime Plant																S
Cleaning Plant (Commercial or Wholesale)*													P	P	P	P
Concrete or Asphalt Batching Plant (Permanent)															S	S
Concrete or Asphalt Permitted Batching Plant (Temporary)	With Permit by Building Official For a Maximum of Six (6) months, and with a Maximum of One (1) Six-Month Extension.															
Distribution Center*													S	S	P	P
Equipment rental and sales establishment (indoor and outdoor)*												S	S	S	P	P
Food Processing Plant*													S	S	S	S
Furniture, Home Furnishings, and Appliance Store*												P	P	P	P	P
Heavy Machinery Sales and Storage*													S	S	S	P
High Risk or Hazardous																S
High Risk or Hazardous Industrial Manufacturing Wholly Enclosed within a Building															S	S
Laboratory Equipment Manufacturing*													S	S	P	P
Low Risk Industrial Manufacturing Not Wholly Enclosed Within a Building															S	S
Low Risk Industrial Manufacturing Wholly Enclosed Within a Building															S	P
Machine Shop*												S	P	S	P	P

	A	SF -10	SF - 8.5	SF -7	SF -6	SF- PH	D	SF A	MF	M H	O	R	C- 1	HC	LI	HI
Manufacturing, processing, and packaging - heavy*																S
Manufacturing, processing, and packaging - light*													S	S	P	P
Mini-Warehouse/Self Storage*												S	P	S	P	P
Mulching Plant															S	S
Office Warehouse*													P	P	P	P
Outdoor storage, commercial and industrial*												S	S	S	P	P
Petroleum Distribution/Storage/ Wholesale Facilities*	S															S
Recycling Kiosk*												S	P	P	P	P
Salvage Reclamation or Recycling of Materials*																S
Sand, Gravel or Stone Extraction and/or Storage*	S															S
Sexually Oriented Businesses															S	
Storage or Wholesale Warehouse*													P	P	P	P

Division IV: Permitted Uses

SECTION 14A.01.017. PERFORMANCE STANDARDS.

- (a) All uses, including those which may be allowed by PD or SUP, shall conform in operation, location, and construction to appropriate performance standards for noise, smoke, and particulate matter, odorous matter, fire, or explosive hazard material, toxic and noxious matter, vibration, and glare.
- (b) **Noise:** At no point at the bounding property line of any use shall the sound pressure level of any operation or plant exceed the decibel limits specified in the Octave Band groups designated in the following table:
 - (1) Maximum Permissible Daytime* Octave Band:

Decibel Limits at the Bounding Property Line**									
Octave Band	37	75	150	300	600	1200	2400	4800	A
(cps)	75	150	300	600	1200	2400	4800	9600	Scale
Decibel Band Limit (db re 0.0002 Microbar)	86	76	70	65	63	58	55	53	65

Note – “A scale” levels are provided for monitoring purposes only and are not applicable to detailed sound analysis.

** “Daytime” shall refer to the hours between sunrise and sunset on any given day.*

*** “Bounding Property Line” shall be interpreted as being at the near side of any street, alley, stream, or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists, the common line between two parcels of property shall be interpreted as the bounding property line.*

- (2) The following corrections shall be made to the table of octave band-decibel limits in determining compliance with the noise level standards.
 - (i) When noise is present at nighttime, subtract (-7db.)
 - (ii) When noise contains strong pure-tone components or is impulsive, that is when meter changes at 10 decibels or more per second, subtract (-7db.)
 - (iii) When noise is present for not more than the following, add (+10db):
 - (a) 1/2 minute in any 1/2 hour period
 - (b) 1 minute in any 1 hour period
 - (c) 10 minutes in any 2 hour period
 - (d) 20 minutes in any 4 hour period
- (3) Measurement of noise shall be made with a sound level meter on octave band analyzer meeting the standards prescribed by the American Standards Association.
- (4) **Exemptions:** The following uses and activities shall be exempt from the noise level regulations herein specified.
 - (i) Noises not directly under control of the property user.

- (ii) Noises emanating from construction and maintenance activities between the hours of 6:00 a.m. and 6:00 p.m. (daylight hours).
 - (iii) Noises of safety signals, warning devices and emergency pressure relief valves.
- (c) **Smoke and Particulate Matter:** No operation or use shall cause, create, or allow the emission for more than three minutes in any one hour of air contaminants which at the emission point or within the bounds of the property are:
 - (1) Of such density as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants in the standard prescribed by the American Society for Testing Materials (ASTM), except when the presence of uncombined water is the only reason for failure to comply or when such contaminants are emitted inside a building which prevents their escape into the atmosphere.
 - (2) The emission of particulate matter from all sources shall not exceed 0.5 pounds per acre of property within the plant site per any one hour.
 - (3) Open storage and open processing operations, including on-site transportation movements which are the source of wind or air borne dust or other particulate matter; or which involves dust or other particulate air contaminants, generating equipment such as used in paint spraying, grain handling, sand or gravel processing or storage or sand blasting shall be so conducted that dust and other particulate matter so generated are not transported across the boundary line of the tract on which the use is located in concentrations exceeding four grains per 1000 cubic feet of air.
- (d) **Odorous Matter:**
 - (1) No use shall be located or operated which involves the emission of odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the bounding property line or any point beyond the tract on which such use or operation is located.
 - (2) The odor threshold as herein set forth shall be determined by observation by a person or persons.
 - (3) In any case, where uncertainty may arise or where the operator or owner of an odor emitting use may disagree with the enforcing officer or where specific measurement of odor concentration is required, the method and procedures specified by ASTM shall be used.
- (e) **Fire or Explosive Hazard Material:**
 - (1) No use involving the manufacture or storage of compounds or products which decompose by detonation shall be permitted except that chlorates, nitrates, perchlorates, phosphorus, and similar substances and compounds in small quantities for use by industry, school laboratories, druggists or wholesalers may be permitted when approved by the Fire Chief of the City of Hutchins.
 - (2) The storage and use of all flammable liquids and materials such as pyroxylin plastics, nitrocellulose film, solvents, and petroleum products shall be permitted only when such storage or use conforms to the standards and regulations of the City of Hutchins Fire Code or are approved by the Fire Chief.
- (f) **Toxic and Noxious Matter:**
 - (1) No operation or use shall emit a concentration across the bounding property line of the tract on which such operation or use is located of toxic or noxious matter which will exceed

10 percent of the concentration (exposure) considered as the threshold limit for an industrial worker as such standards are set forth by the Texas State Department of Health in "Threshold Limit Values Occupational Health Regulation No. 3," a copy of which is hereby incorporated by reference.

(g) Vibration:

- (1) No operation or use shall at any time create earthborne vibrations which when measured at the bounding property line of the source operation exceed the limits of displacement set forth in the following table in the frequency ranges specified:

Frequency Cycles Per Second	Displacement in Inches
0 to 10	0.0010
10 to 20	0.0008
20 to 30	0.0005
30 to 40	0.0004
40 and over	0.0003

SECTION 14A.01.018. ACCESSORY STRUCTURE AND ACCESSORY DWELLING.

- (a) **Accessory Structures within Residential Districts:** Accessory structures in residential zoning districts shall include, but not be limited to, storage buildings, hobby shops, detached garages, farm accessory structures, pool houses, cabanas, and swimming pools. Pergolas, arbors, and trellises shall not be considered accessory structures for purposes of this section.

(b) **Locational Requirements**

- (1) Except as otherwise provided herein, accessory structures, excluding farm accessory structures, shall not be located within a required front or side yard setback. Accessory structures shall be located to the rear of the principal structure.
- (2) No accessory structure shall be located within a recorded easement, alley, or required fire lane.
- (3) Accessory structures may be located within a required rear yard setback, provided that:
- (4) The accessory structure does not occupy more than twenty percent (20%) of the required rear yard area; and
- (5) The structure is located no closer than five feet (5') from any property line.
- (6) Swimming pools may be located within a required rear or side yard setback, provided such pools are not located closer than ten feet (10') to any rear or side lot line. Swimming pools shall not be permitted within the front yard.
- (7) A minimum pedestrian clearance of three feet (3') shall be provided between the pool wall and any protective fence or barrier. Swimming pools shall be fenced in accordance with the adopted building codes.
- (8) Accessory structures shall not be permitted unless a principal structure exists on the lot.

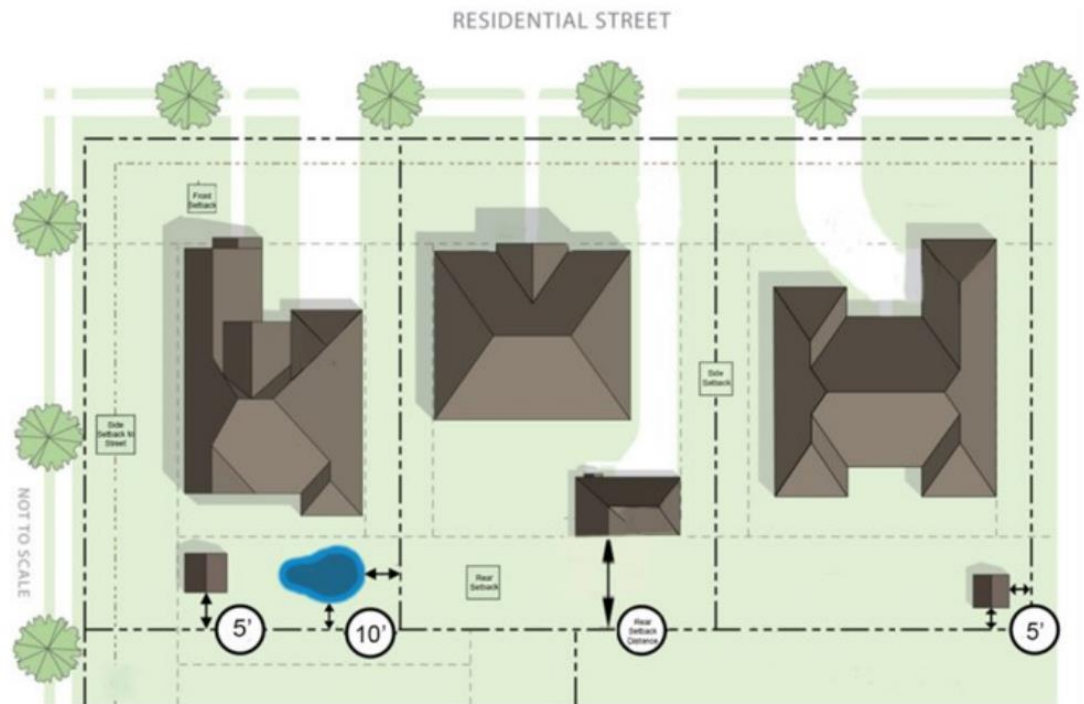
(c) **Construction and Design Standards**

- (1) All accessory structures shall require a building permit, regardless of square footage.

- (2) Accessory structures, excluding farm accessory structures, greater than two hundred (200) square feet in area shall be constructed using the same or similar exterior materials as the principal structure. Roof pitch shall be no less than 3:12, and roofing materials shall match the principal structure.
- (3) Accessory structures one hundred twenty (120) square feet or less may be constructed of metal only when commercially designed and manufactured, such as structures commonly sold at home improvement retailers.
- (4) Accessory structures greater than one hundred twenty (120) square feet shall not be constructed of metal unless the structure is not visible from public view.
- (5) Detached carports constructed entirely of metal shall be prohibited. Columns and roof structures shall be compatible with the materials of the principal structure.
- (6) Accessory structures, excluding detached garages and farm accessory structures, shall not exceed sixteen feet (16') in height.
- (7) Detached garages may be permitted up to thirty feet (30') in height, provided:
 - (i) The garage meets the side yard setback requirements of the principal structure; and
 - (ii) The height of the garage does not exceed the height of the principal structure.
- (8) Farm accessory structures shall not exceed the maximum height permitted within the applicable zoning district.

(d) Accessory Structures within Nonresidential Districts

- (1) Accessory structures within nonresidential zoning districts shall conform to the setback and height requirements of the applicable zoning district and shall not be located in front of the principal structure.
- (2) Unless otherwise provided herein, nonresidential accessory structures shall be constructed using materials compatible with the principal structure.
- (3) Portable accessory structures shall be prohibited. Metal accessory structures shall be prohibited if visible from public view.
- (4) All nonresidential accessory structures shall be placed on a permanent engineered foundation consisting of concrete or pier-and-beam construction.



Accessory Structure Setbacks

- (e) **Accessory Dwellings:** Accessory dwellings, including garage apartments, accessory dwelling units, and detached accessory dwelling structures, may be permitted in residential zoning districts where authorized by the applicable district regulations and the Use Charts (see Section 16), subject to the standards set forth in this section. Accessory dwelling units (ADUs) may be permitted within single-family residential zoning districts, including agricultural zoning districts, subject to the following requirements:
- (1) Accessory dwellings shall comply with all adopted International Building Codes.
 - (2) The principal dwelling shall be owner-occupied during the occupancy of the accessory dwelling.
 - (3) The floor area of an accessory dwelling shall not exceed twenty-five percent (25%) of the floor area of the principal dwelling, with a maximum size of eight hundred (800) square feet.
 - (4) The accessory dwelling shall contain one (1) bathroom and no more than one (1) bedroom
 - (5) The occupancy of the accessory dwelling shall be limited to a maximum of two (2) persons.
 - (6) Off-street parking shall be provided in accordance with the requirements for a one-bedroom dwelling unit as set forth in Section 40 Off-street parking and loading requirements.
 - (7) Accessory dwellings shall be water-metered in accordance with TCEQ utility regulations under Chapter 291, either by a separate meter or an approved submeter.
 - (8) No accessory dwelling shall be permitted on lots less than twelve thousand (12,000) square feet, except where otherwise permitted by zoning district regulations.

- (9) Accessory dwellings shall match the exterior appearance of the principal structure. Metal construction shall not be permitted.
- (10) Accessory dwellings shall not be sold separately from the principal dwelling and shall remain incidental to the primary residential use.

(a) **Accessory Structures and Accessory Dwellings**

Accessory Structure Type	Residential Location & Setbacks	Nonresidential Location & Setbacks	Maximum Height	Key Standards / Notes
Storage Building / Hobby Shop	Located behind principal structure; minimum five feet (5') from all property lines; not permitted in front or side yard setbacks	Setbacks as required by zoning district; located to the rear of principal structure	Sixteen feet (16')	Building permit required. Structures over 200 sq. ft. must use same or similar materials as principal structure. Metal allowed ≤120 sq. ft. if commercially manufactured; over 120 sq. ft. only if not visible from public view.
Detached Garage	Located behind principal structure; minimum five feet (5') from property lines; not permitted in front or side yard setbacks unless meeting principal structure setbacks	Setbacks as required by zoning district; located to the rear of principal structure	Up to thirty feet (30'), not to exceed height of principal structure	Building permit and permanent foundation required. Must be constructed of same or similar materials as principal structure unless a farm accessory structure.
Carport	Located behind principal structure; minimum five feet (5') from property lines; not permitted in front or side yard setbacks	Must meet all zoning district setbacks; located to the rear of principal structure	Sixteen feet (16')	Entirely metal carports prohibited. Columns and roof structures must be compatible with principal structure materials.
Swimming Pool	Permitted in rear or side yard only; minimum ten feet (10') from any property line; not permitted in front yard	Not applicable	Not applicable	Minimum three-foot (3') pedestrian clearance required. Pools must be fenced per adopted building codes.
Farm Accessory Structures	Located behind principal structure; may be permitted in side or rear yard as allowed by district	Setbacks as required by zoning district	Per zoning district	Exempt from material matching requirements; subject to district height limits.
Accessory Dwelling Unit (ADU)	Located behind or attached to principal structure where permitted by zoning district and Use Chart	Not permitted	Per principal structure	Owner-occupancy required. Maximum size: 25% of principal structure or 800 sq. ft., whichever is less. One bedroom maximum; two occupants maximum. Must

Accessory Structure Type	Residential Location & Setbacks	Nonresidential Location & Setbacks	Maximum Height	Key Standards / Notes
				match exterior of principal structure; no metal allowed.
Garage / Accessory Dwelling	Same standards as ADU; must be clearly incidental to primary use	Not permitted	Not to exceed principal structure	One (1) accessory dwelling permitted per lot. ADUs may not be leased or sold separately unless otherwise permitted by zoning district.

SECTION 14A.01.019. HOME OCCUPATION REGULATIONS.

(a) **Purpose:** Standards for controlling home occupations are set forth to minimize annoyance and inconvenience to neighboring property owners within residential areas. These standards are intended to allow reasonable and comfortable enjoyment of adjacent and nearby property by their owners and by occupants of neighboring residential dwellings, while providing opportunities for the pursuit of home-based businesses.

(b) **Special Provisions for Home Occupations:**

- (1) Home occupations shall be permitted as accessory uses in single-family, two-family and multifamily residential zoning districts (i.e., A, SF-10, SF-8.5, SF-7, SF-6, SF-PH, D, SFA, MF and MID provided that they comply with all restrictions herein;
- (2) The occupation shall produce no alteration or change in the character or exterior appearance of the principal building from that of a residential dwelling, and performance of the occupation activity shall not be visible from the street;
- (3) Such use shall be incidental and secondary to the use of the premises for residential purposes;
- (4) The occupation shall not employ more than one (1) person who is not a member of the household in which the home occupation occurs;
- (5) Not more than two (2) patron or business-related vehicles shall be present at one time, and the proprietor shall provide adequate off-street parking on the property where the use is located;
- (6) The operation of such an occupation shall be between the hours of 7:00 a.m. and 10:00 p.m.;
- (7) One commercial vehicle, capacity of one ton or less (according to the manufacturer's classification), may be used or parked (behind the front building line) on the property in connection with the home occupation, but said vehicle may not be parked in the street or within the front yard setback;
- (8) The occupation activity shall not increase vehicular traffic flow beyond what normally occurs within a residential district, and shall not require regular and frequent deliveries by large delivery trucks or vehicles with a rated capacity in excess of one and one-half tons, according to the manufacturer's classification;

- (9) There shall be no outside storage, including trailers, or outside display related to the home occupation use;
- (10) No mechanical or electrical equipment shall be employed on the premises other than that which is customarily found in a home environment, and that which is customarily associated with a hobby or avocation which is conducted solely for pleasure and not for profit or financial gain;
- (11) The home occupation shall not generate noise, vibration, glare, fumes/odors, heat or electrical interference beyond what normally occurs within a residential district;
- (12) The occupation shall not require the use of chemicals on the property that are obnoxious or hazardous to the welfare of the neighborhood;
- (13) The home occupation shall not use advertising signs or window displays, or any other device that calls attention to the business use of the premises through audio and/or visual means, except that one (1) sign not exceeding one hundred and forty-four (144) square inches may be displayed;
- (14) The occupation shall not offer a ready inventory of any commodity for sale on the premises unless the commodity is made/assembled on site (e.g., arts and crafts items, handmade clothing, etc.); and

(c) Applicability of Other Regulations:

- (1) Home occupations may also be subject to any and all other provisions of local regulations and laws that govern such uses.

(d) Uses Allowed as Home Occupations: Subject to the provisions of **Section 19.b** above, home occupations may include the following uses:

- (1) Office facility of an accountant, architect, landscape architect, attorney, engineer, consultant, insurance agent, realtor, broker, or similar profession;
- (2) Author, artist or sculptor;
- (3) Dressmaker, seamstress or tailor;
- (4) Music/dance teacher, or similar types of instruction, provided that instruction shall be limited to no more than one pupil at a time;
- (5) Individual tutoring and home schooling (maximum of four students who are not related by blood or marriage to the owner/occupant of the residence);
- (6) Millinery;
- (7) Office facility of a minister, rabbi, priest or other clergyman;
- (8) Home crafts, such as rug weaving, model making, etc.;
- (9) Office facility of a salesman, sales or manufacturer's representative, etc., provided that no retail or wholesale transactions or provision of services are personally and physically made on the premises;
- (10) Repair shop for small electrical appliances, cameras, watches/clocks, and other small items, provided that the items can be carried by one person without using special equipment, and provided that the items are not equipped with an internal combustion engine;

- (11) Registered Family Homes (see definition Section 49.), in compliance with applicable State laws, which are incorporated herein by reference, with no more than six (6) children;
 - (12) Swimming lessons and water safety instruction, provided that such instruction involves no more than six (6) pupils at any one time; and
 - (13) Bed and Breakfast Facility (see definition in 49.), provided that no more than five (5) guests are accommodated/served at a time.
- (e) **Uses Prohibited as Home Occupations:** Home occupations shall not, in any event, be deemed to include the following uses:
- (1) Animal hospitals or clinics, commercial stables, or kennels;
 - (2) Schooling or instruction, except swimming/water safety classes and home schooling, with more than one pupil at a time;
 - (3) Restaurants or on-premises food or beverage (including Private Clubs) consumption of any kind, except for limited food/meal consumption associated with the operation of a licensed registered family home or a bed and breakfast facility;
 - (4) Automobile, boat or trailer paint or repair shop; small engine or motorcycle repair shop; welding shop; large household appliance repair shop; or other similar type of business;
 - (5) Office facility for a veterinarian;
 - (6) On-premises retail or wholesale sales of any kind, except for items that are produced entirely on the premises in conformance with this Ordinance, and except for occasional garage sales;
 - (7) Commercial clothing laundering or cleaning;
 - (8) Mortuaries or funeral homes;
 - (9) Trailer, vehicle, tool or equipment rentals;
 - (10) Repair shops or services, except as specifically provided in Subsection 4 above;
 - (11) Drapery or furniture upholstery shops;
 - (12) Antique, gift or specialty shops;
 - (13) Repair shops for any items having internal combustion engines;
 - (14) Doctor or dentist office; and
 - (15) Any use that would be defined by the Building Code as an Assembly, Factory/Industrial, Hazardous, Institutional or Mercantile occupancy.
- (f) **Home Occupation Uses Not Classified:**
- (1) Any use that is not either expressly allowed nor expressly prohibited by Sections 40.4 and 40.5, respectively, is considered prohibited, unless and until such use is classified by amendment to this Ordinance by the Hutchins City Council, subsequent to an affirmative recommendation by the Planning and Zoning Commission.
- (g) **Effect of Section 19 Upon Existing Home Occupations:**
- (1) Any home occupation that was legally in existence as of the effective date of this Ordinance and that is not in full conformity with the provisions herein shall be deemed a legal

nonconforming use, and is subject to the provisions of Section 10 provided that the owner/proprietor of such home occupation register his/her business with the City within ninety (90) days of the effective date of this Ordinance, and provided that the home occupation use was not in violation of any other local, State or Federal law or regulation on that date. Proof of the existence of such home occupation use prior to the effective date of this Ordinance shall be required upon registration.

- (2) Any home occupation that was legally in existence as of the effective date of this Ordinance and that conforms with (i.e., is not in violation of) the provisions herein shall be hereby authorized to continue, provided that the home occupation use is registered with the City as described in **Subsection 1** above.

SECTION 14A.01.020. SHORT-TERM RENTALS

- (a) A short-term rental shall not be located on a premises that is within five hundred (500) feet of a premises on which another short-term rental use is located. For purposes of this subsection, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of the premises where the existing short-term rental is located to the nearest portion of the property line of the premises where the new short-term rental is proposed.
- (b) **Short-term rental permit required.**
 - (1) An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental.
 - (2) Upon application to the city, a short-term rental permit shall be approved by the City Administrator, or his/her designee, if the application satisfies all the conditions of this ordinance, and all other applicable regulations of the city.
 - (3) No permit or renewal permit will be approved for a short-term rental until the city has inspected the premises and found the premises to be in compliance with this ordinance and all city regulations governing minimum health and safety requirements for use and occupancy.
 - (4) The City Administrator, or his/ her designer, may place reasonable conditions on a short-term rental permit to ensure compliance with the provisions of this ordinance.
 - (5) A short-term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity.
- (c) **Expiration and renewals of permits.**
 - (1) A short-term rental permit shall expire on the last day of the month one (1) year after the date of issuance.
 - (2) No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee.
 - (3) An application for a short-term renewal permit must be filed at least thirty (30) days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. The permit holder shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete.
 - (4) An application for a short-term rental renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in subsection (2) above.
 - (5) If a complete application for a short-term renewal permit is submitted less than thirty (30) days prior to expiration of the current permit, the City Administrator, or his/ her designer in his or her sole discretion may grant a one-time extension of the current permit not to exceed ten (10) days.

- (6) If the renewal application satisfies all the conditions of this ordinance and all other applicable city regulations, an application for the renewal of a short-term rental permit shall be approved by the City Administrator, or his/her designee..
- (7) The City Administrator, or his/ her designer may place reasonable conditions on a short-term rental renewal permit to ensure compliance with the provisions of this ordinance.
- (d) **Application for short-term rental permit.** Every complete application for a short-term rental shall include the following information:
 - (1) The name, address, contact information, and authenticated signature for the owner of the premises;
 - (2) The name, address, and contact information of the operator, agent if any, and designated local responsible party as required in subsection (6) below;
 - (3) The city registration number for hotel occupancy tax;
 - (4) A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 - (5) A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces, and emergency evacuation routes;
 - (6) Proof of insurance as required in subsection (7) below;
 - (7) The name and contact information for the property or homeowner's association, if any, of which the premises is covered by the dedicatory instruments;
 - (8) A copy of the proposed host rules for the short-term rental, if any; and
 - (9) Such certifications deemed necessary and proper to ensure compliance with this ordinance.
 - (10) **Hotel tax required.** Short-term rentals shall be subject to the hotel occupancy tax, as required by Article 11.05, "Hotel Occupancy Tax" of the Hutchins Code of Ordinances.
- (e) **Designation of local responsible party.**
 - (1) An owner of a short-term rental must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public.
 - (2) Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to and shall be present at the premises within one (1) hour of call from the Building Official.
 - (3) A local responsible party must be authorized to make decisions regarding the premises and its occupants. A local responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release owner of any liability under this ordinance.
- (f) **Proof of insurance required.**
 - (1) The owner of a premises operating as a short-term rental shall operate only with host protection or other liability insurance commensurate with the operations of the short-term rental that provides coverage of up to one million dollars (\$1,000,000.00) per occurrence.

- (2) A certificate of insurance must be on file with the Building Official. Proof of insurance shall be required at the time of application and notice of cancellation of insurance must be made to the City Administrator, or his/ her designer within thirty (30) days.

(g) Occupancy restrictions.

- (1) An owner or operator of a short-term rental shall not rent, allow, provide, or advertise for more than two (2) persons per bedroom, plus two (2) additional persons, when using the premises as a short-term rental.
- (2) No more than five (5) individuals unrelated by blood, marriage, or adoption shall occupy a short-term rental.

(h) Parking requirements.

- (1) The maximum amount of motor vehicles allowed at a short-term rental shall be limited to the lesser of:
 - (2) One (1) vehicle per bedroom; or
 - (3) The number of vehicles that can be accommodated within off-street parking within the boundary lines of the premises.

(i) Additional regulations.

- (1) An owner shall not rent or lease a short-term rental for a period of less than twenty-four (24) hours.
- (2) An owner shall not convert a garage to living space, remodel, renovate, enlarge, or otherwise modify premises to add additional bedrooms for use as a short-term rental.
- (3) An owner shall not pave or otherwise cover pervious soil to create additional on-premise parking without prior approval from the city.
- (4) An owner or occupant of a short-term rental shall not use or allow the use of amplified sound equipment that produces sound audible beyond the property line of the premises between the hours of 10:00 p.m. and 8:00 a.m.
- (5) Any on-site or off-site advertising signs or displays indicating the premises is a short-term rental is prohibited.
- (6) Advertising, promoting, or allowing special events is prohibited, and an owner or occupant shall not:
 - (7) Advertise or promote a special event, or allow the advertising and promotion of a special event (e.g. banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or any similar activity that would assemble large numbers of invitees) to be held on the premises; or
 - (8) Allow, suffer, or permit a special event as described to be held on the premises.
- (9) An owner or person operating a short-term rental shall provide a notice of instructions to occupants staying at the premises. The notice shall instruct the occupants as to all applicable city regulations pertaining to short-term rentals. These include, but are not limited to, occupancy restrictions, limits on parking, prohibitions on special events, and limits on amplified sound.

- (10) A copy of the approved short-term rental permit shall be posted at a conspicuous location inside the front entrance(s) to the short-term rental.
- (11) An owner or person advertising a short-term rental in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application, must include the current permit number assigned by the City Administrator, or his/her designee..

(j) Revocation of permit.

- (1) Any permit issued hereunder may be revoked by the City Administrator, or his/ her designer if the permit holder has:
 - (i) Received more than two (2) citations for violations of this section;
 - (ii) Failed or refused to comply with an express condition of the permit and remains in non-compliance ten (10) days after being notified in writing of such non-compliance;
 - (iii) Knowingly made a false statement in the application; or
 - (iv) Otherwise become disqualified for the issuance of a permit under the terms of this section.
- (2) Notice of the revocation shall be given to the permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address. The revocation shall become effective the day following personal service or if mailed, three (3) days from the date of mailing.
- (3) The permit holder shall have ten (10) days from the date of such revocation in which to file notice with the City Administrator, or his/ her designer their appeal from the order revoking said permit. The City Administrator, or his/ her designer shall provide for a hearing on the appeal in accordance with the provisions of this section.
- (4) In the event an owner's short-term rental permit is revoked by the City Administrator, or his/her designee., no second or additional permit shall be issued for a short-term rental on the premises for one (1) year of the date such permit was revoked.

(k) Administrative appeals of denial or revocation of permit.

- (1) Upon denial or revocation of a permit, the City Administrator, or his/ her designer shall notify the applicant or permit holder, in writing, of the reason for which the permit is subject to denial or revocation. To contest the denial or revocation of a permit, the applicant or permit holder shall file a written request for a hearing with the City Administrator, or his/ her designer within ten (10) days following service of such notice. If no written request for hearing is filed within ten (10) days, the denial or revocation is sustained.
- (2) The appeal shall be conducted within twenty (20) days of the date on which the notice of appeal was filed with the City Administrator, or his/her designee..
- (3) The hearings provided for in this section shall be conducted by the City Administrator, or his/ her designer at a time and place designated by the City Administrator, or his/her designee.. Based upon the recorded evidence of such hearing, the City Administrator, or his/ her designer shall sustain, modify, or rescind any notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the applicant or permit holder requesting the hearing.
- (4) The determination of the City Administrator, or his/ her designer shall be final.

- (5) An appeal shall not stay the denial or suspension of the permit unless otherwise directed by the City Administrator, or his/her designee.

SECTION 14A.01.021. COMMERCIAL TRUCK PARKING LOTS

- (a) **Intent.** The purpose of this article is to protect the life, health, safety, welfare, and property of residents and businesses by regulating commercial truck parking lots. This article aims to ensure compatibility with surrounding land uses, minimize adverse impacts such as noise, traffic, and pollution, and provide safe, secure accommodations for long-haul drivers and their vehicles.
- (b) **Applicability.** No person shall operate, advertise, or allow the use of a property as a commercial truck parking lot without first obtaining a valid permit from the city. The city administrator, or designee, shall approve the permit upon determining that the application satisfies all requirements of this article and other applicable city codes. The administrator may impose reasonable conditions to ensure compliance, including but not limited to hours of operation, lighting, fencing, and environmental safeguards.
- (c) **Parking and Site Standards.** Parking and site design shall comply in **Section 40** Off-street parking and loading requirements. The facility must meet the following minimum standards
 - (1) All truck parking spaces shall be located on a paved surface and clearly striped
 - (2) The number of trucks allowed shall not exceed the total number of designated off-street spaces.
 - (3) On-street parking of commercial vehicles is prohibited.
 - (4) Adequate turning radii and circulation paths must be provided for safe ingress and egress.
 - (5) Screening and buffering shall be required along property lines adjacent to residential or sensitive uses

SECTION 14A.01.022. OPEN STORAGE AREAS

- (a) **Open Storage Areas:**
 - (1) Open storage of materials, commodities or equipment (where allowed in the specific zoning district) shall be located behind the front building line and shall observe all setback requirements for the main structure or building. This standard does not apply to outside display (see definition of outside display in Section 49 Definition; see screening requirements in Section 42.

Division V: Zoning Districts

SECTION 14A.01.023. ZONING DISTRICTS ESTABLISHED.

- (a) The City of Hutchins, Texas is hereby divided into the following zoning districts. The use, height and area regulations as set out herein apply to each district. The districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
A	Agriculture
SF-10	Single-Family Residential-10 (minimum 10,000 square-foot lots)
SF-8.5	Single-Family Residential-8.5 (minimum 8,500 square-foot lots)
SF-7	Single-Family Residential-7 (minimum 7,000 square-foot lots)
SF-6	Single-Family Residential-6 (minimum 6,000 square-foot lots)
SF-PH	Single-Family Residential-Patio Home (zero-lot-line homes)
D	Two-Family Residential (duplex homes)
SFA	Single-Family Attached Residential (townhomes)
MF	Multifamily Residential (apartments)
MH	Manufactured Home
O	Office
R	Retail
C-1	Commercial-1
HC	Highway Commercial
LI	Light Industrial
HI	Heavy Industrial
PD	Planned Development
SUP	Specific Use Permit

- (b) A tabular summary of the area regulations for the following zoning districts is included within the City's fee schedule.
- (c) Certain terms and definitions used within this Ordinance can be found in City's fee schedule and building regulations.

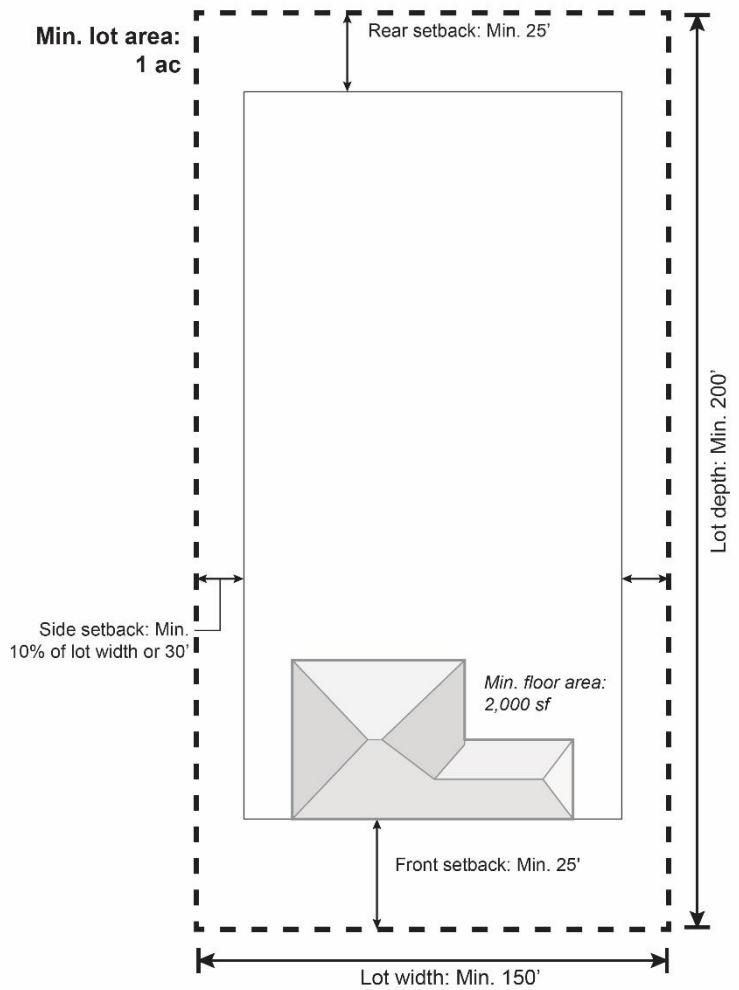
SECTION 14A.01.024. A – AGRICULTURE DISTRICT.

- (a) **General Purpose and Description:** The A, Agriculture, district is designed to permit the use of land for the propagation and cultivation of crops and similar uses of vacant land. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the City is initially zoned Agriculture until it is assigned another more permanent zoning district. It is anticipated that Agriculture zoned land will eventually be rezoned to another more permanent, urban zoning classification in the future.
- (b) **Permitted Uses:**
 - (1) Those uses specified in Section 16 (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, Section 14.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) Forty-five feet (45') for agricultural structures (e.g., barns, silos, water towers, etc.), provided they are no closer than one hundred feet (100') from any residential structure on the premises, and they are set back at least one hundred feet (100') or three (3) times their height (whichever is greater) from any residential structure on adjacent property.
 - (iii) Twenty-five feet (25') for other accessory buildings, including detached garage/accessory dwelling units.
 - (iv) Other (see Section 43).

(d) Area Regulations:

- (1) Size of Lots:
 - (i) Minimum Lot Area: One (1) acre (i.e., 43,560 square feet)
 - (ii) Minimum Lot Width: One hundred fifty feet (150')
 - (iii) Minimum Lot Depth: Two hundred feet (200')

- (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25')
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed thirty feet (30'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building



- (3) Minimum Floor Area per Dwelling Unit: Two thousand (2,000) square feet
- (4) Maximum Lot Coverage: Twenty percent (20%) by main buildings; thirty percent (30%) including accessory buildings, driveways and parking areas
- (5) Parking Regulations
 - (i) Single-Family Dwelling Unit: A minimum of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure
 - (ii) Other: See Section 40, Off-Street Parking and Loading Regulations

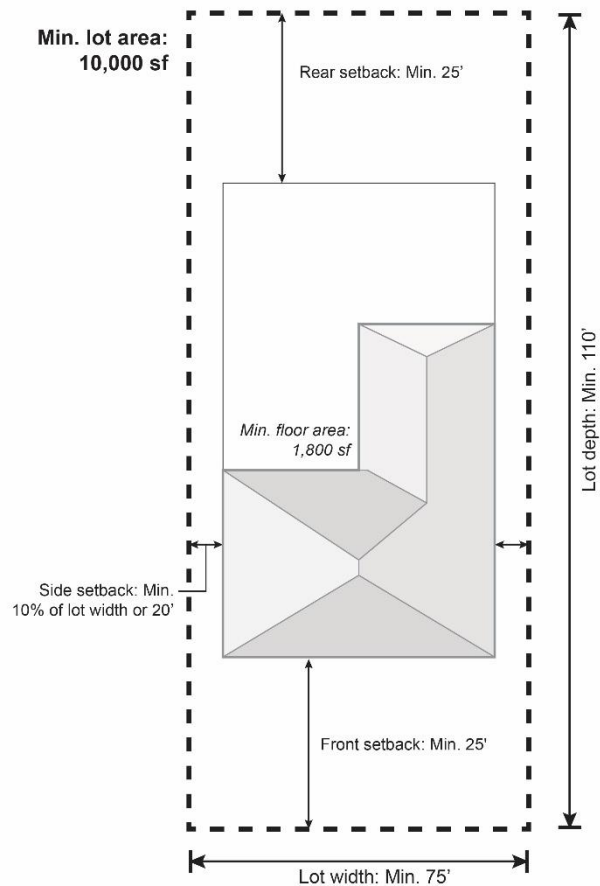
(e) Special Requirements:

- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
- (3) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc.).

- (4) Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
- (5) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the A district.
- (6) All single-family structures shall have a minimum roof pitch of 6:12.
- (7) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.025. SF-10 – SINGLE-FAMILY RESIDENTIAL-10 DISTRICT.

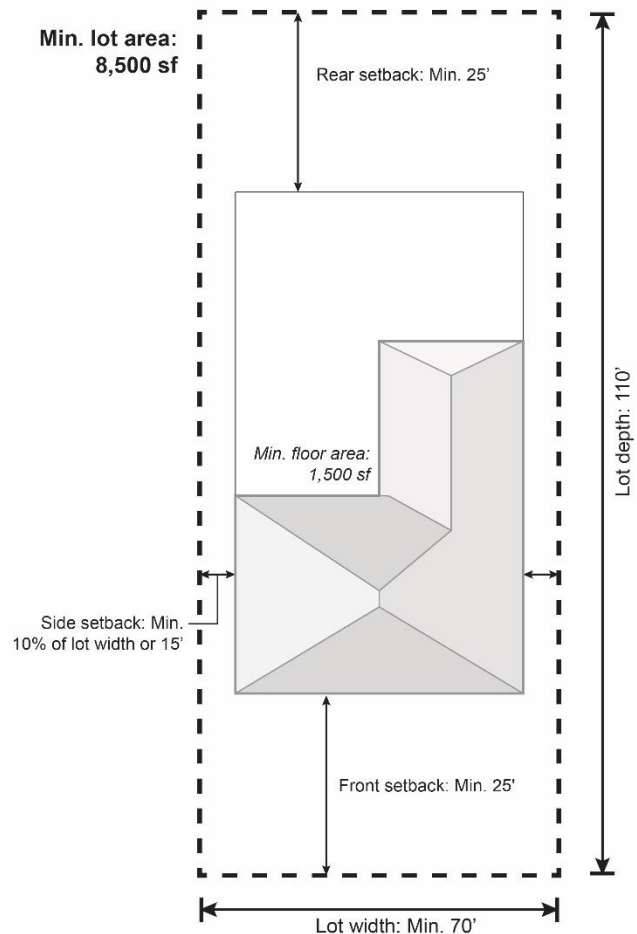
- (a) **General Purpose and Description:** The SF-10, Single-Family Residential-10, district is intended to provide for development of primarily detached, single-family residences on lots of not less than ten thousand (10,000) square feet.
- (b) **Permitted Uses:**
 - (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see **Section 43**).
- (d) **Area Regulations:**
 - (1) Size of Lots:
 - (i) Minimum Lot Area: Ten thousand (10,000) square feet
 - (ii) Minimum Lot Width: Seventy-five feet (75')
 - (iii) Minimum Lot Depth: One hundred ten feet (110')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25')
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed twenty feet (20'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building.
 - (3) Minimum Floor Area per Dwelling Unit: One thousand eight hundred (1,800) square feet.



- (4) Maximum Lot Coverage: Thirty percent (30%) by main buildings; thirty-five percent (35%) including accessory buildings, driveways and parking areas
- (5) Parking Regulations:
 - (i) Single-Family Dwelling Unit: A minimum of two (2) enclosed parking spaces behind the front building line and on the same lot as the main structure
 - (ii) Other: (See Section 40, Off-Street Parking and Loading Requirements)
- (e) **Special Requirements:**
 - (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
 - (3) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
 - (4) Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
 - (5) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
 - (6) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the SF-10 district.
 - (7) All single-family structures shall have a minimum roof pitch of 6:12.
 - (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 46.

SECTION 14A.01.026. SF-8.5 – SINGLE-FAMILY RESIDENTIAL-8.5 DISTRICT.

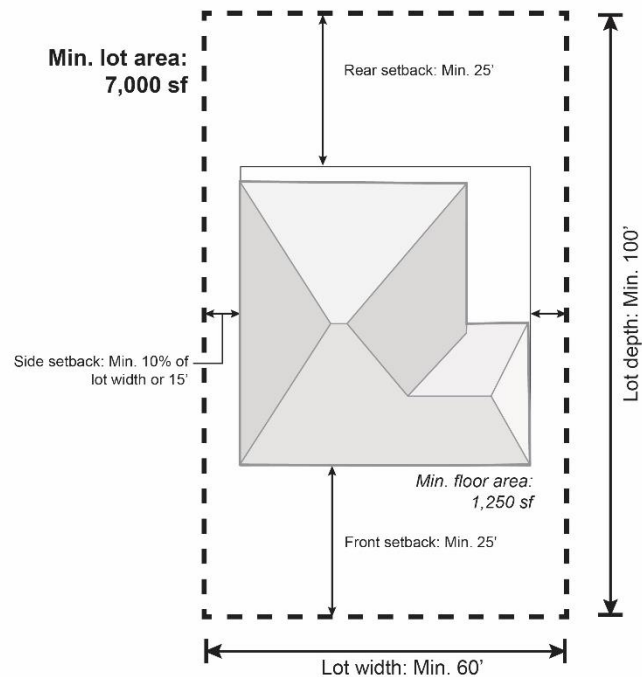
- (a) **General Purpose and Description:** The SF-8.5, Single-Family Residential-8.5, district is designed to provide for development of primarily detached single-family residences on smaller and more compact lots or parcels of land not less than eight thousand five hundred (8,500) square feet.
- (b) **Permitted Uses:**
 - (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see **Section 43**).
- (d) **Area Regulations:**
 - (1) Size of Lots:
 - (i) Minimum Lot Area: Eight thousand five hundred (8,500) square feet
 - (ii) Minimum Lot Width: Seventy feet (70')
 - (iii) Minimum Lot Depth: One hundred ten feet (110')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25')
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed fifteen feet (15'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building.
 - (3) Minimum Floor Area per Dwelling Unit:
One thousand five hundred (1,500) square feet.



- (4) Maximum Lot Coverage: Thirty-five percent (35%) by main buildings and accessory buildings
- (5) Parking Regulations:
 - (i) Single-Family Dwelling Unit: A minimum of two (2) enclosed parking spaces behind the front building line and on the same lot as the main structure
 - (ii) Other: (See Section 40, Off-Street Parking and Loading Requirements)
- (e) **Special Requirements:**
 - (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
 - (3) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
 - (4) Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
 - (5) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
 - (6) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the SF-8.5 district.
 - (7) All single-family structures shall have a minimum roof pitch of 6:12.
 - (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.027. SF-7 – SINGLE-FAMILY RESIDENTIAL-7 DISTRICT.

- (a) **General Purpose and Description:** The SF-7, Single-Family Residential-7, district is designed to provide for development of primarily detached single-family residences on smaller and more compact lots or parcels of land not less than seven thousand (7,000) square feet.
- (b) **Permitted Uses:**
 - (1) Those uses specified in Section 16 (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, Section 14.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see Section 43).
- (d) **Area Regulations:**
 - (1) Size of Lots:
 - (i) Minimum Lot Area: Seven thousand (7,000) square feet
 - (ii) Minimum Lot Width: Sixty feet (60')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25')
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed fifteen feet (15'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building.
 - (3) Minimum Floor Area per Dwelling Unit. One thousand two hundred and fifty (1,250) square feet.
 - (4) Maximum Lot Coverage: Thirty-five percent (35%) by main buildings and accessory buildings



- (5) Parking Regulations:
 - (i) Single-Family Dwelling Unit: A minimum of two (2) enclosed parking spaces behind the front building line and on the same lot as the main structure
 - (ii) Other: (See Section 40, Off-Street Parking and Loading Requirements)

(e) **Special Requirements:**

- (1) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
- (3) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
- (4) Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
- (5) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
- (6) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the SF-7 district.
- (7) All single-family structures shall have a minimum roof pitch of 6:12.
- (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.028. SF- 6 – SINGLE-FAMILY RESIDENTIAL – 6 DISTRICT

(a) **General Purpose and Description:** The SF 6, Single-Family Residential – 6 district, is designed to provide for the development of detached single-family residences on compact lots with a minimum width of forty feet (40') and a minimum depth of one hundred fifty feet (150'). Lot coverage shall not exceed six thousand (6,000) square feet. Zero-lot-line configurations are permitted in this district.

(b) **Permitted Uses:**

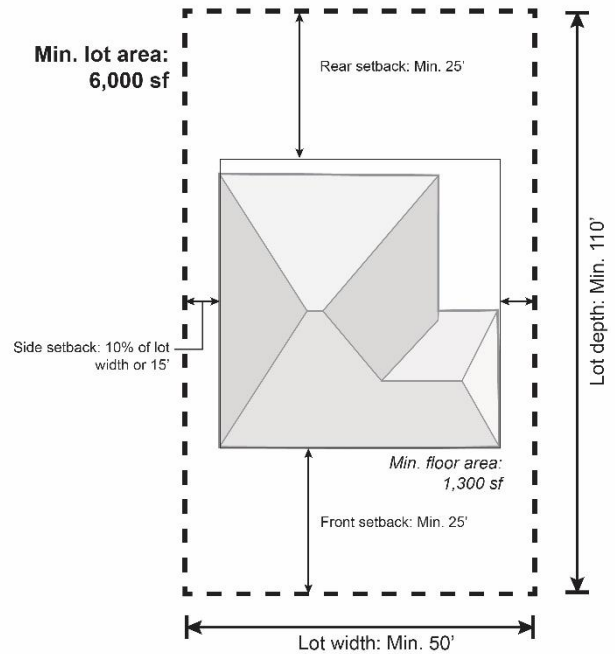
- (1) Those uses specified in Section 14 (Use Charts).
- (2) Such uses as may be allowed by Specific Use Permits, Section 30.

(c) **Height Regulations:**

- (1) Maximum Height:
 - (i) Two and one-half (2½) stories, or thirty-five feet (35') for the main building.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see Section 43).

(d) **Areas Regulations:**

- (1) Size of Lot:
 - (i) Minimum Lot Area: Six thousand (6,000) square feet.
 - (ii) Minimum Lot Width: Fifty feet (50').
 - (iii) Minimum Lot Depth: One hundred ten feet (110').
- (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25').
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed fifteen feet (15'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and accessory buildings; ten feet (10') from a main building to an accessory building.



- (3) Minimum Floor Area per Dwelling Unit: One thousand three hundred (1,300) square feet.
- (4) Maximum Lot Coverage: Forty-five percent (35%) by main buildings and accessory buildings.

(5) Parking Regulations:

- (i) Single-Family Dwelling Unit: A minimum of two (2) enclosed parking spaces behind the front building line and on the same lot as the main structure.
- (ii) Visitor Parking: One half (½) parking space per dwelling unit (off-street), located within six hundred feet (600') of the dwelling unit.
- (iii) Other: (See Section , Off-Street Parking and Loading Requirements).

(e) **Special Requirements:**

- (1) Side yards shall be maintained on both sides of the dwelling; zero-lot-line configurations are prohibited.
- (2) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.
- (3) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
- (4) Single-family homes with side entry garages shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
- (5) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
- (6) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the SF-40 district.
- (7) All single-family structures shall have a minimum roof pitch of 6:12.

(f) **Other Regulations:**

- (1) As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.029. D–TWO-FAMILY RESIDENTIAL (DUPLEX) DISTRICT.

(a) **General Purpose and Description:** The D, Two-Family Residential (Duplex), district is intended to promote stable, quality multiple- occupancy residential development at slightly increased densities. Individual ownership of each of the two-family or duplex units is encouraged. This district may be included within single- family neighborhoods or, when in accordance with the intent of the Comprehensive Plan, may provide a “buffer” or transition district between lower density residential areas and higher density or nonresidential areas or major thoroughfares.

(b) **Permitted Uses:**

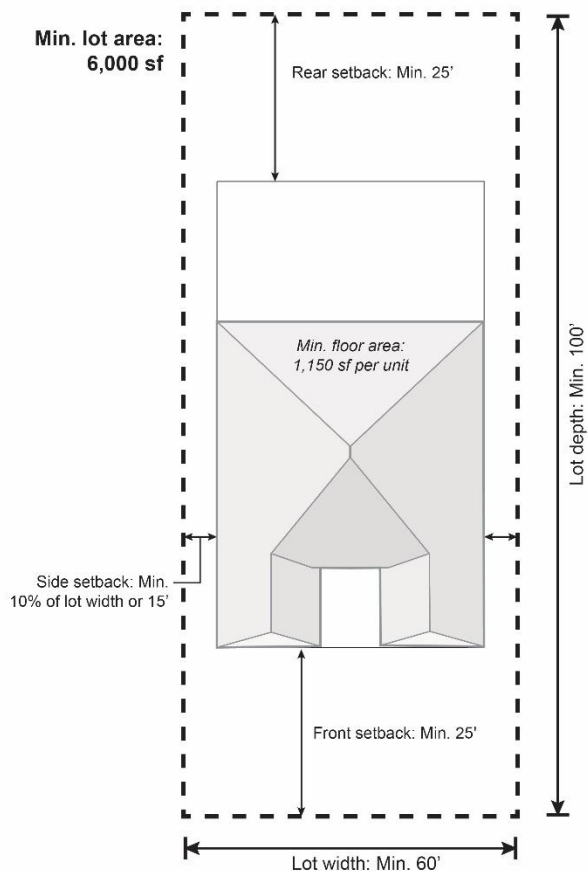
- (1) Those uses specified in Section 16 (Use Charts).
- (2) Such uses as may be allowed by Specific Use Permits, Section 14.

(c) **Height Regulations:**

- (1) Maximum Height
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see Section 43).

(d) **Area Regulations:**

- (1) Size of Lots for Two-Family/Duplex Homes:
 - (i) Minimum Lot Area: Six thousand (6,000) square feet per duplex lot (i.e., three thousand [3,000] square feet of lot area per dwelling unit)
 - (ii) Minimum Lot Width: Sixty feet (60') for each duplex lot (i.e., thirty feet (30') of lot width per dwelling unit)
 - (iii) Minimum Lot Depth: One hundred feet (100')
- (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25')
 - (ii) Minimum Side Yard: Ten percent (10%) of the lot width, but need not exceed fifteen feet (15'); 50% of the front yard setback (i.e., 12.5') from a street right-of-way for a corner lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building.



- (3) Minimum Floor Area per Dwelling Unit:
 - (i) Two-Family/Duplex Homes: One thousand one hundred and fifty (1,150) square feet.
 - (4) Maximum Lot Coverage:
 - (i) Two-Family/Duplex Homes: Fifty percent (50%) by main buildings and accessory buildings
 - (ii) Single-Family Detached Homes: Thirty-five percent (35%) by main buildings and accessory buildings
 - (5) Parking Regulations:
 - (i) Two-Family/Duplex Homes or Single-Family Detached Homes: A minimum of two (2) enclosed parking spaces for each dwelling unit behind the front building line and on the same lot as each dwelling unit.
 - (ii) Other: (See **Section 40**, Off-Street Parking and Loading Requirements).
- (e) **Special Requirements:**
- (1) Single-family lots and detached dwellings constructed in this district shall conform to the standards as set forth in the SF-7 zoning district (except as provided in **Section 19.4(B.)** above).
 - (2) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.
 - (3) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
 - (4) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
 - (5) Single-family and two-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
 - (6) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
 - (7) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the D district.
 - (8) All single-family structures shall have a minimum roof pitch of 6:12.
 - (9) *Other Regulations:* As established in the Development Standards, **Sections 40 through 45.**

SECTION 14A.01.030. SFA – SINGLE-FAMILY ATTACHED RESIDENTIAL DISTRICT (TOWNHOUSE).

(a) **General Purpose and Description:** The SFA, Single-Family Attached Residential, district is intended to promote stable, quality, attached-occupancy residential development on individual lots at slightly increased densities. Individual ownership of each lot is encouraged. This district may be included within certain areas of neighborhoods or, when in accordance with the intent of the Comprehensive Plan, may provide a “buffer” or transition district between lower density residential areas and multifamily or nonresidential areas or major thoroughfares. Townhome configurations may be permitted within this district when designed to accommodate narrower units with rear-access garages, provided all other applicable standards are met.

(b) **Permitted Uses:**

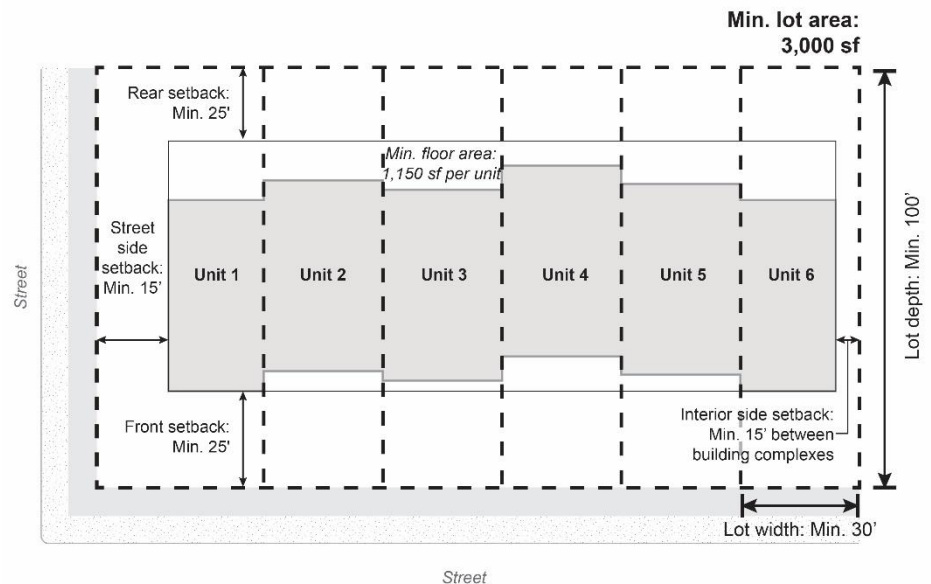
- (1) Those uses specified in Section 16 (Use Charts).
- (2) Such uses as may be allowed by Specific Use Permits, Section 14.

(c) **Height Regulations:**

- (1) Maximum Height
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see Section 43).
 - (iv)

(d) **Area Regulations:**

- (1) Size of Lots:
 - (i) Minimum Lot Area: Three thousand (3,000) square feet
 - (ii) Minimum Lot Width: Thirty feet (30')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (iv) Townhome Units: Minimum lot width may be reduced to twenty-five



feet (25') per unit when rear-access garages are provided via alley or shared drive, and when units are individually platted.

(2) **Size of Yards:**

- (i) Minimum Front Yard: Twenty-five feet (25')
- (ii) Minimum Side Yard:
 - (a) Single-family attached dwellings need not have a side yard, except that a minimum fifteen-foot (15') side yard is required adjacent to a street. The ends of any two adjacent building complexes or rows of buildings shall be at least fifteen feet (15') apart. The required side yards shall be shown on the subdivision plat.
 - (b) A complex of attached single-family dwellings shall have a minimum length of three (3) dwelling units, and shall not exceed two hundred feet (200') in length or the width of six (6) attached units, whichever is less.
- (iii) Minimum Rear Yard: Twenty-five feet (25') for the main building and any accessory building(s); ten feet (10') from a main building to an accessory building.

(3) Maximum Lot Coverage: Seventy percent (70%) by main and accessory buildings on each individual lot.

(4) **Parking Regulations:**

- (i) Townhome Units shall provide a minimum of two (2) enclosed parking spaces per dwelling unit.
 - (a) All parking for townhome units must be accessed from the rear of the property via alley or shared drive.
 - (b) Front-facing garages are prohibited for townhome configurations in this district.
 - (c) Parking spaces must be located behind the front building line and on the same lot as the dwelling unit they serve.
 - (d) Tandem parking is permitted only when both spaces are enclosed and accessible from the rear.
- (ii) Additional parking shall be required for any recreational uses, club house, office, sales offices and/or visitors.
- (iii) Designated visitor parking spaces shall be provided in off-street, common areas at a ratio of one (1) guest/visitor space per four (4) units.

(5) Minimum Floor Area per Dwelling Unit: One thousand one hundred and fifty (1,150) square feet.

(6) Maintenance Requirements for Common Areas: A property owners association is required for continued maintenance of common land and/or facilities.

(7) All utilities shall be provided separately to each lot within an SFA district so that each unit is individually metered.

- (8) Single-family detached dwellings (and their respective lots) constructed within this district shall conform to the standards as set forth in the SF-7 district (i.e., minimum lot size 7,000 square feet, minimum lot width of 60 feet, etc.).
- (9) Each SFA lot shall contain a private yard with not less than four hundred (400) square feet of area (i.e., a back yard or large side yard). Private yards may include a patio cover, gazebo or other similar nonenclosed structure which does not cover more than twenty-five percent (25%) of the area of the private yard, and they may also include a swimming pool, swing set, play fort, or other leisure amenity.

(e) Special Requirements:

- (1) The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.
- (2) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (3) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.
- (4) Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, gardening materials, etc.).
- (5) Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.
- (6) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the SFA district.
- (7) All single-family structures shall have a minimum roof pitch of 6:12.
- (8) Other Regulations: As established in the Development Standards, **Sections 40 through 45**.

SECTION 14A.01.031. MF MULTIFAMILY RESIDENTIAL DISTRICT (APARTMENTS).

(a) General Purpose and Description:

- (1) The MF, Multifamily Residential, district is an attached residential district intended to provide the highest residential density of thirty (30) dwelling units per acre. The principal permitted land uses will include low- and mid-rise multiple-family dwellings and garden apartments. Higher-density configurations such as stacked flats and courtyard-style buildings are encouraged to promote efficient land use and housing diversity.
- (2) Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between retail/commercial development or heavy automobile traffic and medium or low density residential development. Multifamily developments should incorporate pedestrian-oriented design features, including direct sidewalk connections to adjacent streets, transit stops, and nearby commercial or civic destinations.

(b) Permitted Uses:

- (1) Those uses specified in **Section 16** (Use Charts).
- (2) Such uses as may be allowed by Specific Use Permits, **Section 14.**

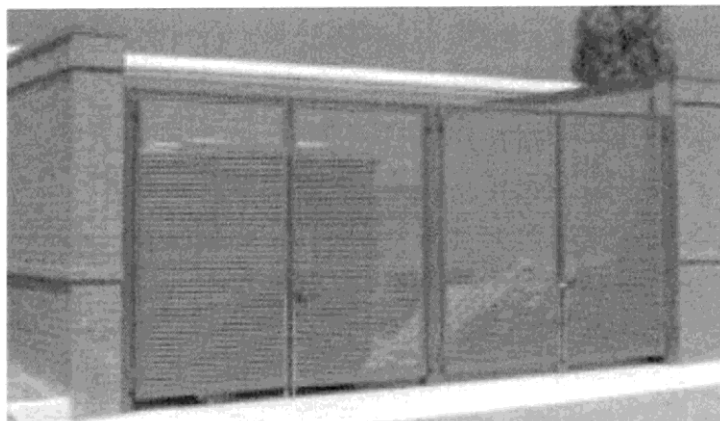
(c) Height Regulations:

- (1) Maximum Height:
 - (i) Three (3) stories or forty-five feet (45') for the main building(s).
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see **Section 43**).

(d) Area Regulations:

- (1) Size of Lots:
 - (i) Minimum Lot Area: One thousand four hundred (1,400) square feet per dwelling unit, not to exceed thirty (30) dwelling units per acre (calculated on gross acreage). The minimum lot (i.e., project) size shall be six thousand (6,000) square feet.
 - (ii) Projects exceeding twenty-one (21) dwelling units per acre shall include enhanced pedestrian infrastructure such as internal walkways, street-facing entries, and bicycle parking.
 - (iii) Minimum Lot Width: Sixty feet (60')
 - (iv) Minimum Lot Depth: One hundred feet (100')
- (2) Size of Yards:
 - (i) Minimum Front Yard: Thirty feet (30'). All areas adjacent to a street shall be deemed front yards.
 - (ii) Minimum Side Yard: Fifteen feet (15'); sixty feet (60') when building is in excess of one story in height and adjacent to a single-family zoning district

- (iii) Minimum Rear Yard: Twenty-five feet (25'); eighty feet (80') when the building is in excess of one story and adjacent to a single-family zoning district
- (iv) Building Separation:
 - (a) One-story buildings: Fifteen feet (15'), for buildings with or without openings
 - (b) Two-story buildings (or a two-story building adjacent to a one-story building): Twenty feet (20'), for buildings with or without openings
 - (c) Three-story buildings (or a three-story building adjacent to a one- or two-story building): Twenty-five feet (25'), for buildings with or without openings
- (3) Minimum Floor Area per Dwelling Unit:
 - (i) Efficiency unit: Five hundred fifty (550) square feet per unit.
 - (ii) One-bedroom unit: Six hundred (600) square feet per unit.
 - (iii) Two- or more bedroom unit: Eight hundred (800) square feet for the first two bedrooms, plus an additional two hundred (200) square feet for every bedroom over two (e.g., three- bedroom unit must have 1,000 square feet, etc.).
- (4) Parking Regulations:
 - (i) 1.75 spaces for each efficiency or 1 bedroom unit
 - (ii) 2 spaces for each 2 bedroom unit
 - (iii) 2.5 spaces for each 3 bedroom unit
 - (iv) 3 spaces for each 4 or more bedroom unit
 - (v) See **Section 40**, Off-Street Parking and Loading Requirements, for additional requirements.
- (5) Maximum Lot Coverage: Fifty percent (50%) total, including main and accessory buildings
- (e) Refuse Facilities:**
 - (1) Every multifamily dwelling unit shall be located within two hundred and fifty feet (250') of a refuse facility, measured along the designated pedestrian and vehicular travel way. A refuse facility shall be a dumpster or other similar receptacle designed for receiving garbage in bulk for more than one dwelling. Refuse dumpsters shall be no closer than thirty feet (30') to any adjacent single-family property.
 - (2) Each refuse facility shall be screened from view on three (3) sides (gate on fourth side is optional) from persons standing at ground level on the site or immediately adjoining property, by a solid screening device constructed of materials approved by the City Administrator, or his/ her designee, and not less than six (6) feet in height, or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy local public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies. . (See Illustration 11 for refuse container enclosure diagram).



Refuse Container Enclosed (With Gates)

(f) Special Requirements:

- (1) Single-family or duplex units constructed in this district shall conform to SF-7, SF-6 D district standards, respectively (see **Section 27, Section 28, Section 29**, as applicable).
- (2) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- (3) Open storage is prohibited.
- (4) The front door of each dwelling unit shall be no more than one hundred fifty feet (150') from a fire lane (measured by an unobstructed pathway, or route, for fire hoses).
- (5) A paved walkway shall connect the front door of each ground floor unit to a parking area.
 - (i) All multifamily developments shall provide a continuous pedestrian network throughout the site, including connections to public sidewalks, transit stops, and shared open spaces.
 - (ii) Ground-floor units shall have direct pedestrian access to adjacent sidewalks or internal walkways.
- (6) Buildings shall not exceed two hundred feet (200') in length.
- (7) Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize parking areas are provided as part of the approved site plan. This parking area shall not be used to meet the minimum parking requirements and shall not be visible from a public street.
- (8) All buildings containing residential units shall provide signage which clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.
- (9) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the MF district.
- (10) *Other Regulations:* As established in the Development Standards, **Sections 40 through 45**.

SECTION 14A.01.032. MH – MANUFACTURED HOME DISTRICT.

- (a) **General Purpose and Description:** The MH, Manufactured Home, district is a detached residential district establishing standards for the development of manufactured, HUD-code mobile home parks and subdivisions. Manufactured/ mobile home subdivisions include individually platted lots for sale within the subdivision, for the placement of manufactured/mobile home units. A manufactured, or mobile, home park offers spaces for the placement of manufactured/mobile home units on a lease or rental basis. The Manufactured Home district establishes area and design requirements for parks and subdivisions, as well as yard requirements for individual lots. Both parks and subdivisions provide open space and recreational areas appropriate for the acreages and number of units contained.
- (b) **Permitted Uses:**
- (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Area Regulations:**
- (1) Size of Yards (for each space within manufactured/mobile home park or subdivision):
 - (i) Minimum Front Yard: Twenty-five feet (25') from a dedicated street; fifteen feet (15') from any private street or drive
 - (ii) Minimum Side Yard: Ten feet (10'); twenty feet (20') between units; twenty-five feet (25') from any zoning district boundary line
 - (iii) Minimum Rear Yard: Ten feet (10'); twenty-five feet (25') from any zoning district boundary line
 - (iv) If a garage is provided, the entry (i.e., door) side of the garage shall have a twenty-five-foot (25') setback
 - (v) An accessory structure such as an awning, cabana, storage cabinet, carport, windbreak or porch which has a floor area exceeding twenty-five (25) square feet, and which has an opaque top or roof, shall for purposes of all separation requirements be considered to be part of the manufactured/mobile home unit.
 - (2) Size of Lot (for each space within a manufactured/mobile home park):
 - (i) Minimum Lot Area: Three thousand (3,000) square feet per unit
 - (ii) Minimum Lot Width: Thirty-five feet (35')
 - (iii) Minimum Lot Depth: Eighty feet (80')
 - (3) Minimum Floor Area per Dwelling Unit: One thousand (1,000) square feet.
 - (4) Maximum Lot Coverage: Fifty percent (50%) for main building/unit plus any accessory buildings.
 - (5) Parking Regulations: Two (2) spaces per unit located on the same lot as the unit served (see **Section 40**, Off-Street Parking and Loading).
 - (6) Minimum Lot Area for a Manufactured Home Subdivision: Twenty thousand (20,000) square feet.

- (7) Area for Manufactured Home Park: Minimum, three (3) acres; maximum, thirty-five (35) acres.
- (8) Maximum Height Limit:
 - (i) Two and one-half (2 1/2) stories, or thirty-five feet (35') for the main building/house.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see **Section 43**).

(d) Special Requirements for Manufactured/Mobile Home Parks:

- (1) *Tenant Parking:* Each parking space shall be an approved all-weather surface, in accordance with City standards, and shall be located to eliminate interference with access to parking areas provided for other manufactured/mobile homes and for public parking in the park (see **Section 40**, Off-Street Parking and Loading Requirements).
- (2) *Visitor and Supplemental Parking:* In addition to parking spaces required for each manufactured/mobile home unit, there shall be paved parking provided for the manufactured/ mobile home community in general (see **Section 40**, Off-Street Parking and Loading Requirements):
 - (i) Two (2) visitor parking space[s] for every three (3) manufactured/mobile home spaces.
 - (ii) One (1) supplemental parking or vehicle storage space for the parking or storage of boats, campers and similar vehicles or equipment for every four (4) manufactured/mobile home spaces.
 - (iii) Supplemental spaces may be located anywhere within the manufactured/mobile home community provided that no manufactured/mobile home space shall be situated further than one hundred fifty feet (150') from a visitor space.
 - (iv) Each parking space will be not less than nine feet by eighteen feet (9' x 18'), which is not to be included in the lot size.
- (3) *Access:* Each manufactured/mobile home community shall have direct access from a public street or an internal street. Where an internal private street provides access, the same shall be paved in accordance with City standards, and it shall be dedicated to the public as an emergency access or fire lane easement to allow for the rapid and safe movement of vehicles used in providing emergency health or public safety services. Each emergency access/fire lane easement shall have a clear unobstructed width of twenty-four feet (24'), shall connect to a dedicated public street, and shall have a turning area and radii of a minimum of fifty feet (50') to permit free movement of emergency vehicles. Dead end streets are not allowed. Cul-de-sac streets shall not exceed four hundred feet (400') in length. Fire lane easements shall be maintained by the manufactured/mobile home park.
- (4) *Walkways:* Designated concrete walkways four feet (4') in width will be provided on both sides of roadways or streets.
- (5) *Street Names and Signs:* Within each manufactured/mobile home park, all streets shall be named, and manufactured/mobile homes numbered in a logical and orderly fashion. Street signs shall be of a color and size contrasting with those on public streets and roadways so that there is no confusion regarding which are private and which are public streets. These signs and numbers shall be of standard size and placement to facilitate location by

emergency vehicles. Street names shall be submitted to the City Administrator, or his/her designee, along with the preliminary plat application, reviewed by the appropriate City staff with respect to street naming procedures set forth within the Subdivision Ordinance and/or the City's Code of Ordinances, and approved by the Planning and Zoning Commission and City Council on the preliminary plat for the subdivision. The street names shall be set with preliminary plat approval, and shall not be changed on the final plat without City approval. All dwelling unit numbering (i.e., addressing) shall be assigned by the City Administrator, or his/her designee.

- (6) *Other Signs:* Along all sections of emergency access easements, the owner or agent shall erect metal signs prohibiting parking. The sign type, size, height and location shall be in accordance with the Manual of Uniform Traffic Control Devices and approved by the City.
- (7) *Intersections:* Internal streets shall intersect adjoining public streets at approximately ninety degrees (90°) and at locations which will eliminate or minimize interference with traffic on those public streets.
- (8) *Street Lighting:* Street lighting within the manufactured/mobile home park shall be provided and maintained by the owners of the manufactured/mobile home park.
- (9) *Electric and Telephone Service:* All electrical distribution lines and all telephone lines shall be underground except the primary service lines to the park.
- (10) *Drainage and Soil Protection:* The ground surface in all parts of the park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each manufactured/mobile home space shall provide adequate drainage for the placement of a manufactured/mobile home. Exposed ground surfaces in all parts of every manufactured/mobile home park shall be paved and/or covered with stone, brick paving, or other similar solid material, or protected with a vegetative growth (such as grass) capable of preventing soil erosion and eliminating dust.
- (11) Firefighting:
 - (i) Approaches to all manufactured/mobile homes shall be kept clear for firefighting.
 - (ii) The owner or agent of a manufactured/mobile home park shall be responsible for the instruction of any staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. Owner shall supply standard City fire hydrants located within three hundred feet (300') of all manufactured/mobile home spaces, measured along the drive or street.
 - (iii) The owner or agent of a manufactured/mobile home park shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds in excess of twelve inches (12") in height.
- (12) *Refuse Handling and Collection:* The owner or agent of a manufactured/mobile home park shall provide an adequate system of collection and safe disposal of rubbish, as approved by the City. Storage, collection and handling of refuse shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. Every dwelling unit shall be located within two hundred fifty feet (250') of a refuse facility measured along the designated pedestrian or vehicular travel way. There shall be available at least six (6) cubic yards of refuse containers per thirty (30) units. If trash dumpsters are used, they shall be screened as prescribed in **Section 41** and as shown in Illustration 11.

- (13) *Anchorage of Manufactured/Mobile Homes*: To insure against natural hazards such as tornados, high winds and electrical storms, anchorage for each manufactured/mobile home shall be provided according to the Building Code and State law.
- (14) Skirting:
- (i) All manufactured/mobile home units not attached to a permanent foundation shall provide skirting from the top of the unit's frame to grade. Skirting shall totally enclose and secure from view the unit's axles and all required anchors, footings, and piers.
 - (ii) All required skirting shall be masonry (or other material approved by the City Administrator, or his/her designee), and shall be of a color similar to the materials used in the construction of the manufactured/mobile home unit such that it blends with the overall appearance of the unit.
- (15) Adequate Public Facilities:
- (i) Water: An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park/subdivision. Where a public supply of water of satisfactory quantity, quality and pressure is available at the site or at the boundary of the site, connection shall be made thereto, and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the City's health authority.
 - (ii) Sewerage: An adequate and safe sewerage system shall be provided in all mobile home parks/subdivisions for conveying and disposing of all sewage. Such system shall be designed, constructed and maintained in accordance with State and local laws.
 - (a) Each mobile home stand shall be provided with at least a four inch (4") diameter sewer riser pipe. The sewer riser pipe shall be located on each stand so that the sewer connection in the mobile home drain outlet will approximate a vertical position.
 - (b) The sewer connection from the drain outlet of the mobile home to the sewer riser pipe shall have a nominal inside diameter of at least three inches (3"), and the slope of any portion thereof shall be at least one-fourth inch (1/4") per foot. The sewer connection shall consist of one pipe only without any branch fittings. All joints shall be watertight.
 - (c) All materials used for sewer connections shall be semi-rigid, corrosion resistant, nonabsorbent and durable. The inner surface shall be smooth.
 - (d) Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") above ground elevation.
- (e) **Special Requirements:**
- (1) Single-family dwellings (and their respective lots) constructed within this district shall conform to the standards as set forth in the SF-7 district (i.e., minimum 7,000 square foot lot size, minimum 60 foot lot width, etc. – see **Section 27**).

- (2) Open storage is prohibited.
- (3) *Recreation Areas:* In all mobile home parks/subdivisions accommodating or designed to accommodate twenty-five (25) or more mobile homes, there shall be one or more recreation areas which shall be easily accessible to all park/subdivision residents. The size (i.e., total square footage) of such recreation areas shall be based upon a minimum of one hundred (100) square feet for each lot. No outdoor recreation area shall contain less than twenty-five hundred (2,500) square feet.
- (4) Site plan approval (see Section 13) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the MH district.
- (5) Management Responsibilities:
 - (i) The person(s) to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
 - (ii) The park management shall notify park occupants of all applicable provisions of this Ordinance, and shall inform them of their duties and responsibilities under this Ordinance.
 - (iii) The park management shall supervise the placement of each mobile home on its mobile home lot, including securing its stability and installing all utility connections.
 - (iv) The park management shall maintain a register containing the following information:
 - (a) Name and address of each occupant;
 - (b) The make, model, year, name of owner, license number, and state issuing such license of all automobiles, vehicles, mobile homes and travel trailers; and
 - (c) The date of arrival and date of departure of each mobile home or travel trailer.
 - (v) The park management shall keep the register available for inspection at all times by law enforcement officers, public health officials, and any other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of two (2) years following date of registration.
 - (vi) The park management shall notify the health authority immediately of any suspected communicable or contagious disease within the park.
- (f) **Other Regulations:** As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.033. O – OFFICE DISTRICT.

- (a) **General Purpose and Description:** The O, Office, district is established to create a flexible district for low intensity office and professional uses. The district can be used as a transition district between more intense uses and residential uses. Permitted uses should be compatible with adjacent residential areas by limiting heights to two (2) stories, and by utilizing buffering and landscaping requirements. Adaptive reuse of existing structures is encouraged. Buildings in this district should be compatible and in similar scale with residential uses and adjacent property.
- (b) **Permitted Uses:**
- (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
- (1) Maximum Height (see also **Subsection 14d.iv**):
 - (i) Two (2) stories or thirty-five feet (35') for the main building(s).
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (see **Section 43**).
- (d) **Area Regulations:**
- (1) Size of Lots:
 - (i) Minimum Lot Size: Seven thousand (7,000) square feet
 - (ii) Minimum Lot Width: Seventy feet (70')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Fifteen feet (15'); Twenty-five feet (25') adjacent to a public street or residential lot
 - (iii) Minimum Rear Yard: Twenty-five feet (25')
 - (iv) Adjacent to a Single-Family District: The side or rear setback, whichever is adjacent to the single-family zoning district, shall observe a sixty-foot (60') setback if the office use is over one (1) story in height.
 - (3) Maximum Lot Coverage: Fifty percent (50%); including accessory buildings.
- (e) **Special District Requirements:**
- (1) Parking Requirements: As established by **Section 40**, Off-Street Parking and Loading Requirements.
 - (2) Open storage is prohibited.
 - (3) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for

- the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13).
- (4) For landscaping requirements, see Section 41.
 - (5) For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
 - (6) Site Plan Review: Review and approval of a site plan (in accordance with Section 13) shall be required for any tract/lot within the O district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.
 - (7) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
 - (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.034. R – RETAIL DISTRICT.

- (a) **General Purpose and Description:** The R, Retail, district is established to provide areas for neighborhood, local and regional shopping and service facilities for the retail sales of goods and services. These shopping areas should utilize established landscape and buffering requirements. The R district should be located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes.
- (b) **Permitted Uses:**
 - (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
 - (1) Maximum Height (see also **Subsection 34.d.v.**):
 - (i) Two (2) stories or thirty-five feet (35') for the main building(s).
 - (ii) One (1) story for accessory buildings.
 - (iii) Other **(Section 43)**.
- (d) **Area Regulations:**
 - (1) Size of Lot:
 - (i) Minimum Lot Area: Six thousand (6,000) square feet
 - (ii) Minimum Lot Width: Sixty feet (60')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Twenty-five feet (25'); Twenty-five feet (25') adjacent to a public street or residential lot
 - (iii) Interior Side Yards: When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the City's Building Code.
 - (iv) Minimum Rear Yard: Twenty-five feet (25')
 - (v) Adjacent to a Single-Family District: The side or rear setback, whichever is adjacent to the single-family zoning district, shall observe a sixty-foot (60') setback if the retail use is over one (1) story in height.
 - (3) Maximum Lot Coverage: Fifty percent (50%); including accessory buildings.
- (e) **Special Requirements:**
 - (1) Site Plan Review: Review and approval of a site plan (in accordance with Section 13) shall be required for any tract/lot within the R district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.

- (2) Parking Requirements: As established by Section 40, Off-Street Parking and Loading Requirements.
- (3) Open storage is limited to a maximum of five percent (5%) of the total lot area, shall not be located in front of (i.e., on the street side of) or on top of the building, and must be screened in accordance with the provisions of Section 41 (i.e., cannot be visible from any public street or adjacent property). However, periodic display of seasonal items (e.g., Christmas trees, pumpkins, etc.) is allowed during the appropriate time periods (see provisions for outside display below).
- (4) Outside display of merchandise and/or seasonal items (e.g., Christmas trees, pumpkins, etc.) shall be limited to the following:
 - (i) Shall be placed/located on the same lot as the primary use.
 - (ii) Shall not occupy any of the parking spaces that are required by this Ordinance for the primary use(s) of the property (except on a temporary basis only, which is a maximum of 30 days per display and a maximum of two displays per calendar year).
 - (iii) Shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on site or off site, in any way.
 - (iv) Shall not extend into public right-of-way or onto adjacent property.
 - (v) All outside display items shall be removed at the end of business each day (except for items that are seasonal in nature).
 - (vi) All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.

Exceptions to the above restrictions on outside display of merchandise:
 - (vii) Businesses whose primary inventory is typically displayed in an outside manner including, but not limited to, auto/boat dealers, lumber yards, plant nurseries, swimming pool/spa contractors, portable building sales lots, etc.
- (5) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13).
- (6) For landscaping requirements, see Section 41.
- (7) For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
- (8) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- (9) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.035. C-1 – COMMERCIAL-1 DISTRICT.

- (a) **General Purpose and Description:** The C-1, Commercial-1, district is intended to provide a location for low-rise commercial and service-related establishments, such as wholesale product sales, minor automotive repair services, and other similar commercial uses. Uses in this district may utilize open storage areas that are screened from public view (see **Section 41**). The uses envisioned for the district will typically utilize smaller sites and have operation characteristics which are not compatible with residential uses and some nonresidential uses. Convenient access to thoroughfare streets is also a primary consideration.
- (b) **Permitted Uses:**
 - (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Two (2) stories or thirty-five feet (35') for the main building.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (**Section 43**).
- (d) **Area Regulations:**
 - (1) Size of Lot:
 - (i) Minimum Lot Area: Six thousand (6,000) square feet
 - (ii) Minimum Lot Width: Sixty feet (60')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Twenty-five feet (25'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Twenty-five feet (25'); Twenty-five feet (25') adjacent to a public street or residential lot
 - (iii) Interior Side Yards: When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the City's Building Code.
 - (iv) Minimum Rear Yard: Twenty-five feet (25')
 - (v) Adjacent to a Single-Family District: The side or rear setback, whichever is adjacent to the single-family zoning district, shall observe a sixty-foot (60') setback if the retail use is over one (1) story in height.
 - (3) Maximum Lot Coverage: Fifty percent (50%); including accessory buildings.

(e) Special Requirements:

- (1) *Site Plan Review:* Review and approval of a site plan (in accordance with Section 13) shall be required for any tract/lot within the C-1 district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.
- (2) *Parking Requirements:* As established by **Section 40**, Off-Street Parking and Loading Requirements.
- (3) Open storage shall not be located in front of (i.e., on the street side of) or on top of the building, and must be screened in accordance with the provisions of **Section 41** (i.e., cannot be visible from any public street or adjacent property). However, periodic display of seasonal items (e.g., Christmas trees, pumpkins, etc.) is allowed during the appropriate time periods (see provisions for outside display below).
- (4) Outside display of merchandise and/or seasonal items (e.g., Christmas trees, pumpkins, etc.) shall be limited to the following:
 - (i) Shall be placed/located on the same lot as the primary use.
 - (ii) Shall not occupy any of the parking spaces that are required by this Ordinance for the primary use(s) of the property (except on a temporary basis only, which is a maximum of 30 days per display and a maximum of two displays per calendar year).
 - (iii) Shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on site or off site, in any way.
 - (iv) Shall not extend into public right-of-way or onto adjacent property.
 - (v) All outside display items shall be removed at the end of business each day (except for items that are seasonal in nature).
 - (vi) All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.

Exceptions to the above restrictions on outside display of merchandise:
 - (vii) Businesses whose primary inventory is typically displayed in an outside manner including, but not limited to, auto/boat dealers, lumber yards, plant nurseries, swimming pool/spa contractors, portable building sales lots, etc.
- (5) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13).
- (6) For landscaping requirements, see Section 41.
- (7) For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
- (8) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- (9) No permanent use of temporary buildings.
- (10) *Other Regulations:* As established in the Development Standards, **Sections 40 through 45**.

SECTION 14A.01.036. HC HIGHWAY COMMERCIAL DISTRICT.

- (a) **General Purpose and Description:** The HC, Highway Commercial, district is established to provide a relatively high intensity area which permits a mixture of land uses including office, retail, some types of commercial and entertainment uses, and highway-oriented uses, such as hotels, motels, auto dealerships and restaurants, which should generally be located along high-volume thoroughfares. The characteristics of each development site should be designed in such a manner as to create an attractive appearance from the thoroughfare (particularly along Interstate Highway 20 and Interstate Highway 45). Because these areas are major thoroughfare entry points into Hutchins, emphasis has been placed upon building arrangement, setbacks, parking and landscape treatment, which are elements that tend to influence the visual appeal of the City as viewed from the highway, and which may help to attract new business to the community. Additional emphasis shall be placed on architectural detailing, façade articulation, and cohesive landscaping to enhance gateway aesthetics and promote a unified visual identity. It is the intent of the HC zoning district to create a vibrant and attractive first impression of the community.
- (b) **Permitted Uses:**
 - (1) Those uses specified in **Section 16** (Use Charts).
 - (2) Such uses as may be allowed by Specific Use Permits, **Section 14**.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Eight (8) stories, but limited to a maximum height of forty-five feet (45') on any portion of the site that is within three hundred feet (300') of any residentially zoned property (i.e., A, SF-10, SF-8.5, SF-7, SF-6, SF-PH, D, SFA, MF or MH), a maximum height of thirty-five feet (35') within two hundred feet (200') of residential, and a maximum height of one (1) story within sixty feet (60') of residential.
 - (ii) One (1) story for accessory buildings.
 - (iii) Other (**Section 43**)
- (d) **Area Regulations:**
 - (1) Size of Lot:
 - (i) Minimum Lot Area: Ten thousand (10,000) square feet
 - (ii) Minimum Lot Width: Eighty feet (80')
 - (iii) Minimum Lot Depth: One hundred feet (100')
 - (2) Size of Yards:
 - (i) Minimum Front Yard: Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Twenty-five feet (25')
 - (iii) Interior Side Yards: When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the City's Building Code.

- (iv) Minimum Rear Yard: Twenty-five feet (25')
 - (v) Adjacent to a Residential District: The side or rear setback, whichever is adjacent to the residential zoning district, shall observe a sixty-foot (60') setback for any building that is over one (1) story in height, a two hundred foot (200') setback for buildings over two (2) stories or thirty-five feet (35') in height, and a three hundred foot (300') setback for buildings over three (3) or forty-five feet (') in height.
- (3) Maximum Lot Coverage: Fifty percent (50%), including accessory buildings.
- (4) Parking Regulations:
- (i) As required by **Section 40**, Off-Street Parking and Loading Requirements.
 - (ii) A maximum of fifty percent (50%) of the required parking shall be allowed within the front yard. No parking or loading shall be permitted within twenty feet (20') of the front property line, and then only if screened by a berm or living screen, as described in **Section 41 (Landscape Requirements)**.
- (e) Special Requirements:**
- (1) Site Plan Review: Review and approval of a site plan by the Planning and Zoning Commission and City Council (in accordance with **Section 12**) shall be required for any tract/lot within the HC district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by City Council.
 - (2) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
 - (3) Open storage is limited to a maximum of five percent (5%) of the total lot area, shall not be located in front of (i.e., on the street side of) or on top of the building, and must be screened in accordance with the provisions of **Section 41** (i.e., cannot be visible from any public street or adjacent property). However, periodic display of seasonal items (e.g., Christmas trees, pumpkins, etc.) is allowed during the appropriate time periods (see provisions for outside display below).
 - (4) Outside display of merchandise and seasonal items (e.g., Christmas trees, pumpkins, etc.) shall be limited to the following:
 - (i) Shall not be placed/located more than thirty feet (30') from the main building.
 - (ii) Shall not occupy any of the parking spaces that are required by this Ordinance for the primary use(s) of the property (except on a temporary basis only, which is a maximum of 30 days per display and a maximum of two displays per calendar year).
 - (iii) Shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on site or off site, in any way.
 - (iv) Shall not extend into public right-of-way or onto adjacent property.
 - (v) All outside display items shall be removed at the end of business each day (except for large seasonal items such as Christmas trees).
 - (vi) All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
- Exceptions to the above restrictions on outside display of merchandise:

- (vii) Businesses whose primary inventory is typically displayed in an outside manner including, but not limited to, auto/boat dealers, lumber yards, plant nurseries, swimming pool/spa contractors, portable building sales lots, etc.
- (5) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13). All primary structures shall incorporate articulated facades, including variations in wall planes, rooflines, and architectural detailing to avoid blank walls facing public streets. Buildings shall include enhanced entry features, such as canopies, porticos, or accent materials, to emphasize pedestrian access and visual interest. Mechanical equipment, including HVAC units and utility boxes, shall be screened from public view using architectural elements or landscaping.
- (6) For landscaping requirements, see Section 41. A minimum of fifteen percent (15%) of the total lot area shall be dedicated to landscaping, exclusive of parking lot islands. A landscape buffer of at least ten feet (10') in width shall be provided along all street frontages, planted with a combination of trees, shrubs, and groundcover. Street trees shall be planted at intervals of no more than thirty feet (30') on center, using species approved by the City's landscape standards. Parking lot islands shall be provided at the end of each parking row and every twelve spaces, planted with shade trees and low-maintenance vegetation. All landscaped areas shall be irrigated with an automatic system and maintained in a healthy, weed-free condition. Use of native or drought-tolerant plant species is encouraged to reduce water consumption.
- (7) For signage requirements, see the City's Sign Ordinance. Monument signs are encouraged over pole signs. Site lighting shall be shielded and downward-facing to minimize glare onto adjacent properties and roadways.
- (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.037. LI – LIGHT INDUSTRIAL DISTRICT.

- (a) **General Purpose and Description:** The LI, Light Industrial, district is intended primarily for the conduct of light manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses do require accessibility to major thoroughfares, major highways, and/or other means of transportation.
- (b) **Permitted Uses:**
 - (1) The following uses are permitted in the Light Industrial district, provided that such light manufacturing or industrial operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare or other atmospheric influence beyond the boundaries of the property upon which such use is located, and which produces no noise exceeding the average intensity of noise of street traffic, as further defined by the Performance Standards (Section 38), at that point, and provided that such use does not create fire or safety hazards on surrounding property.
 - (i) Those uses specified in Section 16 (Use Charts).
 - (ii) Industrial, fabrication and manufacturing plants, including the assembling of prefabricated parts for the production of finished equipment, where the process of manufacturing or treatment of materials is such that no dust, odors, fumes, gas, smoke, glare, vibration or noise is emitted beyond the property line (see Section 41 for screening requirements).
 - (iii) Uses of a light manufacturing type nature, employing electricity and/or other unobjectionable mode of power and which does not produce any objectionable dust, odors, fumes, gas, smoke, glare, vibration or noise.
 - (iv) Such uses as may be allowed by Specific Use Permits, Section 14.
- (c) **Height Regulations:**
 - (1) Maximum Height:
 - (i) Occupied structures/buildings: Three (3) stories or forty-five feet (45'), but limited to a maximum height of thirty-five feet (35') on any portion of the site that is within two hundred feet (200') of any residentially zoned property (i.e., A, SF-10, SF-8.5, SF-7, SF-6, SF- PH, D, SFA, MF or MH), and a maximum height of one (1) story within sixty feet (60') of residential.
 - (ii) Unoccupied structures (e.g., private grain silos, private water towers/utility structures, communications antennae, etc.): Sixty feet (60'); Where any structure over thirty-five feet (35') in height is to be constructed on a site that is adjacent to a residential zoning district (A, SF-10, SF-8.5, SF-7, SF-6, SF-PH, D, SFA, MF or MH), additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each foot that such structures exceed thirty- five feet (35'). (Also see Section 43 for communications antennae and support structures/towers.)
 - (iii) One (1) story for accessory buildings.
 - (iv) Other (Section 43).

(d) Area Regulations:

- (1) Size of Lot:
 - (i) Minimum Lot Area: Twenty thousand (20,000) square feet
 - (ii) Minimum Lot Width: One hundred feet (100')
 - (iii) Minimum Lot Depth: Two hundred feet (200')
- (2) Size of Yards:
 - (i) Minimum Front Yard: Fifty feet (50'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Twenty-five feet (25')
 - (iii) Minimum Rear Yard: Twenty-five feet (25')
 - (iv) Adjacent to a Residential District: The side or rear setback, whichever is adjacent to a residential zoning district, shall observe a sixty-foot (60') setback for any occupied building that is over one (1) story in height, and a two hundred foot (200') setback for occupied buildings over two (2) stories or thirty-five feet (35') in height.
- (3) Maximum Lot Coverage: Sixty-five percent (65%), including accessory buildings.

(e) Special Requirements:

- (1) Site Plan Review: Review and approval of a site plan (in accordance with Section 13) shall be required for any tract/lot within the LI district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.
- (2) Parking Requirements: As established by Section 40, Off-Street Parking and Loading Requirements.
- (3) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13).
- (4) For landscaping requirements, see Section 41.
- (5) For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
- (6) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- (7) No permanent use of temporary buildings.
- (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.038. HI – HEAVY INDUSTRIAL DISTRICT.

(a) **General Purpose and Description:** The HI, Heavy Industrial, district is intended primarily for the conduct of manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses do require accessibility to major thoroughfares, major highways, and/or other means of transportation.

(b) **Permitted Uses:**

(1) The following uses are permitted in the Heavy Industrial district, provided that such manufacturing or industrial operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare or other atmospheric influence beyond the boundaries of the property upon which such use is located, and which produces no noise exceeding the average intensity of noise of street traffic, as further defined by the Performance Standards (Section 38), at that point, and provided that such use does not create fire or safety hazards on surrounding property.

- (i) Those uses specified in Section 16 (Use Charts).
- (ii) Such uses as may be allowed by Specific Use Permits, Section 14.

(c) **Height Regulations:**

- (1) Maximum Height:
 - (i) Occupied structures/buildings: Three (3) stories or forty-five feet (45'), but limited to a maximum height of thirty-five feet (35') on any portion of the site that is within two hundred feet (200') of any residentially zoned property (i.e., A, SF-10, SF-8.5, SF-7, SF-6, SF- PH, D, SFA, MF or MH), and a maximum height of one (1) story within sixty feet (60') of residential.
 - (ii) Unoccupied structures(e.g., private grain silos, private water towers/utility structures, communications antennae, etc.): Sixty feet (60'); Where any structure over thirty-five feet (35') in height is to be constructed on a site that is adjacent to a residential zoning district (A, SF-10, SF-8.5, SF-7, SF-6, SF-PH, D, SFA, MF or MH), additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each foot that such structures exceed thirty- five feet (35'). (Also see Section 43 for communications antennae and support structures/towers.)
 - (iii) One (1) story for accessory buildings.
 - (iv) Other (Section 43).

(d) **Area Regulations:**

- (1) Size of Lot:
 - (i) Minimum Lot Area: Twenty thousand (20,000) square feet
 - (ii) Minimum Lot Width: One hundred feet (100')
 - (iii) Minimum Lot Depth: Two hundred feet (200')
- (2) Size of Yards:

- (i) Minimum Front Yard: Fifty feet (50'); all yards adjacent to a street shall be considered a front yard.
 - (ii) Minimum Side Yard: Twenty-five feet (25')
 - (iii) Minimum Rear Yard: Twenty-five feet (25')
 - (iv) Adjacent to a Residential District: The side or rear setback, whichever is adjacent to a residential zoning district, shall observe a sixty-foot (60') setback for any occupied building that is over one (1) story in height, and a two hundred foot (200') setback for occupied buildings over two (2) stories or thirty-five feet (35') in height.
- (3) Maximum Lot Coverage: Sixty-five percent (65%), including accessory buildings.
- (e) Special Requirements:**
- (1) Site Plan Review: Review and approval of a site plan (in accordance with Section 13) shall be required for any tract/lot within the HI district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.
 - (2) Parking Requirements: As established by Section 40, Off-Street Parking and Loading Requirements.
 - (3) All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 13).
 - (4) For landscaping requirements, see Section 41.
 - (5) For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
 - (6) Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
 - (7) No permanent use of temporary buildings.
 - (8) *Other Regulations:* As established in the Development Standards, Sections 40 through 45.

SECTION 14A.01.039. PD – PLANNED DEVELOPMENT DISTRICT.

(a) General Purpose and Description:

- (1) The City Council of the City of Hutchins, Texas, after public hearing and proper notice to all parties affected and after recommendation from the Planning and Zoning Commission, may authorize the creation of a Planned Development district.
- (2) The Planned Development (PD) district is a district which accommodates planned associations of uses developed as integral land use units such as industrial districts, office parks, retail/ commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multifamily, duplex, etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this Ordinance. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility.

(b) Permitted Uses:

- (1) An application for a PD district shall specify the use or the combination of uses proposed. PD designations shall not be attached to SUP requirements. Specific Use Permits are allowed in a PD only if specifically identified at the time of PD approval, and if specifically cited as an “additional use” in the ordinance establishing the PD.

(c) Planned Development Requirements:

- (1) Development requirements for each separate PD district shall be set forth in the amending ordinance granting the PD district and shall include, but may 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, project phasing or scheduling, management associations, and other requirements in existing zoning districts as the City Council and Planning and Zoning Commission may deem appropriate.
- (2) In the PD district, uses may be required to conform to the standards and regulations of a zoning district to which it is most similar. The zoning district shall be stated in the granting ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Ordinance (applications without this list will be considered incomplete). The Planned Development district shall conform to all other regulations of the zoning district, as well as all other sections of the Zoning Ordinance, unless specifically changed or excluded in the ordinance establishing the PD.
- (3) The ordinance granting a PD district shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and general statement citing the reason for the PD request.
- (4) The minimum acreage for a planned development request shall be one (1) acre.

(d) Approval Process

- (1) 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. To facilitate understanding of the request during the review and public hearing process, the concurrent submission of a Concept Plan for a proposed nonresidential, multifamily, manufactured (mobile) home, or residential (i.e., single- or two-family) project shall be required along with the PD zoning application. A detailed Site Plan (or a Preliminary Plat in the case of a residential PD; see the Subdivision Ordinance for submission requirements) may be submitted in lieu of the Concept Plan if the applicant prefers to do so, and if the applicant wishes to expend the resources/funds necessary to prepare a complete detailed Site Plan (or Preliminary Plat) submission (i.e., detailed engineering/architectural plans, etc.; see **Section 13**).

(e) **Concept Plan:**

(1) This plan shall be submitted by the applicant at the time of the PD request. 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, as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s) which further describe and explain the following requirements:

(i) *Residential Concept Plan:* A Residential Concept Plan (a Preliminary Plat may serve as the Residential Concept Plan; see the Subdivision Ordinance for submission requirements) shall be submitted with any residential PD zoning request for a development comprised of single-family (detached or attached) or two-family (duplex) dwellings on individually platted lots, and shall show general uses, phasing of the development, access, thoroughfares, alleys (if proposed), preliminary lot arrangements, proposed densities, proposed screening, landscaped or private amenity areas, project scheduling, and other pertinent development data.

(ii) *Nonresidential or Multifamily Concept Plan:* A Concept Plan shall be submitted with any nonresidential, multifamily, or manufactured (mobile) home PD zoning request, and shall clearly show all pertinent aspects of the type and nature of the proposed development. The Concept Plan shall show the types of use(s) proposed; access, topography and boundaries of the PD area; existing physical features of the site; existing and proposed streets, alleys, easements and lot lines; location of existing or proposed public facilities; building heights and locations; parking areas and ratios; fire lanes; screening and landscaped areas; project phasing and scheduling; and other pertinent development data to adequately describe the proposed development.

(a) A detailed Site Plan (i.e., Development Plan) shall be submitted for approval (in accordance with **Subsection B** below, and with **Section 13** of this Ordinance) within one (1) year from the approval date of the Concept Plan for all or some portion/lot of the Planned Development covered by the overall Concept Plan. If a detailed Site Plan is not submitted within one (1) year, then the Concept Plan will be deemed to be expired. A new Concept Plan (along with a zoning application to amend the PD ordinance and its accompanying Concept Plan) must be submitted for review and approval prior to detailed Site Plan review/approval (and any subsequent issuance of a building permit) for any portion of the PD district.

(f) **Site Plan (Development Plan):**

- (1) Submission and approval of the detailed Site Plan shall be in accordance with **Section 13** of this Ordinance, and shall accompany an application for Planned Development zoning if the applicant prefers to submit the detailed Site Plan in lieu of the required Concept Plan. The detailed Site Plan will establish the final plans for development of the Planned Development district (or any portion/lot thereof), and it shall substantially conform to the site layout and development data approved on the Concept Plan (adopted along with the PD ordinance). If a Concept Plan was previously approved for the overall PD district, then a detailed Site Plan (along with the required engineering/architectural site construction plans) may be submitted for only the sections/lots that are proposed for immediate development rather than for the entire PD. If no Concept Plan was approved with the ordinance establishing the PD, then a detailed Site Plan (along with the required engineering/architectural site construction plans) must be submitted for the entire PD, even though only portions of it are proposed for immediate development.

For any single- or two-family residential district (A, SF-10, SF-8.5, SF-7, SF-6, SF-PH, D or SFA), a Preliminary Plat shall qualify as the detailed Site Plan (Development Plan).

(g) Approval Process and Procedure:

- (1) The procedure for establishing a Planned Development zoning district shall follow the procedures for zoning amendments as set forth in **Section 11** of this Ordinance. This procedure shall be expanded to include concurrent consideration and approval (or denial) of the Concept Plan or the detailed Site Plan (or Preliminary Plat for a residential PD) which is submitted along with the PD zoning request application. The public hearings conducted for, and the subsequent actions taken upon, the PD zoning request shall also include the accompanying Concept Plan or detailed Site Plan/Preliminary Plat.
- (2) The ordinance establishing the Planned Development zoning district shall not be approved (or adopted) until the accompanying Concept Plan or detailed Site Plan/Preliminary Plat is approved by the City Council, and until all other procedural requirements set forth in **Section 11** are satisfied.

- (h) All Planned Development zoning districts approved in accordance with the provisions of this Ordinance in its original form, or by subsequent amendments thereto, shall be prefixed by a “PD” designation and assigned a unique identification number (e.g., PD-1, PD-2, and so on), and shall also be referenced on the Zoning District Map. A list of such Planned Development districts, showing the permitted uses and any other special stipulations of each PD district, shall be maintained as part of this Ordinance.

(i) Prior Planned Development Ordinances Remaining in Effect:

- (1) Prior to adoption of this Ordinance, the City Council previously established certain Planned Development districts, some of which are to be continued in full force and effect. The ordinances or parts of ordinances approved prior to this Ordinance, shall be carried forth in full force and effect and are the conditions, restrictions, regulations and requirements which apply to the respective Planned Development districts shown on the Zoning District Map as of the effective date of this Ordinance. Each prior PD ordinance is hereby assigned a unique identification number (e.g., PD-1, PD-2, and so on) as shown in the City’s fee schedule, and subsequent PD ordinances adopted after the effective date of this Ordinance shall be similarly numbered for identification purposes.
- (2) For all Planned Development districts established prior to adoption of this Ordinance which do not have a Concept Plan or Site Plan/Preliminary Plat approved for the site/parcel or

tract, a Concept Plan and a detailed Site Plan must be approved as stated in **Section 39.f** above (and pursuant to **Section 13** of this Ordinance, if applicable) prior to development of the property.

Division VI: Development Standards

SECTION 14A.01.040. OFF-STREET PARKING AND LOADING REQUIREMENTS.

- (a) **Purpose:** To secure safety from fire, panic, and other dangers; to lessen congestion on public streets; to facilitate the adequate provision 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.
- (b) **Residential Districts – Special Off-Street Parking Provisions:**
- (1) **Definitions.** The following definitions shall apply as used in this Section:
- (i) Approved connection shall mean the driving surface located between a residential structure's driveway, alley or street and an improved or limited parking surface.
 - (ii) Concrete pavers shall mean interlocking concrete paving stones at least two inches (2") thick on a base consisting of a layer of bedding sand over a minimum four inches (4") of compacted crushed stone, cement treated base, or soil cement base. The space in between concrete pavers shall be free of grass.
 - (iii) Driveway shall mean an improved or limited parking surface which provides egress and ingress between a residential structure and an adjacent street or alley and which is connected to a street or alley by a driveway approach.
 - (iv) Front yard shall mean that portion of a residential lot between the street and the residential structure face of a single-family, duplex, triplex, or four plex structures.
 - (v) Improved parking surface shall mean:
 - (a) Reinforced concrete as approved by the City; or
 - (b) Concrete pavers.Runners, as defined herein, are not improved parking surface.
 - (vi) Limited parking surface shall mean:
 - (a) Reinforced concrete as approved by the City
 - (b) Concrete pavers.
 - (vii) Runners shall mean a parking surface consisting of reinforced concrete, concrete pavers or limited parking surface located only under the wheels of a vehicle and an unimproved area under the body of the vehicle.
 - (viii) Notice has been given when written notification of a violation, in a form specified by the City:
 - (a) Is delivered in person to an owner, occupant, or person in charge of the property;
 - (b) Is affixed to the front door of the property; or
 - (c) Two (2) days after the written notification is deposited with the U.S. Postal Service, addressed to the owner, occupant, or person in charge of the property, with proper postage affixed.
- (2) Required off-street parking shall be provided on the same site as the use it is to serve.

- (3) All driveways and approaches to parking spaces shall be similarly paved, except in the A district.
- (4) No required parking space, garage, carport, or other automobile storage space shall be used for the storage of any heavy load vehicle (see definitions for heavy load vehicle).
- (5) A minimum of two (2) off-street parking spaces shall be provided for all single-family and duplex dwelling units on the same lot as the main structure.
- (6) Parking on unimproved surfaces prohibited.
 - (i) A person commits an offense if, within a residential district the person causes, suffers, permits, or allows the parking of any motor vehicle or trailer upon any surface other than:
 - (a) Limited parking surface in a residential rear yard; or
 - (b) Improved parking surface elsewhere.
 - (ii) Based on the evidence of damage to the soil structure or existing vegetation due to the traversing of vehicles to and from a limited or improved parking surface, the City may require the installation of an approved connection as necessary to mitigate standing water and vector harborage.
 - (iii) It is an affirmative defense to prosecution under this subsection if:
 - (a) The yard is on property which is used for agricultural purposes or zoned agricultural; or
 - (b) All of the following conditions exist:
 - (1) The home was built on or before January 1, 1980;
 - (2) The surface parked upon was part of the original driveway when the home was built; and
 - (3) The surface parked upon is limited parking surface and was originally composed of gravel, asphalt or macadam when the home was built.
- (7) Excessive driveway prohibited.
 - (i) A person commits an offense if, within a residential district the person causes, suffers, permits or allows a driveway to cover more than thirty-five percent (35%) of a front or rear yard. A limited or improved surface constitutes a driveway for purposes of determining the coverage under this section unless the surface is physically detached from any point of egress or ingress to an adjacent street or alley and is permanently incapable of providing a parking space for a vehicle.
 - (ii) It is an affirmative defense to prosecution under this subsection that:
 - (a) A driveway is a circular drive connecting to a street or alley by at least two (2) driveway approaches, and covers no more than thirty-five percent (35%) of the yard; or
 - (b) A driveway is within a residential front yard and parking is prohibited or restricted by ordinance on that portion of the street abutting the yard, and the driveway covers no more than thirty-five percent (35%) of the yard.

- (8) Abatement and appeal.
 - (i) In the event that is the City determines that a motor vehicle or trailer is parked on any surface in violation of the provisions of this section, the owner, occupant, or person in charge of the property shall correct the violation:
 - (a) After notice is given for a violation in a front yard or a violation visible from a public right-of-way; or
 - (b) Within ten (10) days after notice is given for a violation elsewhere on the property.
 - (ii) In the event that it is determined that a violation of the provisions of this section exist on a property, the owner, occupant, or person in charge of the property may appeal such determination to the City by filing a request in writing for a hearing with the City within thirty (30) days after notice is first given. Pending on an appeal does not excuse correction of the violation as required in **subsection (7)(a) above**.
- (9) Jurisdiction on appeal. In the event of an appeal, the order of the City shall be reviewed by the Zoning Board of Adjustment (ZBA). In reviewing such order, the ZBA has jurisdiction to:
 - (i) Uphold the determination of the City;
 - (ii) Approve alternative paving materials where such materials are demonstrated to meet or exceed the requirements of this section; or
 - (iii) Grant a variance, to a requirement under this section where it is determined that, due to peculiarities of the property, such as shape or restricted area, literal enforcement of this section would result in an unnecessary hardship.
- (10) Permit required. A permit shall be required to construct any parking surface improvement. Application for a permit to improve parking surface shall be made to the Building Inspection Department on a form acceptable to the City.

(c) Nonresidential and MF Districts – Special Off-Street Parking Provisions:

- (1) To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties and in accordance with the standards established in **Section 46**.
- (2) For safety and fire-fighting purposes, free access through to adjacent nonresidential parking areas shall be provided in accordance with **Section 40.i** (Fire Lanes).
- (3) All off-street parking spaces, drive aisles, maneuvering areas, loading areas, outdoor product storage areas, and vehicle storage areas shall be constructed of concrete and built in accordance with standards approved by the City Engineer. Parking or vehicle use shall not be permitted on grass, landscaped areas, gravel, or any other unimproved surface.

All required parking, maneuvering, and loading activities shall occur entirely on the subject property and shall not take place within the public right-of-way or on adjacent property unless a platted and recorded access easement has been granted for such use.

Parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Nonpermanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

- (4) Each standard off-street surface parking space size shall be in accordance with the design standards as shown on Illustration 10 for space size and design. Specific parking space sizes, exclusive of aisles, driveways and maneuvering areas shall be in accordance with the following minimum sizes:
 - (i) Standard: Nine feet (9') by twenty feet (20'); the paved depth of parking spaces may be reduced to eighteen feet (18') if a clear, unobstructed two-foot (2') bumper overhang (i.e., over landscaped area or over a minimum 6-foot wide sidewalk area) is provided in addition to the 18-foot paved parking space.
 - (ii) Parallel: Eight feet (8') by twenty-two feet (22')
- (5) All parking and loading spaces, and vehicle sales areas on private property shall have a vehicle stopping device (e.g., curb, wheel stop, etc.) installed so as to prevent parking of motor vehicles in any required landscaped areas, to prevent vehicles from hitting buildings, to protect public and/or private utility structures/facilities, and to prevent parked vehicles from overhanging a public right-of-way line, public sidewalk, or adjacent private property. An extra-wide sidewalk on private property may be permitted so as to allow encroachment of vehicle overhang while maintaining an unobstructed four-foot (4') minimum sidewalk width. The requirement shall apply only where spaces are adjacent to the walks, right-of-way, and required landscaping. Parking shall not be permitted to encroach upon the public right-of-way in any case. For new construction only, all vehicle maneuvering shall take place on site. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
- (6) In all nonresidential and multifamily zoning districts, the perimeter of all parking lots and driveways shall be provided with concrete curbs or other means to control traffic.
- (7) Refuse storage containers (i.e., dumpsters) placed in a parking lot shall not be located in a designated parking or loading space. Each refuse container shall be located so as to facilitate pickup by refuse collection agencies with the general flow of on-site vehicular traffic and with minimal backing movements. Access and approaches to a refuse container shall be entirely on the lot it serves, and shall not be from adjacent property unless an irrevocable, platted/recorded access easement is secured granting use of adjacent property for such purpose.
- (8) Handicap parking space(s) shall be provided according to building codes, State laws, and requirements of the Americans with Disabilities Act (ADA).
- (9) In all nonresidential and multifamily zoning categories, designated parking and loading areas shall not be used for the repair, storage, dismantling or servicing (except for normal maintenance of a private vehicle) of vehicles or equipment, or for the storage of materials or supplies, or for any other use in conflict with the designated parking and loading areas (i.e., advertising or open storage of raw materials).
- (10) To ensure that all requirements set forth in this Section are carried forward, it will be the responsibility of the owner of the parking area to adequately maintain the facility. All off-street parking areas shall be kept free of trash, debris, vehicle repair operation or display and advertising uses. At no time after initial approval of the parking area layout can changes be made in the location and number of provided spaces without approval of the City Administrator, or his/her designee.
- (11) Off-street stacking requirements for drive-through facilities:

- (i) A stacking space shall be an area on a site measuring nine feet (9') by twenty feet (20') with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area. An escape lane, of at least nine feet (9') in width and with negotiable geometric design, must be provided to allow vehicles to get out of the stacking lane in the event of a stalled vehicle, emergency, accidental entry, etc. In computing the number of stacking spaces for a particular use and where fractional spaces result, the stacking spaces required shall be construed to be the next higher whole number (i.e., "rounded up").
- (ii) For each service window of a drive-through restaurant, a minimum of six (6) spaces shall be provided for the first vehicle stop (usually the menu/order board), and two (2) spaces shall be provided for each additional vehicle stop (order/pick-up windows, etc.). One escape lane shall be provided from the beginning of the stacking lane to the first stop (e.g., menu/order board).
- (iii) For retail operations (other than restaurants, banks, etc.) and kiosks that provide drive-up service (e.g., pharmacy, dry cleaners, etc.), a minimum of three (3) stacking spaces for each service window shall be provided.
- (iv) For a full-service carwash, each vacuum or gas pump lane shall be provided with a minimum of three (3) stacking spaces. For the finish/drying area, adequate vehicle stacking and storage space must be provided to keep finished vehicles out of circulation aisles, access easements, fire lanes, streets, etc.
- (v) For each automated self-service (drive-through/rollover) carwash bay, a minimum of two (2) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing.
- (vi) For each wand-type self-service (open) carwash bay, a minimum of two (2) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing, unless a separate area/shade structure is provided (outside of circulation aisles) for these activities.
- (vii) For automobile quick-lube type facilities, a minimum of two (2) stacking spaces shall be provided for each service bay in addition to the service bay(s) itself.
- (viii) For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of four (4) stacking spaces. One escape lane shall be provided.
- (ix) Kindergartens, elementary schools, day care facilities, and similar types of facilities shall provide pick-up/drop-off areas that are not located in main traffic circulation aisles or in fire lanes. Stacking requirements for such facilities shall be a minimum of three (3) stacking spaces, plus one (1) stacking space for each ten (10) students/children (based upon the maximum occupancy/enrollment of the facility) over thirty (30) students/ children.

(d) Parking Access from a Public Street – All Districts:

- (1) In the approval of a detailed Site Plan, design consideration shall be given to providing entrance/ exit drives which extend into the site to provide adequate queuing of vehicles on the site.
- (2) In all districts (except single-family and duplex zoning districts) building plans shall provide for entrance/exit drive(s) appropriately designed and located to minimize traffic congestion or conflict within the site and with adjoining public streets as approved by the City Administrator, or his/her designee.
 - (i) Based upon a traffic impact analysis (if such is required by the City), if projected volumes of traffic entering or leaving a development are likely to interfere with the projected peak traffic flow volumes on adjoining streets, additional right-of-way and paving in the form of a deceleration lane or turn lane may be required of a developer in order to reduce such interference.
 - (ii) The determination of additional right-of-way or paving requirements shall be made at the time the final site plan is submitted for approval.
- (3) Vehicular access to nonresidential uses shall not be permitted from alleys serving residential areas, and shall not be configured as “head-in” parking spaces which are accessed directly from the street.
- (4) Parking space configuration, location, arrangement, size and circulation in all districts shall be constructed according to Illustration 10.
- (e) **Parking Requirements Based Upon Use:** In all districts, there shall be provided at the time any building or structure is erected or structurally altered, or change of use, off-street parking spaces in accordance with the following requirements:
- (f) Categorized Parking Requirements:

Primary Residential Uses (Use Chart 16.1)

Category	Use Type	Parking Requirement
Primary Residential Uses (Use Chart 32.2)	Bed and breakfast facility	One (1) space per guest room in addition to the requirements for a normal residential use
Primary Residential Uses (Use Chart 32.2)	Fraternity, sorority or dormitory	One (1) parking space for each two (2) beds on campus, and one and one-half (1 1/2) spaces for each two beds in off-campus projects
Primary Residential Uses (Use Chart 32.2)	Manufactured/mobile home or manufactured/mobile home park	Two (2) spaces for each manufactured/mobile home unit
Primary Residential Uses (Use Chart 32.2)	Retirement housing for the elderly (independent living)	One and one-half (1.5) spaces for each dwelling unit, plus any additional spaces for accessory retail, office, service or recreational uses
Primary Residential Uses (Use Chart 32.2)	Rooming or boarding house	One (1) parking space for each sleeping room, plus one (1) parking space for each host resident or employee during maximum (i.e., peak) shift

Accessory, Temporary, & Other Uses (Incidental Uses) (16.2)

Category	Use Type	Parking Requirement
Accessory, Temporary, & Other Uses (Incidental Uses) (Use Chart 32.3)	Mini-warehouse	Three (3) spaces per establishment if an office is located on site, plus two (2) spaces for an on-site manager's residence (if applicable), plus one (1) appropriately sized space for any type of vehicle to be stored on site (e.g., rental trucks, boats, RVs, etc.)
Accessory, Temporary, & Other Uses (Incidental Uses) (Use Chart 32.3)	Outdoor display	One (1) space for each six hundred (600) square feet of open sales/ display area

Utility, Civic Services, & Communication (Use Chart 16.3)

Category	Use Type	Parking Requirement
Utility, Civic Services, & Communication (Use Chart 32.4)	Community center, library, museum or art gallery	Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one (1) space for each four (4) seats that it contains
Utility, Civic Services, & Communication (Use Chart 32.4)	Library or museum	Ten (10) spaces plus one (1) space for every three hundred (300) square feet

Recreation, Hospitality, Entertainment Uses (Use Chart 16.4)

Category	Use Type	Parking Requirement
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Amusement center	One (1) space for each game table and one (1) space for each amusement device
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Bowling alley or center	Six (6) parking spaces for each alley or lane
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Commercial amusement (indoor)	One (1) space per one-hundred (100) square feet of gross floor area, or as follows:
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Commercial amusement (outdoor)	Ten (10) spaces plus one (1) space for each five hundred (500) square feet over five thousand (5,000) square feet of building and recreational area

Category	Use Type	Parking Requirement
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Dance/aerobics studio, or assembly/exhibition hall without fixed seats	One (1) parking space for each one hundred (100) square feet of floor area thereof
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Golf course	Four (4) parking spaces per hole or green plus requirements for retail, office, and club house areas and one (1) space per each two (2) employees
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Golf driving range	One and one-half (1 1/2) spaces for each driving tee
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Gymnasium, skating rinks, and martial arts schools	One (1) space for each three (3) seats at a maximum seating capacity (based upon maximum occupancy), plus one space for each two hundred (200) square feet
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Health club, health spa or exercise club	One (1) space per one hundred fifty (150) square feet of floor area
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Hotel or Motel	One (1) space per guest room, plus one (1) space per three (3) restaurant/ lounge area seats (based upon maximum occupancy), plus one (1) space per one hundred twenty-five (125) square feet of meeting/conference areas.
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Indoor jogging or running tracks	One (1) space for each one hundred (100) linear feet
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Indoor tennis courts	Six (6) spaces for each court
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Racquetball or handball courts	Three (3) spaces for each court
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Restaurant, private club, night club, cafe or similar recreation or amusement establishment	One (1) parking space for each one hundred (100) square feet of seating/ waiting area, or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy), whichever is greater; required parking spaces are in addition to any stacking spaces that may be required for drive-through facilities
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Swimming pool	One (1) space for each one hundred (100) square feet of gross water surface and deck area
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Theater, indoor or outdoor (live performances), sports arena, stadium, gymnasium or	One (1) parking space for each three (3) seats or bench seating spaces

Category	Use Type	Parking Requirement
	auditorium (except school auditorium)	
Recreation, Hospitality, Entertainment Uses (Use Chart 32.5)	Weight lifting or exercise areas	One (1) space for each one hundred (100) square feet

Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 16.5)

Category	Use Type	Parking Requirement
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Church, rectory, or other place of worship	One (1) parking space for each three (3) seats in the main auditorium/sanctuary
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	College or university	One (1) space per three (3) day students (based upon maximum occupancy and/or enrollment numbers)
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Day nursery, day care center, kindergarten	One (1) space per ten (10) pupils (based upon maximum occupancy and/or licensing capacity), plus one (1) space per teacher, plus one (1) space for each bus or van stored on the property (and sized to accommodate the vehicle), plus required stacking spaces
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Defensive driving school/class	One (1) space for each classroom seat
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Fraternal Organization, Lodge Union Hall or Civic Club*	One (1) space per two hundred (200) square feet
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Hospital	One (1) space for each two (2) beds or examination room, whichever is applicable; plus one (1) space for every two (2) employees during periods of full occupancy.
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Institutions of a philanthropic nature	Ten (10) spaces plus one (1) space for each employee
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Medical or dental office	One (1) space per two hundred (200) square feet of floor area. Facilities over 20,000 square feet shall use the parking standards set forth for hospitals.
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Mortuary or funeral home	One (1) parking space for each two hundred (200) square feet of floor space in slumber rooms, parlors or individual funeral service rooms, or one (1) space for each three (3) seats in the auditorium/sanctuary whichever is greater. Adequate on-site stacking spaces shall also be provided for the organization and forming of processions such that these

Category	Use Type	Parking Requirement
		activities do not cause excessive or extended traffic congestion/delays on a public roadway.
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Nursing home, convalescent home, or home for the aged	One (1) space per six (6) beds; plus one (1) parking space for each three hundred (300) square feet of floor area devoted to offices, cafeterias, exercise/therapeutic rooms, and other similar ancillary uses; plus one (1) space for every two (2) employees at full occupancy.
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	Sanitarium or similar institution	One (1) parking space for each six (6) beds, plus one (1) parking space for every two (2) employees at maximum (i.e., peak) shift and full occupancy
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	School, elementary (grades K-6)	One (1) parking space for each fifteen (15) students (design capacity)
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	School, high school (grades 9-12)	One space for each three (3) students, faculty and staff (design capacity)
Education, Institutional, Public, Civic Specific Uses (Medical)(Use Chart 32.6)	School, secondary or middle (grades 7-8)	One (1) parking space for each twelve (12) students (design capacity)

Transportation Uses (Use Chart 16.6)

Category	Use Type	Parking Requirement
Transportation Uses (Use Chart 32.7)	Bus or truck repair, storage area, or garage	One (1) space for each five hundred (500) square feet of floor area and repair garage with a minimum of five (5) spaces. For buildings over 5,000 square feet in size, one 10' x 60' truck parking space shall also be required for each 500 square feet of building area over 5,000 square feet.
Transportation Uses (Use Chart 32.7)	Carwash (self-serve)	One (1) space per washing bay or stall in addition to the washing areas/stalls themselves and required stacking spaces; Carwash (full service): One (1) space per one hundred fifty (150) square feet of floor area in addition to the required stacking spaces.
Transportation Uses (Use Chart 32.7)	Truck stop/travel center	One (1) truck parking space for each ten thousand (10,000) square feet of site area, plus one (1) vehicle parking space per two hundred (200) square feet of retail/service building area (plus one space per one hundred square feet of restaurant/cafe floor area, if provided)

Automobile and Related Uses (Use Chart 16.7)

Category	Use Type	Parking Requirement
Automobile and Related Uses (Use Chart 32.8)	Automobile parts sales (indoors)	One (1) space per two hundred (200) square feet of indoor floor area
Automobile and Related Uses (Use Chart 32.8)	Automobile sales or service	See Motor-Vehicle Sales
Automobile and Related Uses (Use Chart 32.8)	Gasoline station	One (1) space per two hundred (200) square feet of floor area, plus one (1) space for each gasoline pump unit (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces within pump areas qualify as spaces for the parking requirement. Adequate space shall be provided for waiting, stacking, and maneuvering automobiles for refueling.
Automobile and Related Uses (Use Chart 32.8)	Machinery or heavy equipment sales	One (1) space per five hundred (500) square feet of gross floor area
Automobile and Related Uses (Use Chart 32.8)	Motor-vehicle sales and new or used car lots	One (1) parking space for each five hundred (500) square feet of sales floor/office and other indoor uses, plus one (1) parking space for each one thousand (1,000) square feet of exterior lot area used for storage, sales and parking areas, plus one (1) parking space per repair bay in service areas (indoors or outdoors), plus one (1) parking space per service/towing vehicle to be stored on site

Category	Use Type	Parking Requirement
		(required parking spaces are in addition to those to be used for the storage/display of vehicles for sale/lease).

Office and Professional Uses (Use Chart 16.7)

Category	Use Type	Parking Requirement
Office and Professional Uses (Use Chart 32.9)	Bank, savings and loan, or similar institution	One (1) space per two hundred and fifty (250) square feet of gross floor area in addition to required stacking spaces
Office and Professional Uses (Use Chart 32.9)	Business or professional office (general)	Five (5) spaces, or one (1) space per three hundred (300) square feet of gross floor area (except as otherwise specified herein), whichever is greater
Office and Professional Uses (Use Chart 32.9)	Office (administrative or professional)	One (1) space for each three hundred (300) square feet of floor area
Office and Professional Uses (Use Chart 32.9)	Real estate office	One (1) space for each two hundred (200) square feet
Office and Professional Uses (Use Chart 32.9)	Telemarketing	One (1) space for each two hundred and fifty (250) square feet of floor space
Office and Professional Uses (Use Chart 32.9)	Veterinarian clinic	One (1) space per three hundred (300) square feet of gross floor space.

Retail, Commercial, & Related Service Uses (Use Chart 16.9 & 16.10)

Category	Use Type	Parking Requirement
Retail, Commercial, & Related Service Uses (Use Chart 32.10 & 32.11)	Commercial use	One (1) space per two hundred fifty (250) square feet of floor area
Retail, Commercial, & Related Service Uses (Use Chart 32.10 & 32.11)	Convenience store (with gasoline pumps)	One (1) space per two hundred (200) square feet of floor area, plus one (1) space for each gasoline pump unit (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces within pump areas qualify as spaces for the parking requirement. If no gasoline sales are provided, then the parking requirements shall be the same as for a retail store. Adequate space shall be provided for waiting, stacking, and maneuvering automobiles for refueling.
Retail, Commercial, & Related Service Uses (Use Chart 32.10 & 32.11)	Furniture or appliance store, hardware store, wholesale establishments, clothing or shoe repair or service	Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) square feet

Category	Use Type	Parking Requirement
Retail, Commercial, & Related Service Uses (Use Chart 32.10 & 32.11)	Lumber yard/home improvement center	One (1) space per four hundred (400) square feet display area, plus one (1) space per one thousand (1,000) square feet of warehouse
Retail, Commercial, & Related Service Uses (Use Chart 32.10 & 32.11)	Retail or personal service establishment, except as otherwise specified herein	One (1) space per two hundred (200) square feet of gross floor area in addition to any required stacking spaces for drive-through facilities

Industrial and Related Uses (Use Chart 16.11)

Category	Use Type	Parking Requirement
Industrial and Related Uses (Use Chart 32.10 and 32.12)	Industrial uses	One (1) space for each one thousand (1,000) square feet of floor area (one space per 300 square feet for any office/administrative areas)
Industrial and Related Uses (Use Chart 32.10 and 32.12)	Manufacturing, processing or repairing	One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater
Industrial and Related Uses (Use Chart 32.10 and 32.12)	Storage or warehousing	One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater
Industrial and Related Uses (Use Chart 32.10 and 32.12)	Wholesale type uses (no retail sales)	One (1) space for five thousand (5,000) square feet of gross floor area.

(g) **Rules for Computing Number of Parking Spaces:** In computing the number of parking spaces required for each of the above uses, the following rules shall govern:

- (1) "Floor Area" shall mean the gross floor area of the specific use.
- (2) "Seat" shall be interpreted as follows:
 - (i) For fixed (e.g., church pews, grandstands, benches, etc.) seating, one seat equals one and one-half (1.5) feet of length; and
 - (ii) For flexible (e.g., folding chairs, etc.) seating areas, one seat equals eight (8) square feet of floor area occupied by such seating area. (includes aisles).
- (3) For any type of use in **Section 40.e** above in which the number of seats is used to compute the required number of parking spaces, the City Administrator (or his/her designee) may, at his/her discretion, make a determination that the parking requirement shall instead be determined by the maximum occupancy load for the building (as prescribed in the City's Building Code) at a rate of one (1) parking space required for every three (3) persons to be accommodated in the facility at maximum occupancy.
- (4) Where fractional spaces result, the parking spaces required shall be construed to be the next higher whole number.

- (5) The parking space requirements for a new or unlisted use not specifically mentioned herein shall be the same as required for a use of similar nature. If the proposed use is not similar to any of the uses listed herein, a determination shall be made by the City Administrator, or his/her designee, in accordance with the requirements for the most closely related use specified in this Section. In the event the applicant disagrees with this determination, then he/she may submit a request for determination by the Planning and Zoning Commission and City Council using the same process as provided in **Section 16** for classifying new and unlisted uses.
- (6) Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- (7) For buildings which have mixed uses within the same structure (such as retail and office), the parking requirement shall be calculated for the most intensive use. In cases where the design of the interior of the structure is not practical for alteration, the parking requirement may be calculated for each use within a structure for buildings over 20,000 square feet.
- (8) Shared parking may be allowed in the case of mixed uses (different buildings) under the following conditions. Up to fifty percent (50%) of the parking spaces required for a theater or other place of evening entertainment (after 6:00 p.m.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours. Shared parking must be on the same parking lot and within the same zoning district. Reduction due to shared parking shall be determined by the City Administrator, or his/her designee. To assure retention of the shared parking spaces, each property owner shall properly draw and execute a document expressing the same and shall file this agreement with the City of Hutchins.
- (h) **Location of Parking Spaces:** All parking spaces required herein shall be located on the same lot, and within one hundred fifty feet (150') in the case of nonresidential buildings/uses, and within the same zoning district, as the building or use served, except in the CBD district and as follows:
 - (1) Where an increase in the number of spaces is required by a change or enlargement of an existing use, or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required additional spaces may be located not to exceed three hundred (300) feet from any nonresidential building served.
 - (2) 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, approval by the Planning and Zoning Commission and City Council is required according to the following criteria:
 - (i) Off-site parking may be permitted on an immediately contiguous lot or tract, or on a lot or tract within one hundred fifty feet (150') of such building or structure providing:
 - (a) That a permanent, irrevocable easement of the parking facilities in favor of the premises to be benefited shall be dedicated and recorded as a condition of such use, or
 - (b) That a long-term Remote Parking Lease Agreement be provided upon approval by the City as a condition of such use.

- (i) **Use of Required Parking Spaces, Nonresidential Districts:** Required off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for refuse containers, cart corrals, recycling kiosks, signs or sign support structures, telecommunications towers or support structures, storage or permanent display of boats, trailers, campers, motor vehicles or other goods, materials or products for sale, lease or rent.
- (j) **Fire Lanes:** Fire lanes shall be provided in all multifamily, single-family attached, manufactured home, and nonresidential developments. Fire lanes shall be a minimum width of twenty-four feet (24') of paving, and shall have a minimum inside turning radius at curves of twenty feet (20'), or as required by the Fire Code and/or the Fire Chief of the City of Hutchins. The minimum overhead vertical clearance over any portion of a fire lane shall be fourteen feet (14'), and the minimum 14-foot clearance shall be maintained for an additional horizontal distance of at least fifty feet (50') along the fire lane both before and after the overhead structure.
- (k) **Off-Street Loading Space – All Districts:**
 - (1) All retail, commercial, industrial and service structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks off-street. Each site shall provide a designated on-site maneuvering area for trucks (see Illustration 2). Such off-street loading space may be adjacent to (but not any portion of) a public alley or private service drive, or it may consist of a truck berth within the structure. Such off-street loading space or truck berth shall consist of a minimum area of ten feet by sixty feet (10' x 60'), and such spaces or berths shall be provided in accordance with the following schedule:

Total Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 to 10,000 square feet	None
10,001 to 50,000 square feet	1
50,001 to 100,000 square feet	2
100,001 to 200,000 square feet	3
Each additional 100,000 square feet	1 additional

- (2) In all zoning districts except Heavy Industrial, loading docks or service/delivery entrances shall not be constructed facing any public street, and shall not be visible from any public street. In the Heavy Industrial district, loading docks or service/delivery entrances (which may include overhead rolling steel doors) may be constructed facing a public street if they are set back a minimum of seventy-five feet (75') from the right-of-way line of the street, and if they are visually screened from the roadway (using a "line of sight" which is measured from a vertical height of five feet (5') at the right-of-way line of the roadway). Screening shall be subject to the following standards:
 - (i) Screening shall be a brick/masonry wall not less than ten feet (10') in height.
 - (ii) A living screen, or a living screen with berm, of equal height may be substituted upon approval (on the site plan) by the Planning and Zoning Commission and City Council. Living screen materials shall be in accordance with the City of Hutchins

approved plant list (see Section 41), or as may be otherwise approved by the Planning and Zoning Commission and City Council on the site plan.

- (iii) Screening shall be provided for a linear distance equal to the length of the area where the loading docks/service areas are exposed to the public street.
- (3) Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is adjacent to a residential use or district shall be designed and constructed so as to enclose the loading operation on three sides, in order to reduce the effects of the noise of the operation on adjacent residences.
- (4) Kindergartens, elementary schools, day schools, and similar child training and care establishments shall provide one (1) paved off-street pedestrian loading and unloading space for an automobile on a through, "circular" drive for each ten (10) students cared for (excluding child care in a residence). An additional lane shall also be required to allow pass by or through traffic to move while automobiles waiting or parked to pick up children occupy loading/unloading areas.

(I) Carports:

- (1) Any carport which may be permitted as prescribed by other Sections of this Ordinance shall be constructed of the same material as the main structure.
- (2) A carport shall be constructed with a similar roof pitch and trim as the main structure.

SECTION 14A.01.041. LANDSCAPING, TREE PRESERVATION, AND FENCING AND SCREENING

- (a) **Purpose:** It is the purpose of this section to establish certain regulations pertaining to landscaping within the City of Hutchins. These regulations provide standards and criteria for new landscaping which are intended to promote the value of property, enhance the welfare, and improve the physical appearance of the city.
- (b) **Scope:** The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new construction occurring within the city, except that single-family detached dwellings shall be exempt since such uses rarely fail to comply with the requirements set forth in this section.
- (c) **Enforcement:** The provisions of this section shall be administered and enforced by the The City Administrator (or his/her designee) or his designee. If, at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be in nonconformance to the standards and criteria of this section, the director shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant, or agent shall have 30 days from date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time, such person shall be in violation of this ordinance.
- (d) **Permits:** No permits shall be issued for building, paving, grading or construction until a landscape plan is submitted and approved by the City Administrator (or his/her designee). In the event that the proposed development requires an approved subdivision plat, site plan, or master development plan, no such final approval shall be granted unless a landscape plan is submitted and approved. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and

landscaping shall be in place in accordance with the landscape plan required in subsection E of this section.

- (1) In any case in which an occupancy certificate is sought at a season of the year in which the City Administrator (or his/her designee) determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, an occupancy certificate may be issued notwithstanding the fact that the landscaping required by the landscape plan has not been completed provided the applicant posts a letter of credit or deposits cash in an escrow account in the amount of the estimated cost of such landscaping. Such letter of credit or escrow deposit shall be conditioned upon the installation of all landscaping required by the landscaping plan within six months of the date of the application and shall give the city the right to draw upon the letter of credit or escrow deposit to complete the said landscaping if the applicant fails to do so.
- (e) **Landscape plans:** Prior to the issuance of a building, paving, grading or construction permit for any use other than single-family dwellings, a landscape plan shall be submitted to the Planning Services Department. The City Administrator (or his/her designee), or a designee, shall review such plans and shall approve same if the plans are in accordance with the criteria of these regulations. If the plans are not in accord, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance. Landscaping plans shall be prepared by a landscape architect, landscape contractor, landscape designer, knowledgeable in plants, materials and landscape design. Landscape plans shall contain the following information:
- (1) Minimum scale of one inch equals 50 feet;
 - (2) Location of all trees to be planted;
 - (3) Location of all plant and landscaping material to be used including plants, paving benches, screens, fountains, statues, or other landscape features;
 - (4) Species of all plant material to be used;
 - (5) Size of all plant material to be used;
 - (6) Spacing of plant material where appropriate;
 - (7) Layout and description of irrigation systems, including placement of water sources;
 - (8) Description of maintenance provisions for the landscape plan;
 - (9) Person(s) responsible for the preparation of landscape plan.
- (f) **Maintenance:** The owner, tenant and their agent, if any shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, irrigation systems, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds and other such material or plants not a part of the landscaping. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size. Automatic in-ground irrigation system with rain and freeze sensory capability shall be provided for all required landscape.
- (g) **General standards:** The following criteria and standards shall apply to landscape materials and installation.

- (h) **Quality:** Plant materials used in conformance with the provisions of this ordinance shall conform to the standards of the American Standard For Nursery Stock, or equal thereto. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
 - (1) **Trees:** Trees referred to in this section shall be of a species common to this area of Texas and shall have an average spread of crown of greater than 15 feet at maturity. Trees having a lesser average mature crown of 15 feet may be substituted by grouping the same so as to create the equivalent of a 15 feet crown of spread. Trees shall be of a minimum of three caliper inches when measured six inches above ground, and shall be selected from the list of approved trees, maintained by the The City Administrator (or his/her designee) as approved by the Planning and Zoning Commission.
 - (2) **Shrubs and hedges:** Shrubs shall be a minimum of two feet in height when measured immediately after planting. Hedges, where installed, shall be planted and maintained so as to form a continuous unbroken, solid, visual screen which will be three feet high within one year after time of planting.
 - (3) **Vines:** Vines shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet screening requirements as specified.
 - (4) **Ground cover:** Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year of planting.
 - (5) **Lawn grass:** Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales, berms or other areas subject to erosion.
 - (6) **Credit for existing trees:** Any trees p on a site meeting the herein specifications shall be credited toward meeting the tree requirement of any landscape of any landscaping provision of this section. Trees of exceptional quality due to size, large canopy cover, trunk diameter, rareness, age or species may, at the discretion of the director, be credited as two trees for the herein minimum requirements
- (i) **Minimum requirements for off-street parking and vehicular use areas:** Parking lots, vehicular use areas and parked vehicles are to be effectively screened from the public view and adjacent property. Both the interior and perimeter of such areas shall be landscaped in accordance to the following criteria. Areas used for parking or vehicular storage which are under, on, or within buildings are exempt from these standards.
 - (1) **Interior landscaping:** A minimum of ten percent of the gross parking areas shall be devoted to living landscaping which includes grass, ground cover, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks. The following additional criteria shall apply to the interior of parking lots:
 - (i) Interior landscape areas shall be protected from vehicular encroachment of overhang through appropriate wheel stops or curbs.
 - (ii) There shall be a minimum of one tree planted for each 400 square feet or fraction thereof of required interior landscape area.
 - (iii) Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every 12 parking spaces and at the terminus of all rows of parking. Such

islands shall contain at least one tree. Planter islands shall not be required for lots containing less than 35,000 square feet. The remainder shall be landscaped with shrubs, lawn, ground cover and other appropriate material not to exceed three feet in height. Interior planting islands shall have a minimum size of nine by 18 feet.

- (iv) The City Administrator (or his/her designee) may approve planter islands required to be located further apart than 12 parking spaces in order to preserve existing trees in interior parking areas. Off-street parking and drive areas located within the drip line of a tree shall be paved with permeable material approved by the The City Administrator (or his/her designee) when the drip line of an existing tree is larger than planter islands required.

- (j) **Perimeter landscaping:** All parking lots and vehicular use areas shall be screened from all abutting properties and/or public rights-of-way with a wall, fence, hedge, berm or other durable landscape barrier. Any living barrier shall be established in a two feet minimum width planting strip. Plants and materials used in living barriers shall be at least 30 inches high at the time of planting and shall be of a type and species that will attain a minimum height of three feet one year after planting.
 - (1) Any landscape barrier not containing live plants or trees shall be a minimum of three feet high at the time of installation. Perimeter landscaping shall be designed to screen off-street parking lots and other vehicular use areas from public rights-of-way and adjacent properties.
 - (2) Whenever an off-street parking or vehicular use area abuts a public right-of-way, except a public alley, a perimeter landscape area of at least 15 feet in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular use area. An appropriate landscape screen or barrier shall be installed in this area and the remaining area shall be landscaped with at least grass or other ground cover. Necessary accessways from the public right-of-way shall be permitted through all such landscaping. The maximum width for accessways shall be: 50 feet for nonresidential two-way movements; 30 feet for residential two-way movements; 20 feet for nonresidential one-way movements.
 - (3) Whenever an off-street parking or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least ten feet in width shall be maintained between the edge of the parking area and the adjacent property line. Accessways between lots may be permitted through all perimeter landscape areas. Maximum width for accessways shall be 25 feet. Landscaping shall be designed to visually screen the parking area. Whenever such property is zoned or used for residential purposes, the landscape buffer shall include a wall, hedge, or berm not greater than eight feet in height nor less than three feet in height.
 - (4) Perimeter landscape areas shall contain at least one tree for each 50 lineal feet or fraction thereof of perimeter area.
 - (5) Landscaping requirements for nonvehicular open space: In addition to the landscaping of off-street parking and vehicular use areas, all remaining open spaces on any developed lot or parcel shall conform to the following minimum requirements:
 - (i) Grass, ground cover, shrubs and other landscape materials shall be used to cover all open ground within 20 feet of any building or paving or other use such as storage.

- (ii) All structures shall be treated with landscaping so as to enhance the appearance of the structure and to screen any detractive or unsightly appearance.
- (iii) Landscaping shall be provided on each developed lot in accordance with the following standards:
 - (a) In all residential zoning districts (except SF-PH,D,SFA), a minimum of 15 percent of the landscaping shall be located in the required front yard.
 - (b) In all nonresidential zoning districts, a minimum of 15 percent of the total site area shall be devoted to feature landscaping with not less than 50 percent of the landscaping being located in the required front yard.
- (iv) 4. Trees shall be planted in nonvehicular open space to meet the following requirements. Existing trees that are p on a developed site may be credited to the following requirements:

Percentage of Site in Nonvehicular Open Space	Tree Ratio per Nonvehicular Open Space
Less than 30	1 tree/2,500 sq. ft.
30—49	1 tree/3,000 sq. ft.
Over 50	1 tree/4,000 sq. ft.

- (k) Landscaping in excess of the required minimum open space that is located in the rear yard of the site shall not be used to meet the minimum open space requirements for the site.
- (l) Sight distance and visibility: Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an accessway intersects a public right-of-way or when the subject property abuts the intersection of two or more public rights-of-way, a triangular visibility area, as described below, shall be created. Landscaping within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between three and six feet. Trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. The triangular areas are
 - (1) The areas of property on both sides of the intersection of an accessway and a public right-of-way shall have a triangular visibility area with two sides of each triangle being ten feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides.
 - (2) The areas of property located at a corner formed by the intersection of two or more public rights-of-way shall have a triangular visibility area with two sides of each triangle being 20 feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides. Landscaping, except required grass and low ground cover, shall not be located closer than three feet from the edge of any accessway pavement.
- (m) In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the director, the requirements set forth herein may be reduced to the extent to remove the conflict.

(n) **Approved Plant List**

Large Trees (within parking areas or as street trees)	Large Trees (nonvehicular areas)	Small/Ornamental Trees
<i>Pecan</i>	Bur Oak	Bradford Pear
<i>Sweetgum</i>	Persimmon	<i>Aristocrat Pear</i>
<i>Chinese Pistache</i>	Willow	<i>Crape Myrtle</i>
<i>Live Oak</i>	River Birch	<i>Texas Persimmon</i>
<i>Texas Red Oak</i>	Western Soapberry	Mexican Plum
<i>Shumard Red Oak</i>	Eastern Red Cedar	<i>Yaupon Holly</i>
<i>Bald Cypress</i>		Golden Raintree
<i>Cedar Elm</i>		Southern Wax Myrtle
<i>Texas Ash</i>		<i>Redbud</i>
<i>White Ash</i>		Carolina Buckthorn
Green Ash		Flame Leaf Sumac
Lacebark (Drake) Elm		<i>Shining Sumac</i>
American Elm		<i>Possumhaw Holly</i>
Chinquapin Oak		Afghan (Eldarica) Pine
Black Walnut		Crabapple
		Mexican Buckeye

Evergreen Shrubs (Acceptable for low [5' or less] screening)	Evergreen Shrubs (Acceptable as noted for 6' screening)	Other Shrubs/Shrub Forms
<i>Dwarf Abelia</i>	Red Tip Photinia	Possumhaw Holly
<i>Dwarf Yaupon Holly</i>	Cleyera	<i>Chinese Holly</i>
<i>Dwarf Burford Holly</i>	Nellie R. Stevens Holly	<i>Junipers</i>
<i>Barberry</i>	Waxleaf Ligustrum	Sumac
<i>Japanese Boxwood</i>	Sweet Viburnum	<i>Dwarf Chinese Holly</i>
<i>Eleagnus</i>	Willowleaf Holly	<i>Dwarf Crape Myrtle</i>
<i>'Berries Jubilee' Holly</i>	Cherry Laurel	
<i>Carissa Holly</i>	Burford Holly	
<i>'Dazzler' Holly</i>	Abelia	
Nandina	'Mary Nell' Holly	
	'Savannah' Holly	
	Leyland Cypress	

Ground Cover			
<i>Asian Jasmine</i>	<i>English Ivy</i>	<i>Monkey Grass</i>	<i>Trailing Juniper</i>
<i>Honeysuckle</i>	<i>Liriope</i>	<i>Vinca (Periwinkle)</i>	

(1) Notes: Plants in italics are preferred due to their lower water demand as designated in "Landscape Water Conservation. Xeriscape published by the Texas Agricultural Extension Service.

(i) Additional plant material may be approved as appropriate

(o) Tree Preservation:

(1) During any construction or land development, the developer shall clearly mark all trees to be p/retained on site, and may be required to erect and maintain protective barriers around all such trees or groups of trees. The developer shall not allow the movement of equipment or the storage of equipment, materials, debris or fill to be placed within the dripline of any trees that are designated for preservation.

(i) During the construction stage of development, the developer shall not allow cleaning of equipment or material under the canopy of any tree or group of trees that are being p. Neither shall the developer allow the disposal of any waste/toxic material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy of any tree or groups of trees to remain.

(ii) No attachment or wires of any kind, other than those of a protective or supportive nature, shall be attached to any tree.

(2) *Tree Removal:* In any nonresidential or multifamily development or zoning district, no person shall, directly or indirectly, cut down, destroy, remove, or effectively destroy through damaging, any tree that is six inches (6") or larger in caliper size (as measured forty-eight inches (48") above the ground at the trunk) on any nonresidential or multifamily property within the City of Hutchins without first obtaining a Tree Removal Permit as provided by this Section.

(i) Permit Required: Trees shall not be damaged, destroyed or removed prior to the issuance of a Tree Removal Permit, nor until the City Administrator (or his/her designee) approves removal of trees due to the following:

(a) Said trees are injured, dying, diseased or excessively infested with harmful insects; or

(b) Said trees are in danger of falling, interfering with utility services, or creating an unsafe visual obstruction; or

(c) Said trees create a hazardous or dangerous condition so as to endanger the public health, safety or welfare.

(ii) Utility companies shall be exempt from authorization of the City Administrator (or his/her designee) when public health, safety or welfare of the general citizenship is in danger.

(iii) Under no circumstances shall the clear-cutting of trees, six-inch (6") caliper size and larger (as measured forty-eight inches (48") above the ground at the trunk), on any nonresidential or multifamily property within the City of Hutchins be allowed prior to the issuance of a Tree Removal Permit for said property. Any tree removed will be required to follow the guidelines of this Ordinance.

- (iv) **Penalties for Unauthorized Removal of Trees:** If any trees are removed from any nonresidential or multifamily property, including any injury to a tree resulting from the developer's or contractor's failure to follow required tree protection measures that causes or may reasonably be expected to cause the tree to die, the property owner shall be determined to be in violation of this Ordinance. Each and every tree removed in violation of this Ordinance shall constitute a separate and distinct offense, and shall be subject to the penalties provided in **Section 47** of this Ordinance.
- (v) **Application for Tree Removal Permit:** A permit for the removal of trees shall be obtained by making application to the City of Hutchins, Building Department, on a form provided by the City, and shall be subject to the following procedures:
 - (a) **Review of Application for Tree Removal Permit:** Upon receipt of a proper application for a Tree Removal Permit, the City Administrator (or his/her designee) shall review the application and may conduct field inspections of the proposed development.
 - (b) The application for a Tree Removal Permit (if applicable) shall be considered an integral part of the application for site plan approval (see **Section 13**), and no site plan or development plan for any development that is subject to the provisions of this Section shall be approved without approval of the required Tree Removal Permit.
 - (c) Denial of an application for a Tree Removal Permit may be appealed (in writing) to the City Council.
- (vi) This Subsection does not apply to any area that was platted prior to the effective date of this Ordinance.

(p) Sight Distance and Visibility:

- (1) Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an intersection of a street(s), alley and/or driveway occurs, a triangular visibility area shall be created (see **Subsection 43.1**). Landscaping within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between twenty-four inches (24") and eight feet (8') above the ground. Single-trunked trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area and provided that their trunks, when mature in size, will not produce a "picket fence" effect which would hinder visibility.
- (2) Landscaping, except required grass and low ground cover, shall not be located closer than three feet (3') from the edge of any accessway pavement.
- (3) In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the City Administrator, or his/her designee, the requirements set forth herein may be reduced to the extent to remove the conflict.

(q) Maintenance:

- (1) The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not to be limited to, mowing (of grass

six inches or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.

- (i) Plant materials which die shall be replaced with plant material of similar variety and size, within one hundred and twenty (120) days. Trees with a trunk diameter in excess of six inches (6") measured twenty-four inches (24") above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches (3") measured twenty-four inches (24") above the ground. A time extension may be granted by the City Administrator, or his/her designee, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his/her agent.
- (2) Failure to maintain any landscape area in compliance with this Section is considered a violation of this Section and may be subject to penalties of **Section 47** of this Ordinance

(r) Screening of Nonresidential, Multifamily Areas and Manufactured/ Mobile Home Parks:

- (1) In the event that multifamily, nonresidential uses, or manufactured/mobile home parks side or back upon a single-family, two-family or residential PD district, or in the event that any nonresidential district sides or backs upon a multiple-family district, a solid brick/masonry screening wall of not less than six feet (6'), nor more than eight feet (8'), in height shall be erected on the property line separating these districts. The purpose of the screening wall is to provide a visual and protective barrier between the properties.
 - (i) When adjacent to commercial or industrial uses, the required screening wall shall be a minimum of eight feet (8') in height and may be increased to ten feet (10') where additional buffering is needed to mitigate noise, light, or visual impacts.
 - (ii) The owner of the multifamily property shall be responsible for and shall build and maintain the required wall on the property line dividing the property from the single-family or duplex residential district. This construction requirement applies only when multifamily is adjacent to residential uses.
 - (iii) When screening is required between nonresidential and residential uses, it shall be the responsibility of the nonresidential use to construct and maintain the screening wall.
 - (iv) Any screening wall or fence required under the provisions of this Section or under a Specific Use Permit, Planned Development District, or other requirement shall be constructed of masonry, reinforced concrete, or other similar suitable materials which do not contain openings. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.
 - (v) Alternative equivalent screening may be approved through the site plan approval process, **Section 13**.
 - (vi) In the event that Light Industrial (LI), Heavy Industrial (HI), or Logistics Port B (LPB) districts abut a residential district, a masonry screening wall of not less than fourteen feet (14') in height shall be constructed and maintained along the abutting property lines by the nonresidential use to provide a visual and noise barrier between the uses.

- (vii) Where industrial uses include outdoor operations, loading docks, or heavy equipment, additional landscape buffering shall be required in combination with the screening wall.



Eight (8') Foot Masonry Screening Wall

- (2) In nonresidential and multifamily zoning districts, no fence or wall shall be erected in any front yard or side yard which is adjacent to a public street unless the fence/wall is required to screen the development from an adjacent residential area (particularly if the residence has, or could have, a back yard fence that would be exposed to view from the street if the required screening wall were not extended out to the street right-of-way line). In this case, the screening fence/wall shall be extended out to the street right-of-way line by the developer of the nonresidential or multifamily development, and the fence/wall shall be finished on both sides in a manner/color that is compatible to the exterior finish materials used on the nonresidential or multifamily buildings. Screening fences/walls shall be placed such that they do not impede visibility for vehicles entering or exiting the nonresidential or multifamily development (see **Subsection 43** for sight visibility requirements).
- (3) All fences require permits. An administrative fee must be paid at the time of permit application (see City's fee schedule).
- (4) See **Subsection 43.i** for sight visibility requirements for fences and screening walls.
- (5) Open storage of materials, commodities or equipment (see Use Charts, **Section 16**, Zoning Districts permitting outside storage) shall be screened with a minimum six-foot (6') tall fence or wall, and shall not be visible from the street. (See Section 49 definition of outside storage.)
- (6) In districts permitting open storage, screening shall be required only for those areas used for open storage. A six-foot (6') tall screening fence or wall shall be provided and maintained

at the property line adjacent to the area to be screened by one or a combination of the following methods:

- (i) Solid masonry (brick, concrete block or concrete panels)
- (ii) Chain link with solid landscape screening (opaque within three years of planting)
- (iii) Wrought iron with solid landscape screening (opaque within three years of planting)
- (iv) Alternate equivalent screening may be approved through the site plan approval process under **Section 13**.

No outside storage may exceed the height of the fence. Outside storage exceeding eight feet (8') shall require a Specific Use Permit.

- (7) Refuse storage areas which are not within a screened rear service area and which are visible from a public right-of-way for all nonresidential, multifamily and manufactured/mobile home park uses shall be visually screened by a minimum six-foot (6') tall solid masonry wall on at least three sides (see Illustration 11 for refuse container enclosure diagrams). The fourth side, which is to be used for garbage pickup service, may provide an optional gate to secure the refuse storage area. Alternate equivalent screening methods may be approved through the site plan approval process, **Section 13**. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies. Adequate reinforced paved areas shall be provided for refuse facilities and their approaches for loading and unloading, as per Illustration 11.
- (8) Plans and specifications for screening and/or fencing around ground-mounted utility structures (e.g., transformers, natural gas regulating stations, etc.) shall be approved in writing by the affected utility company, and shall be submitted, along with an approval letter/document from the utility company, to the City Administrator (or his/her designee) for review and approval prior to construction of said screening/fencing.

(s) Fences in Residential Areas:

- (1) Any fence or wall located to the rear of the minimum required front yard line shall not exceed eight feet (8') in height.
 - (i) Where a residential property abuts a commercial or industrial district, a buffer fence of not less than ten feet (10') in height shall be permitted and encouraged to provide enhanced privacy and noise mitigation.



Ten (10) Foot Buffer Fence

- (2) No fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street.
- (3) Fences or walls shall be placed so as not to interfere with the maintenance of any utilities or with emergency access into a property. The City shall not be responsible for the replacement of fences or walls built over or within dedicated utility easements if the fence or wall must be removed for maintenance or emergency access purposes. In order to facilitate ingress for public safety and utility company personnel, at least one (1) pedestrian gate, not less than three feet (3') wide, shall be required on each fence or wall section that is adjacent or parallel to a public right-of-way or a utility easement.
- (4) No fence or wall shall be constructed or placed within ten feet (10') of the back of the street curb or, if no curb is present, within ten feet (10') of the edge of the street or alley pavement regardless of the location of the property line.
- (5) All fences require permits. An administrative fee must be paid at the time of permit application (see City's fee Schedule).
- (6) No barbed wire or electrical fencing shall be allowed except as used for farm or ranching purposes on undeveloped land over one (1) acre in size.
- (7) The minimum gauge of wire for a wire mesh fence shall be not less than eleven (11), and the minimum wire mesh size shall not be less than two and one-quarter inches (2 1/4").
- (8) Gates designed for vehicular access shall be set back from the property line a minimum of twenty-five feet (25').
- (9) Swimming pools shall be enclosed by a security fence not less than six (6) feet in height. All swimming pool security fences shall be constructed so as not to have openings, holes or gaps larger than two (2) inches in dimension, except for doors and gates. All doors and

gates shall be equipped with self-closing, self-latching devices. Solid wood fences along property lines which surround the swimming pool may also satisfy this screening requirement. Fences around swimming pools shall also comply with the Standard Swimming Pool Code and with any other City of Hutchins codes/ordinances pertaining to same.

- (10) See **Subsection 43.i** for sight visibility requirements for fences and screening walls.
- (11) Special purpose fencing, such as fencing around tennis courts, is permitted (permit required).
- (12) Fencing shall not be constructed of the following prohibited materials:
 - (i) Razor wire;
 - (ii) Welded or woven wire such as chicken wire, hog wire, stockade panels and similar agricultural wires;
 - (iii) Used materials; or,
 - (iv) Galvanized sheet metal, corrugated metal, or corrugated fiberglass; **however, R-Panel metal fencing shall be permitted** (see **Section 49**).
- (13) It shall be unlawful for the owner of property located within a Residential District to maintain a fence, or allow a fence to be maintained, on said property in such a manner to allow:
 - (i) Any fence constructed of any prohibited materials as listed in **subsection (12)** herein;
 - (ii) Any portion of a fence to lean so that the fence's axis is more than twenty (20) degrees out of perpendicular alignment with its base;
 - (iii) Any and all broken, loose, damaged, insect damaged, removed or missing parts (i.e., gates, slats, posts, wood rails, bricks, panels) of said fence shall be replaced within ten (10) days of receiving notification by regular mail, or notice delivered in person by the code official or his authorized representative. The code official may, upon written notice from the owner that unusual circumstances prevent the timely repair of a fence, extend the replacement time as necessary. Replacement materials shall be new and the same materials, size, shape and quality of the damaged, removed or missing; or
 - (iv) Symbols, writings and other graffiti on a fence except for those which are permitted as signs under this chapter or which pertain to the address or occupancy of a property.

SECTION 14A.01.042. SINGLE-FAMILY RESIDENTIAL ARCHITECTURAL STANDARDS

(a) Single-Family Residential Architectural Standards

- (1) Repetition of Facade:
 - (i) No front building elevation or plan for a single-family detached dwelling shall be repeated within a block face (including both sides of the street) or within 750 feet along a street or streets.

- (ii) The 750 foot distance along a street shall be measured from the centerline of the street on which the proposed structure faces at a point perpendicular to the center point of the lot to contain the structure, thence along the centerline of such street or along any intersecting street for a distance of 750 feet.
- (2) Criteria for Determining Difference in Elevation:
 - (i) A front building elevation or elevation plan shall be considered repeated if it is not visually different from another front building elevation or elevation plan.
 - (ii) A front building elevation or elevation plan shall be considered visually different if any three of the following four criteria are met:
 - (a) Three (3) or more of the articulated elements constituting the roof (e.g., ridges, turrets, hips, and valleys) vary in placement by at least 24 inches, or in geometric shape by volume of at least 20 percent, or in angles by at least 30 degrees, or there is a difference in roof pitch of two (2) inches per 12 inches or greater.
 - (b) Articulations in the front facade vary in height or width by a minimum of 15 percent.
 - (c) The articulation of the windows vary by at least two (2) of the following methods: the aggregate area of windows on the front facade varies by at least 15 percent, or the distance between two (2) or more windows varies by at least 10 percent, or the shape of two (2) or more windows varies in width or height or radius by at least 15 percent.
 - (d) The size, shape, or mix of Masonry units (i.e., individual bricks or blocks of stone) vary by at least 15 percent.
- (3) Reversal of a Building Plan. A front building elevation plan may be reversed once within a block face (including both sides of the street) or within 750 feet along a street or streets in order to meet the difference in elevation criteria.
- (4) Variations Not Considered. Color or roofing materials shall not be considered in determining whether a building elevation for a residential dwelling is dissimilar.
- (5) Determination by Building Official.
 - (i) The Building Official shall have discretion to approve minor variations in the requirements of this subsection, so long as those variations are consistent with the overall intent of this subsection.
 - (ii) The following process shall be used to approve a front building elevation plan:
 - (a) The Applicant shall submit a dimensioned rendering of the front building elevation to the Building Official.
 - (b) The Building Official shall determine the elevation plans compliance with this Section and issue an elevation plan approval letter or disapproval letter to the Applicant.
 - (c) The Applicant shall prepare and submit construction plans to the Building Official, who shall process the plans in accordance with City ordinances and policies.

- (d) The elevation plan approval letter, if issued shall remain in effect until the completion of the construction plan approval process and the issuance of the Building Permit for the proposed house.
- (e) Complete construction plans shall be submitted to the Building Official within 30 days of the date of the approval letter. If construction plans are not submitted within such period, the elevation plan approval expires.
- (f) Construction plans shall be consistent with the approved elevation plan. If construction plans are inconsistent, consistent plans shall be submitted, or a new elevation plan must be approved for the construction plans under the criteria of this Section.

SECTION 14A.01.043. SUPPLEMENTAL REGULATIONS.

- (a) **Measuring Setbacks:** All setback measurements shall be made in accordance with Illustrations 6, 7 and 8.
- (b) **Configuration of Lots:** Flag lots (i.e., lots with minimal, or panhandle type, frontage) shall be prohibited. Similarly, through (i.e., double frontage) lots (particularly within residential zoning districts) shall also be avoided. (Also see Subdivision Ordinance for regulations pertaining to the configuration of lots.)
- (c) **Front Yard:**
 - (1) On all corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless approved specifically otherwise on a final plat (see Illustration 9 and Section 43.g) Where a single-family or duplex lot has double frontage, extending from one street to another, or it is located on a corner, a front yard shall be required on both street frontages unless a side or rear yard building line has been established along one frontage on the plat and the side or rear yard is not directly abutting a front yard on another lot (i.e., it is physically separated from the adjacent lot by an alley, street right-of-way, creek/floodplain area, or some other similar feature by a distance of fifteen feet or more), in which event only one required front yard need be observed (see Section 43.g and Illustration 9). The side and/or rear yards in the case of single-family and duplex uses shall be identified and the front of the structure shall not face the side or rear yard.
 - (2) Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage (see Illustration 3). Similarly, the front/side yards of a lot which has more than one street frontage shall conform to the setback lines established by the immediately adjacent lot(s) such that the setbacks along the block face are uniform (i.e., consistent, not staggered). At least one front yard setback shall be provided for every lot/parcel.
 - (3) The front yard shall be measured from the property line to the front face of the building, to the nearest supporting member of a covered porch or terrace, or to any attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four feet (4'), and subsurface structures, platforms or slabs may not project into the front yard to a height greater than thirty inches (30") above the average grade of the yard (see Illustration 4).

- (4) Minimum lot widths for lots with predominate frontage on the curved radius of a street (e.g., cul-de-sac or “eyebrow” portion of a street) shall be measured as the linear distance of the curved front building line, and shall be shown on the subdivision plat. Minimum lot widths for all lots shall be as set forth in the respective zoning district for each lot.
- (5) Gasoline service station pump islands that parallel a public street may be located a minimum of eighteen feet (18') to the property line adjacent to a public street. For pump islands that are perpendicular or diagonal to a public street, the setback shall be thirty feet (30') in order to prevent vehicles stacking out into the street while waiting for a pump position. Pump islands may extend beyond the front building line as described above (provided that all other requirements of this Ordinance are met), but shall not be closer than fifteen feet (15') to any property line that is not adjacent to a public street.
- (6) Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

(d) Side Yards:

- (1) On a corner lot used for a single- or two-family dwelling, both street frontages shall be treated as front yards on all lots platted after May 23, 1988 (pursuant to the Subdivision Ordinance, Ordinance No. 525), except that one street exposure may be designated as a side yard for the corner lot if an alley, street right-of-way, creek/floodplain area, or other similar phenomenon physically separates the corner lot from the adjacent lot by a distance of fifteen feet (15') or more. In such case, a building line may be designated as a side yard (as determined by the applicable zoning district standards). On lots which were official lots of record prior to the effective date of this Ordinance, the minimum side yard adjacent to a side street shall comply with the minimum required side yard for the respective district.
- (2) Every part of a required side yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features not to exceed twelve inches (12") into the required side yard, and roof eaves projecting not to exceed thirty-six inches (36") into the required side yard. Air conditioning compressors and similar equipment are permitted in the side yard.
- (3) Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

(e) Rear Yards:

- (1) Slabs, driveways, porches and similar surfaces may be constructed in the rear yard area.
- (2) Every part of a required rear yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features not to exceed twelve inches (12") into the required rear yard, and roof eaves projecting not to exceed thirty-six inches (36") into the required rear yard. Air conditioning compressors and similar equipment are permitted in the rear yard.
- (3) Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

(f) Special Height Regulations:

- (1) In the districts where the height of buildings is restricted to two (2) to three (3) stories, cooling towers may extend for an additional height not to exceed fifty feet (50') above the average grade line of the building. Water stand pipes and tanks, church steeples, domes and spires, school buildings, and institutional buildings may be erected to exceed the height limit, as specified in the particular zoning district, provided that one (1) additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the district height limit.

(g) Communications Antennas and Support Structures/Towers:

- (1) In all residential zoning districts (A, SF-10, SF-8.5, SF-6, SF-7, SF-PH, D, SFA, MF and MH), commercial antennas and antenna support structures are prohibited, except as specified within this Section.
 - (i) A commercial antenna may be attached to a utility structure (e.g., electrical transmission/ distribution tower, elevated water storage tank, etc.) exceeding fifty feet (50') in height, provided that the antenna does not extend more than 10 feet above the height of the utility structure (see 37.6(C) below).
 - (ii) A commercial antenna may be placed wholly within any building permitted in the zoning district (see 37.6(C) below). A commercial antenna may be mounted flush to the exterior of a building/structure if it is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties.
- (2) In nonresidential zoning districts (O, R, C, HC, LI and HI), commercial antennas and antenna support structures are allowed as follows:
 - (i) Commercial antenna support structures are allowed by right if they do not exceed the maximum building height allowed for the zoning district in which they are located. Structures in excess of the height allowed in the zoning district may be allowed by Specific Use Permit (SUP). In all nonresidential zoning districts, antenna support structures must meet the setback requirements from residential districts.
 - (ii) A commercial antenna may be attached to a utility structure (e.g., electrical transmission/ distribution tower, elevated water storage tank, etc.) exceeding 50 feet in height, provided that the antenna does not extend more than 10 feet above the height of the utility structure (see 43.g.3) below).
 - (iii) A commercial antenna may be placed wholly within any building permitted in the zoning district (see 43.g.3). A commercial antenna may also be mounted flush to the exterior of a building/structure if it is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties.
- (3) No commercial antenna support structure shall be closer to any residential district boundary line or residential dwelling than a distance equal to twice the height of the support structure. Such setback/distance shall be measured as the shortest possible distance in a straight line from the structure to the closest point of a residential district boundary line or residential dwelling. Setbacks from residentially zoned property do not apply to antennae attached to utility structures exceeding fifty feet (50') in height, or to antennae placed wholly within or mounted upon a building.

- (4) No amateur or commercial antenna, antenna support structure, microwave reflector/antenna, or associated foundations or support wires or appurtenances shall be located within any required setback area for the front, side or rear yards.
- (5) The use of communications antennae (amateur or commercial) shall not infringe upon adjoining property owners.
- (6) Satellite dishes and other similar antennas shall be permitted on the roof of a building, as long as satellite dishes do not exceed three feet (3') in diameter and antennas do not extend over twelve feet (12') above the roof of the building. Any parabolic or satellite dish antenna over three feet (3') in diameter may not be mounted on the roof of a building. Roof-mounted antennae that comply with the above do not require additional yard setbacks or setbacks from residential areas or dwellings.
- (7) Only one (1) satellite dish shall be permitted per residential lot or primary structure, except that a maximum of two (2) dishes shall be allowed if both units are three feet (3') or less in diameter. Satellite dishes in any residential district shall not exceed twelve feet (12') in diameter.
- (8) All commercial signs, flags, lights and attachments other than those required for communications operations, structural stability, or as required for flight visibility by the FAA and FCC shall be prohibited on any antenna or antenna support structure.
- (9) All publicly owned antennae or antenna support structures shall be permitted in any district (e.g., public safety communications, etc.).

(h) Minimum Dwelling Unit Area:

- (1) Minimum dwelling unit areas specified in this Ordinance shall be computed exclusive of breezeways, garages, open porches, carports and accessory buildings.

(i) Sight Visibility:

- (1) Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding, landscaping or other feature obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection. Whenever an intersection of a street(s), alley, and/or driveway occurs, a triangular visibility area shall be created. Landscaping, fences, walls, earthen berms and other features within the triangular visibility area shall be designed so as to provide unobstructed cross-visibility at a level between twenty-four inches (24") and eight feet (8') above the ground. The triangular areas are defined as follows:
 - (i) Alley intersects a public street right-of-way: The areas on both sides of the intersection of an alley and a public street shall have a triangular visibility area with two (2) sides of each triangle being a minimum of ten feet (10') in length from the point of intersection, and the third side being a line connecting the ends of the other two (2) sides (see Illustration 12).
 - (ii) Street intersection or intersection of private driveway onto a public street: These areas shall have a triangular visibility area with two (2) sides of each triangle being a minimum of twenty-five feet (25') in length along the right-of-way lines (or along the driveway curblines and the street right-of-way line) from the point of the intersection, and the third side being a line connecting the ends of the other two (2) sides (see Illustration 12).

- (2) Shrubs and plant materials that are typically less than twenty-four inches (24") in height at maturity may be located within sight visibility areas provided that they are kept maintained at a maximum height of twenty-four inches (24").
- (3) A limited number of single-trunked trees having a clear trunk (i.e., branching) height of at least eight feet (8') may be located within sight visibility areas provided that they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area defined above, and provided that they are spaced and positioned such that their trunks will not produce a visibility inhibiting, "picket-fence" effect when they attain mature size.

(j) Nonresidential Structures in Residential Districts:

- (1) Nonresidential structures (e.g., churches, schools, day care centers, etc.) which are permitted in residential zoning districts (A, SF-10, SF-8.5, SF-7, SF,6, SF-PH, D, SFA, MF and MH) shall be designed and constructed such that they conform to the development standards set forth in the Retail (R) zoning district (i.e., with respect to maximum height, minimum lot size, minimum front/side/rear setbacks, screening, etc.) unless otherwise stated in this Ordinance.

SECTION 14A.01.044. LIGHTING AND GLARE STANDARDS.

(a) **Purpose:** Standards for controlling lighting and glare are set forth to reduce the annoyance and inconvenience to property owners and traffic hazards to motorists. These standards are intended to allow reasonable enjoyment of adjacent and nearby property by their owners and occupants while requiring adequate levels of lighting of parking areas. Lighting standards shall be consistent across all nonresidential districts and shall promote energy efficiency, safety, and compatibility with adjacent land uses. LED lighting is encouraged for all new installations.

(b) Nonresidential Site Lighting and Glare Standards:

(1) Any use shall be operated so as not to produce obnoxious and intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together, the light beam is controlled and not directed across any bounding property line above a height of three (3) feet. The allowable maximum intensity measured at the property line of a residential use in a residential district shall be 0.25 footcandles. All lighting fixtures shall be full cut-off and downcast to minimize light spill and glare. LED fixtures are required for all new nonresidential developments.

(2) All off-street parking areas for nonresidential uses in nonresidential districts which are used after dark shall be illuminated beginning one-half (1/2) hour after sunset and continuing throughout the hours of business operation. If only a portion of a parking area is offered for use after dark, only that part is required to be illuminated in accordance with these standards. However, the portion offered for use shall be clearly designated. Lighting within the parking areas shall meet the following minimum requirements:

(i) Intensity:

- (a) Minimum at any point on the parking area surface to be at least 0.6 footcandles initial, and at least 0.3 footcandles maintained or one-third (1/3) of the average, whichever is greater.
- (b) Illumination shall not exceed an average of one (1) footcandle at ground level and shall distribute not more than 0.25 footcandles of light upon any adjacent residentially zoned area.
- (c) All lighting shall be designed to meet IESNA (Illuminating Engineering Society of North America) standards for parking lot illumination.

(ii) Height:

- (a) On tracts or lots over three (3) acres in size, the maximum height for poles with lights is thirty-five feet (35').
- (b) On tracts or lots less than three (3) acres, the maximum height of poles with lights is thirty-five feet (35').
- (c) Special lighting or lighting higher than thirty-five feet (35') may be approved as specifically noted on a site plan.

(c) Residential Lighting and Glare Standards:

- (1) Residential lighting for security and night recreation use is permitted in all residential districts provided the following requirements are met:
 - (i) Direct lighting over ten feet (10') in height is shielded from adjacent property.
 - (ii) No light source shall exceed thirty-five feet (35') in height. Street lights and other traffic safety lighting are exempt from this standard.
 - (iii) Lighting shall not directly shine on adjacent dwellings.
 - (iv) LED fixtures are recommended for residential security and landscape lighting.

- (d) **Luminaries:**
 - (1) Light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries installed and maintained so as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets. Bare bulbs above seventy-five (75) watts and strings of lamps are prohibited, except for temporary lighting as provided in 39.5 below.
 - (2) All permanent luminaries shall be LED and full cut-off type.

- (e) **Special or Temporary Lighting – Low Wattage:**
 - (1) Bare bulbs or strings of lights are permitted during holidays and special events.
 - (2) Temporary lighting shall be low wattage and shall not exceed 30 days unless extended by permit.

Division VII: Penalties and Nonconformities

SECTION 14A.01.045. EFFECT OF INTERPRETATION.

In interpreting and applying the provisions of this Ordinance, they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces than are imposed or required by agreements, the provisions of this Ordinance shall govern.

SECTION 14A.01.046. PRESERVING RIGHTS IN PENDING LITIGATION AND VIOLATIONS UNDER EXISTING ORDINANCES.

By the passage of this Ordinance, no presently illegal use shall be deemed to have been legalized unless specifically such use falls within a use district where the actual use is a conforming use. Otherwise, such uses shall remain nonconforming uses where recognized, or an illegal use, as the case may be. It is further the intent and declared purpose of this Ordinance that no offense committed, and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the time the exiting Zoning Ordinance was repealed and this Zoning Ordinance adopted, shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures may be instituted or causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed.

SECTION 14A.01.047. PENALTY FOR VIOLATIONS.

Any person or corporation violating any of the provisions of this Ordinance shall, upon conviction, be fined any sum not exceeding two thousand dollars (\$2,000.00) and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 14A.01.048. VALIDITY.

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

Division VIII: DEFINITIONS

SECTION 14A.01.049. PERMITTED USE AND GENERAL DEFINITIONS.

(a) **Purpose:** For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall also include the future tense; words used in the masculine gender shall also include the feminine gender; words used in the singular number shall also include the plural number; and words in the plural number shall also include the singular number, except where the natural construction of the writing indicates otherwise. The word “shall” is mandatory and not directory. For any term or use not defined herein, Webster’s Dictionary (latest edition) shall be used.

(b) **Permitted Use Table Definitions**

Primary Residential Uses 16.1	
Community Home*	A place where not more than six (6) physically or mentally impaired or handicapped persons are provided room and board, as well as supervised care and rehabilitation by not more than two (2) persons as licensed by the Texas Department of Mental Health and Mental Retardation (also see Chapter 123 of the Texas Local Government Code).
Group Housing (Boarding or Rooming) *	A dwelling other than a hotel, where for compensation and by prearrangement for definite periods, lodging and/or meals are provided.
Housing For the Elderly/Senior Apartments/Congregate Housing*	A development providing self-contained dwelling units specifically designed for the needs of the elderly. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of 80% of the total units shall have a household head 55 years of age or greater. No long-term or permanent skilled nursing care or related services are provided.
Industrialized Home*	A structure or building module as defined under the jurisdiction and control of the Texas Department of Labor and Standards, that is transportable in one or more sections on a temporary chassis or other conveyance device, and that is designed to be installed and used by a consumer as a fixed residence on a permanent foundation system. The term includes the plumbing, heating, air-conditioning and electrical systems contained in the structure. The term does not include mobile homes or HUD-Code manufactured homes as defined in the Texas Manufactured Housing Standards Act (Article 5221f, V.A.C.S.). Industrialized homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed (“stick built”) homes.

<p>Manufactured/Mobile Home Subdivision or Park*</p>	<p>A parcel of land which is designed, platted, improved and intended for the long-term placement of individually owned mobile home units or HUD-Code manufactured homes on platted lots which can be purchased outright by the owners of the mobile home units. Facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.</p>
<p>Mobile Home or HUD-Code Manufactured Home*</p>	<p>Any one of three types of prefabricated housing products which are typically manufactured/assembled at a location other than the end user's permanent site, and which are regulated by the Texas Manufactured Housing Standards Act (Article 5221f and 5221f-1, V.A.C.S.). For the purpose of this Ordinance, there are three types of manufactured homes:</p>
<p>Multiple Family Dwelling (Apartments)*</p>	<p>A residential building or complex containing five or more dwelling units on a single lot, designed for occupancy by multiple families living independently. This includes larger apartment buildings, townhome clusters, and other configurations exceeding four units, excluding hotels and motels. Each unit must have independent access and complete living facilities. This definition excludes hotels, motels, and buildings with five or more units.</p>
<p>Multiple Family Dwelling (Duplex, Triplex, Quadplex):</p>	<p>A residential building containing three to four separate dwelling units, each designed for occupancy by a single family living independently. Units may be arranged side-by-side, stacked vertically, or in a combination of configurations. This category includes Duplexes (two units), Triplexes (three units), and Quadplexes (four units), which feature flexible layouts with shared walls or stacked arrangements.</p>
<p>Patio Home (Zero Lot Line Dwelling)*</p>	<p>A single-family dwelling on a separately platted lot which is designed such that one side yard is reduced to zero feet in order to maximize the width and usability of the other side yard, and which permits the construction of a detached single-family dwelling with one side (i.e., wall) of such dwelling placed on the side property line.</p>

Private Residential Subdivision	A legally platted residential development in which all internal infrastructure—including but not limited to streets, sidewalks, drainage systems, and common areas—is privately owned and maintained by a homeowners’ association (HOA), property owners’ association (POA), or similar governing body. Such subdivisions are not dedicated to public use and may include restricted access, private amenities, and enforceable community covenants or deed restrictions.
Recreational Vehicle Park (RV)*	An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis. (See also “Mobile Home Park”).
Short Term Rentals *	A Short-term rental is defined as the rental, for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a residential zoning district, for the purpose of overnight lodging for a period of not more than thirty (30) days. A short-term rental does not include a hotel or motel.
Single Family Dwelling Attached*	A dwelling which is joined to another dwelling at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one family, and which is located on a separate lot delineated by front, side and rear lot lines.
Single Family Dwelling Detached*	A dwelling designed and constructed as a freestanding structure for occupancy by one family, and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.
Two-Family Dwelling (Duplex)*	Two attached dwellings in one structure, each designed to be occupied by one family.
Accessory, Temporary & Other Uses (Incidental Uses) 16.2	
Accessory Building (Residential)*	In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure but not involving the conduct of a business (i.e., the building area must be significantly less than that of the main structure). Examples may include, but are not limited to, the following: a private garage for automobile storage, tool shed, greenhouse as a hobby (no business), home workshop, children’s playhouse, storage building, garden shelter, etc.

<p>Accessory Building-Nonresidential (Business or Industry)*</p>	<p>In the nonresidential districts, a subordinate building to the main building that does not exceed the height of the main building and does not exceed fifty percent (50%) of the floor area of the main building, and that is used for purposes accessory and incidental to the main use (see "Accessory Use").</p>
<p>Caretakers' or Guards' Residence*</p>	<p>A residence located on a premises with a main residential or nonresidential use and occupied only by a caretaker or guard employed on the premises (e.g., residence for guard in a private street development, residence for a guard/manager/caretaker for a self-storage facility or a restricted access business park, etc.)</p>
<p>Garage/Accessory Dwelling*</p>	<p>A residential dwelling unit attached to or over a garage but not attached to the main residential structure.</p>
<p>Home Occupation*</p>	<p>An occupation carried on in a dwelling unit, or in an accessory building to a dwelling unit, by a resident of the premises, which occupation is clearly incidental and secondary to the use of the premises for residential purposes (see Section 19).</p>
<p>Off-Street Parking Incidental to Main Use*</p>	<p>Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.</p>
<p>Seasonal Uses (Temporary)*</p>	<p>Seasonal uses include the sales of items such as Christmas trees, pumpkins, snow cones, fresh produce, and other items which are typically only available at certain times of the year.</p>
<p>Swimming Instructions as Home Occupation*</p>	<p>The teaching of swimming in a private swimming pool. Within a residential district, this use is subject to the approval and issuance of a Specific Use Permit which may specify operating conditions and standards and which may limit the number of students and operating times.</p>
<p>Swimming Pool (Private)*</p>	<p>A swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multiple-family dwelling and located, fenced and built in accordance with the City of Hutchins Code of Ordinances. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.</p>

<p>Temporary Field Office or Construction Office*</p>	<p>A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment. Temporary permits for one (1) year for a specific time and location as determined may be issued by the Building Official and shall be subject to review and renewal for reasonable cause.</p>
<p>Tennis Court (Lighted)*</p>	<p>A facility for playing tennis, either public or private, which may be located indoors or outdoors and includes artificial lighting systems to enable play during evening or nighttime hours. These facilities are subject to setback, lighting, and noise regulations to ensure compatibility with surrounding land uses.</p>
<p>Tennis Court (Private) (No Lights)*</p>	<p>A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for nighttime play in residential areas except as may be otherwise provided or restricted by the Specific Use Permit.</p>
<p>Utility, Civic Services, & Communication 16.3</p>	
<p>Antenna (Noncommercial)*</p>	<p>An antenna or antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain. A satellite dish antenna not exceeding six feet (6') in diameter shall also be considered as a noncommercial antenna. (See Section 37.6).</p>
<p>Antenna (Commercial) *</p>	<p>An antenna or antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain (e.g., commercial broadcasting, cellular/wireless telecommunications, etc.). A satellite dish antenna that exceeds six feet (6') in diameter shall also be considered as a commercial antenna. (See Section 45).</p>
<p>Electrical Substation or Transmission (High Voltage, Bulk Power)*</p>	<p>A subsidiary station in which electric current is transformed.</p>

<p>Farm, Ranch, Garden, Crops, or Orchard*</p>	<p>An area used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law.</p>
<p>Fire, Police, or Municipal Buildings*</p>	<p>Any public service building of the municipal government including a library or City Hall, but excluding storage yards, utility shops and equipment centers.</p>
<p>Franchised Private Utility (Not Listed)*</p>	<p>A utility such as one distributing heat, chilled water, closed circuit television or similar service and requiring a franchise to operate in the City of Hutchins.</p>
<p>Local Utility Line*</p>	<p>The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.</p>
<p>Public Agency Building, Shop, Yard or Facility*</p>	<p>Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: the State of Texas, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the City of Hutchins is defined as "Municipal Facility or Use".</p>
<p>Public facilities, major*</p>	<p>Large-scale government or civic facilities such as courthouses, libraries, or regional utility plants. Typically serve a broad population and require significant infrastructure.</p>
<p>Public facilities, minor*</p>	<p>Smaller-scale public uses such as neighborhood fire stations, community centers, or local utility substations. Generally compatible with residential or mixed-use zone.</p>
<p>Studio For Radio or Television*</p>	<p>A building or portion of a building used as a place for radio or television broadcasting.</p>
<p>Telephone Exchange, Switching or Relay or Transmitting Station*</p>	<p>A line for the transmission of telephone signals and a central office in which telephone lines are connected to permit communication but not including a business office, storage (inside or outside) or repair yards.</p>
<p>Recreational, Hospitality and Entertainment Uses 16.4</p>	

Amusement, Commercial (Indoor)*	An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line, and that provides activities, services and/or instruction for the entertainment of customers or members. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial arts club, racquetball/handball club, arcade, indoor tennis courts/club, indoor swimming pool or scuba diving facility, and other similar types of uses.
Amusement, Commercial (Outdoor)*	An amusement enterprise offering entertainment and/or games of skill to the general public for a fee wherein any portion of the activity takes place outdoors and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.
Ballroom Dancing*	An establishment open to the general public for dancing (any sales of alcoholic beverages for on-premises consumption shall be subject to requirements and use restrictions for private clubs).
Bed And Breakfast Inn or Facility*	A dwelling occupied as a permanent residence by an owner or renter which serves breakfast and provides or offers sleeping accommodations in not more than five (5) rooms for transient guests for compensation.
Carnival, Circus Or Tent Service (Temporary) *	Outdoor or indoor commercial amusement provided on a temporary basis.
Country Club (Private)*	A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.
Dance Hall and Night Club*	A commercial establishment offering live or recorded music, dancing, and entertainment, typically operating during evening and nighttime hours. May include alcohol service, seating areas, and performance stages. Subject to noise, parking, and public safety regulations.
Day Camp For Children*	A facility arranged and conducted for the organized recreation and instruction of children including outdoor activities on a daytime basis.
Golf Course*	An area of twenty (20) acres or more improved with trees, greens, fairways, hazards, and which may include clubhouses.
Hotel Extended Stay*	A lodging facility designed for guests staying for longer durations (typically weeks or months). Units include kitchenettes or full kitchens, and the property may offer amenities like laundry, workspace, and housekeeping. Often permitted in commercial zones with specific design standards

<p>Motel/Hotel (75 or Greater)***</p>	<p>A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service, and recreational facilities. This classification applies specifically to establishments with 75 or greater guest room. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.</p>
<p>Motel/Hotel (Less Than 75 Rooms)***</p>	<p>A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service, and recreational facilities. This classification applies specifically to establishments with 75 or fewer guest rooms. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.</p>
<p>Parks, playgrounds, outdoor recreation areas (private, non-commercial)*</p>	<p>Publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events requiring special event permits, as set forth in the City of Hutchins' Code of Ordinances.</p>
<p>Private Club*</p>	<p>An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of Title 3, Chapter 32, Vernon's Texas Codes Annotated, Alcoholic Beverage Code, as the same may be hereafter amended, and as it pertains to the operation of private clubs.</p>
<p>Recreation facility, commercial Indoor*</p>	<p>A private, for-profit facility offering indoor recreational activities such as gyms, bowling alleys, skating rinks, or climbing gyms. Entirely enclosed and typically located in commercial zones.</p>
<p>Recreation facility, commercial indoor-gun shooting range*</p>	<p>A fully enclosed facility designed for the safe discharge of firearms for recreational or training purposes. Subject to strict zoning, soundproofing, ventilation, and safety standards. Often permitted only in industrial or specially designated commercial zones.</p>

Recreation Facility, rodeo ground and arena*	An outdoor or indoor facility designed for equestrian and livestock events, including rodeos, exhibitions, and competitions. May include grandstands, stables, announcer booths, and concession areas. Typically permitted in agricultural or special event zones.
Recreational Facility, Driving Range*	A commercial or public facility designed for practicing golf swings, consisting of tee areas, ball dispensers, and target zones. May include lighting, fencing, and accessory structures such as restrooms or snack bars. Often permitted in recreational or commercial zones.
Stable (Commercial)*	A stable used for the rental of stall space or for the sale or rental of horses or mules.
Stable (Private)*	An area used solely for the owner's private purposes for the keeping of horses, mules or ponies which are not kept for remuneration, hire or sale.
Theater (Open Drive-In)*	An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.
Theater Or Playhouse (Indoor)*	A building or part of a building devoted to the showing of motion pictures, or for dramatic, musical or live performances.
Wedding Chapel, Commercial*	
Zoo (Private & Public)*	<p>(1) ZOO (PRIVATE): A facility housing and displaying live animals, reptiles or birds, privately owned and operated for a fee or for the promotion of some other enterprise.</p> <p>(2) ZOO (PUBLIC): A publicly owned zoo or similar facility owned and operated by the City or a nonprofit zoological society where live animals, birds and reptiles are domiciled and displayed.</p>
Educational, Institutional & Civic Specific Uses (Medical) 16.5	
Ambulance Service*	Provision of private (not operated by the City of Hutchins) emergency transportation which may include mobile medical care, and which may include storage and maintenance of vehicles.
Animal Services, Shelter or Rescue *	A facility that keeps four (4) or more impounded stray, homeless, abandoned, or unwanted animals.

<p>Art Gallery or Museum*</p>	<p>An institution for the collection, display and/or distribution of objects of art or science, and which is typically sponsored by a public or quasi-public agency and generally open to the public.</p>
<p>Assisted Living Facility*</p>	<p>A congregate residence facility for ten (10) or more elderly (over 55 years of age) persons, regardless of legal relationship, who need limited assistance with daily living activities. A limited number of support services such as meals, laundry, housekeeping, transportation, social/recreational activities, hairdressing, etc. may be provided or associated with the assisted living facility. Units may be attached or detached, single- or double-occupancy, and may include limited or full kitchen facilities. Full-time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual residents on a part-time or temporary basis (e.g., visiting nurses, etc.).</p>
<p>Cemetery or Mausoleum*</p>	<p>Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.</p>
<p>Cemetery, Animal *</p>	<p>Same as cemetery except only for the burial of dead animals.</p>
<p>Child Care Center/Day Care Center*</p>	<p>A commercial institution or place designed for the care or training of twelve (12) or more unrelated children under fourteen (14) years of age for less than 24 hours a day.</p>
<p>Church, Rectory or Temple*</p>	<p>A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by State law). For the purposes of this ordinance, Bible study and other similar activities which occur in a person's primary residence shall not apply to this definition.</p>
<p>Medical Clinic or Office</p>	<p>A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.</p>
<p>College or University*</p>	<p>An academic institution of higher learning, accredited or recognized by the State and covering a program or series of programs of academic study.</p>

Community Center (Public)*	A building or complex of buildings that house cultural, recreational, athletic, food service and/or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.
Continuing Care Retirement Community*	A housing development designed to provide a full range of accommodations for older adults (55 years of age or older), including independent living, assisted living and skilled full-time nursing or medical care. Residents may move from one level to another as their needs change.
Convent or Monastery*	A residential facility operated by a religious order, housing individuals who have taken religious vows and live communally under the direction of a designated supervisor. May include spaces for worship, study, and communal living.
Correctional Facility*	A publicly or privately operated facility used for the incarceration, detention, or supervision of individuals awaiting trial or serving sentences. Includes jails, prisons, and custodial facilities offering transitional housing, counseling, or employment services. May be classified by capacity and security level.
Fairgrounds or Exhibition Area*	An area or space either outside or within a building for the display of topic-specific goods or information.
Family Home (Child Care)*	A facility that regularly provides care in the caretaker's own residence for not more than six (6) children under fourteen (14) years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six (6) additional elementary school siblings of the other children given care. However, the number of children, including the caretaker's own, provided care at such facility shall not exceed twelve (12) at any given time. No outside employment is allowed at the facility. This facility shall conform to Chapter 42 of the Human Resources Code of the State of Texas, as amended, and in accordance with such standards as may be promulgated by the Texas Department of Human Resources.
Fraternal Organization, Lodge Union Hall or Civic Club*	An organized group having a restricted membership and specific purpose related to the welfare of the members such as Elks, Masons, Knights of Columbus, or a labor union.
Group Day Care Home*	Means a facility that provides care for seven (7) to twelve (12) children under fourteen (14) years of age less than 24 hours a day.

Hospital, Chronic Care*	An institution where those persons suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.
Hospital, Acute Care*	An institution where sick or injured patients are given medical and/or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas.
Institution For Alcoholic, Narcotic or Psychiatric Patients*	An institution offering out-patient treatment to alcoholic, narcotic or psychiatric patients.
Kindergarten or Nursery School (Private)*	An establishment where more than three (3) children are housed for care and/or training during the day or portion thereof.
Medical Laboratory*	An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.
Minor Medical Emergency Clinic*	See "Medical Clinic or Office".
Nonprofit Activities By a Church*	
Park, Playground, or Outdoor Recreation areas (Public)*	A recreation facility, park or playground which is not owned by a public agency such as the City or School District, and which is operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public.
Place of Worship*	A building or structure used for religious services, ceremonies, or instruction. Includes churches, synagogues, mosques, and temples. May also include accessory uses such as fellowship halls or classrooms
Playfield or Stadium (Public)*	An athletic field or stadium owned and operated by a public agency (e.g., City of Hutchins, Hutchins Independent School District, etc.) for the general public including a baseball field, soccer field, golf course, football field or stadium which may be lighted for nighttime play.
Rehabilitation Care Facility (Halfway House)*	A dwelling unit which provides residence and care to not more than nine (9) persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two (2) supervisory personnel as a single housekeeping unit.

Retirement Housing For the Elderly*	HOUSING (also INDEPENDENT LIVING CENTER or CONGREGATE HOUSING): A development providing self-contained dwelling units specifically designed for the needs of the elderly. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of 80% of the total units shall have a household head 55 years of age or greater. No long-term or permanent skilled nursing care or related services are provided.
School, Private (Primary or Secondary)*	A school under the sponsorship of a private agency or corporation, other than a public or religious agency, which offers a curriculum that is generally equivalent to public elementary and/or secondary schools.
School, Public or Parochial*	A school under the sponsorship of a public or religious agency which provides elementary and/or secondary curricula, but not including private business or commercial trade schools.
School, Specialized Training*	
Skilled Nursing Facility*	A residence providing primarily in-patient health care, personal care, or rehabilitative services over a long period of time to persons who are chronically ill, aged or disabled and who need ongoing health supervision but not hospitalization.
Transportation Uses 16.6	
Airport or Landing Field*	A place where aircraft can land and take off that is usually equipped with hangars, facilities for aircraft refueling and repair, and various accommodations for passengers.
Bus Station or Terminal*	Any premises for the transient housing and/or parking of motor- driven buses and the loading and unloading of passengers.
Heavy Load Vehicle Storage*	Any area where heavy load vehicles are stored temporarily or permanently, but cargo is not loaded or unloaded.
Heliport*	An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use for heliport buildings and other heliport facilities.
Helistop*	The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted

<p>Motor Freight Company/Terminal*</p>	<p>A company using trucks or other heavy load vehicles to transport goods, equipment and similar products, or a premises where cargo is stored and where heavy load vehicles load and unload cargo, but excluding trucking as accessory to the primary use of the production or manufacture of goods or products. This term includes companies that move residential or commercial belongings and premises where such belongings are stored for any period of time.</p>
<p>Parking Lot or Structure Commercial (Auto)*</p>	<p>An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress</p>
<p>Parking Lot, Commercial Trucking</p>	<p>A designated parcel of land used for the parking, staging, or temporary storage of commercial motor vehicles, including 18-wheelers, semi-trailers, truck tractors, and other heavy-duty freight vehicles. This facility may also accommodate overnight parking for truck drivers and may include amenities such as: Restrooms, showers, or driver lounges, surveillance, fueling stations or minor maintenance areas, and office space for dispatch or logistics coordination.</p>
<p>Parking Lot, Trucks and Trailers</p>	<p>A designated area for the parking or staging of commercial trucks, trailers, or freight vehicles. Often located in industrial zones and subject to noise, access, and screening regulations.</p>
<p>Automotive & Related Uses 16.7</p>	
<p>Auto Financing And Leasing (No Outdoor Lot or Display)*</p>	<p>Leasing of automobiles, motorcycles, and light load vehicles but no outside storage.</p>

<p>Auto Laundry or Carwash (Attended & Unattended)*</p>	<p>Washing, waxing or cleaning of automobiles or light duty trucks.</p> <p>(b) <i>Attended Auto Laundry or Carwash:</i> The owner of the vehicle does not actually wash the vehicle. Instead, he either leaves the vehicle and comes back to retrieve it later, or he waits in a designated area while employees of the carwash facility vacuum, wash, dry, wax and/or detail the vehicle for a fee.</p> <p>(c) <i>Unattended Auto Laundry or Carwash:</i> The owner of the vehicle causes the vehicle to become washed. One type of unattended carwash facility utilizes automated self-service (drive through/ rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and handwashes the vehicle with a wand-type apparatus by depositing coins or tokens into a machine.</p>
<p>Auto Repair, Major*</p>	<p>A facility providing extensive mechanical or structural repair services to motor vehicles, including but not limited to: engine or transmission rebuilds or replacement; bodywork; frame straightening; major collision repair; painting or repainting; differential or axle work; welding or fabrication; and any similar activities involving significant disassembly or reconstruction of the vehicle. Such uses may involve the indoor storage of vehicles undergoing repair. This use does not include the routine or minor services defined under <i>Auto Repair, Minor</i>.</p>
<p>Auto Repair, Minor*</p>	<p>A facility providing limited or routine mechanical repair and maintenance services for motor vehicles, including but not limited to: oil and filter changes; lubrication; battery installation; tire repair or replacement; brake servicing; belt, hose, or spark plug replacement; tune-ups; inspections; and similar minor maintenance. Minor repair activities shall not include bodywork, painting, major mechanical overhaul, or any services listed under <i>Auto Repair, Major</i>.</p>

Auto Storage or Auto Auction*	The storage or impoundment, on a lot or tract which is paved in accordance with parking lot paving requirements set forth in this ordinance, of operable automobiles for the purpose of holding such vehicles for sale, distribution and/or storage. This definition shall not include the storage of wrecked or inoperable vehicles (see "Wrecking Yard").
Automobile Accessory Installation, Minor*	Minor installation of minor automobile accessories such as car alarms, radio and stereo equipment, window tinting, pin striping, cellular telephones and similar accessories.
Gasoline Sales (retail) or Motor Fuel Service Station*	ANY building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automotive fuels, lubricants and automobile accessories, including those operations listed under "Automobile Repair, Minor". Vehicles which are inoperative or are being repaired may not remain parked outside these facilities for a period greater than forty-eight (48) hours.
Motorcycle Sales And Repair*	The display, sale and/or servicing, including repair work, of motorcycles.
Used Auto Sales*	Retail sales, or offering for sale, used automobiles or light load vehicles
Vehicle sales and rental (RV, Campers, etc.)*	A facility engaged in the display, sale, lease, or rental of recreational vehicles (RVs), travel trailers, campers, motorhomes, boats, watercraft, and similar recreational or towable equipment, including incidental indoor offices and customer service areas. Outdoor display and storage areas may be included where permitted by district regulations. This use may also involve limited, accessory servicing or preparation of vehicles prior to sale or rental, but does not include major repair activities or bodywork.
Vehicle sales and rental: automobiles, light trucks, boats*	A business primarily engaged in the display, sale, lease, or rental of automobiles, light trucks, vans, and boats, including indoor showrooms, outdoor display areas, and customer service offices. Accessory activities may include minor vehicle preparation, detailing, or cleaning, provided such activities are clearly incidental to the sales or rental operation. This use does not include major automotive repair, painting, or bodywork, which are classified under Auto Repair, Major.
Wrecking Yard (Auto Salvage)*	Any lot upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license, have been placed for the purpose of obtaining parts for recycling or resale.

Office & Professional Uses 16.8	
Armed Services Recruiting Center	A government-authorized facility operated by branches of the U.S. Armed Forces for the purpose of recruiting individuals into military service. Activities include aptitude testing, informational sessions, and enlistment processing.
Custom Personal Service Shop*	Tailor, dressmaker, shoe shop, barber shop, beauty shop or similar shop offering custom service.
Funeral Home or Mortuary*	A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
General offices and services (with drive thru)*	A facility providing administrative, professional, or customer-service functions in an office setting, which may include ancillary drive-thru or drive-up service windows for document drop-off, pick-up, customer assistance, or similar low-impact transactions
General offices and services, alternative financial establishments*	A business that provides non-traditional or high-risk financial services to the public, such as payday lending, auto-title lending, check-cashing services, installment lenders, or similar short-term or small-dollar loan operations, typically regulated under state lending statutes.
General offices and services, bail bond establishment*	A business providing bail bond services to individuals involved in legal proceedings. Often located near courthouses or detention facilities. May be subject to additional licensing and proximity regulations.
General offices and services, bank/financial services*	Institutions offering traditional banking and financial services, including savings and checking accounts, loans, investment services, and ATMs. May include drive-thru facilities and secure vaults.
General offices and services, business services*	Establishments providing support services to businesses, such as printing, mailing, staffing, marketing, or consulting. Typically located in office or commercial districts and may include customer-facing operations.
General offices and services, business support services*	Facilities offering back-office or operational support to other businesses, including data processing, call centers, logistics coordination, and administrative services. May operate with limited public access.

<p>General offices and services, construction and building services*</p>	<p>A business that provides administrative, professional, or coordination functions related to construction, building trades, or property improvement services, where the primary activities occur within an office environment. Typical functions include, but are not limited to: project coordination, estimating, drafting, design consulting, permitting assistance, scheduling, field-staff dispatching, and customer consultation for construction or building-trade operations.</p>
<p>General offices and services, personal services*</p>	<p>Establishments less than 2,000 square feet in gross floor area, primarily engaged in providing services generally involving the care of the person or his apparel and including (but not limited to) barber/beauty shops, dressmaking, shoe shining and repair, dry-cleaning and laundry pick-up stations, tailor or seamstress services, and other similar types of uses (no outside storage).</p>
<p>Kennel (Indoor Pens)*</p>	<p>An establishment with indoor pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.</p>
<p>Kennel (Outdoor Pens)*</p>	<p>An establishment with outdoor pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.</p>
<p>Key Shop</p>	<p>A small-scale commercial establishment specializing in key duplication, lock repair, and related security hardware. Typically permitted in retail or mixed-use zones due to minimal impact on surrounding uses.</p>
<p>Laboratory, Scientific or Research*</p>	<p>An establishment that engages in research, testing or evaluation of materials or products, but not medical-related (see "Medical Facilities: Medical Laboratory").</p>
<p>Office Showroom*</p>	<p>An establishment with no more than twenty-five percent (25%) of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.</p>

<p>Offices, Professional and General Business *</p>	<p>A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.</p>
<p>Studio, Health/Reducing/Fitness or Similar Service/Establishment*</p>	<p>Includes, but is not limited to, an establishment which provides facilities and equipment (e.g., gymnasiums, weight rooms, swimming pools/spas, exercise apparatus, instruction/classes, etc.) which are intended to promote health, fitness, weight reduction and/or similar health-related activities. Such facilities may include such accessory uses as food service, sales of sundries and apparel, and child care services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only (i.e., not the general public). No outside signage may be used to advertise accessory uses.</p>
<p>Studio, Music, Drama or Art**</p>	<p>A facility for instruction or practice in the performing or visual arts. Includes music schools, acting studios, and art workshops. May be permitted in commercial, institutional, or mixed-use zones.</p>
<p>Tattoo or Body Piercing*</p>	<p>A building or portion of a building used for selling and/ or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.</p>
<p>Taxidermist***</p>	<p>The business of preparing, stuffing, and mounting the skins of animals.</p>
<p>Veterinarian Hospital (Inside Animal Pens Only)*</p>	<p>A full-service veterinary medical facility providing diagnosis, treatment, surgery, and emergency care for domestic animals. All animal holding, boarding, and recovery areas (pens or cages) are located entirely within the enclosed building, minimizing noise, odor, and visibility impacts on surrounding properties</p>
<p>Veterinarian Hospital (With Outside Animal Pens)*</p>	<p>A veterinary medical facility offering comprehensive animal care services, including diagnosis, treatment, and boarding, with animal pens or runs located both indoors and outdoors. Outdoor areas may be used for exercise, recovery, or temporary holding.</p>
<p>Veterinarian, Office Only (No Animal Pens)*</p>	<p>A veterinary clinic providing outpatient services such as exams, vaccinations, and minor procedures, with no on-site animal boarding or holding pens. Animals are treated and discharged the same day.</p>
<p>Retail, Commercial & Related Service Uses 16.9 & 16.10</p>	

Antique Shop, Sales Indoors*	A retail establishment engaged in the selling of works of art, furniture and/or other artifacts of an earlier period, with all sales and storage occurring inside a building.
Bakery or Confectionary (Wholesale or Commercial)*	A manufacturing facility over 1,500 square feet for the production and distribution of baked goods and confectioneries to retail outlets.
Bakery or Confectionery (Retail)	A facility less than 1,500 square feet for the production and/or sale of baked goods.
Building Materials, Hardware or Home Improvement (Outdoor Storage)*	A retail or wholesale establishment selling goods used in construction, renovation, or maintenance of buildings. Includes lumber, plumbing supplies, tools, fixtures, paint, and landscaping materials.
Building Materials, Hardware or Home Improvement Center (Indoor Only)*	A large-scale retail establishment offering a wide range of building supplies, tools, fixtures, and home improvement products. May include outdoor storage, garden centers, and contractor services
Contractor's Shop with Outside Storage Yard*	A building, part of a building, or land area for the construction or storage of materials, equipment, tools, products, and vehicles.
Convenience Store with Gasoline Sales*	Retail establishment selling food for off-premises consumption and a limited selection of groceries and sundries (and possibly gasoline, if pumps are provided). Does not include or offer any automobile repair services.
Convenience Store without Gasoline Sales*	Retail establishment selling food for off-premises consumption and a limited selection of groceries and sundries (and possibly gasoline, if pumps are provided). Does not include or offer any automobile repair services.
Feed and Grain Store*	An establishment for the selling of corn, grain and other food stuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.
Florist Shop*	An establishment for the display and retail sale of flowers, small plants and accessories.
Garden Shop*	A facility which is engaged in the selling of flowers, ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting and landscaping, but not including cultivation and propagation activities outside a building.

<p>General retail (indoor)*</p>	<p>This major group includes retail stores which sell a number of lines of primarily new merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, small appliances, hardware, and food. The stores included in this group are known as department stores, variety stores, general merchandise stores, general stores, etc. (also see "Retail Shop"). Outdoor display or storage is not permitted</p>
<p>General retail (outdoor)*</p>	<p>A retail business offering goods and merchandise to the public, with sales or display areas located outdoors, either partially or entirely. Includes garden centers, outdoor furniture, seasonal sales, and similar uses. Subject to screening, setback, and weather protection requirements.</p>
<p>General retail, alcohol sales*</p>	<p>A retail establishment licensed to sell alcoholic beverages for off-premises consumption, such as liquor stores, wine shops, or specialty alcohol retailers. Must comply with state licensing laws and local separation requirements from schools, churches, and residential zones</p>
<p>General retail, auto parts*</p>	<p>A retail store specializing in the sale of automotive parts, accessories, and supplies, including batteries, tires, fluids, and tools. May include limited installation services (e.g., wiper blades, batteries) but excludes full-service vehicle repair or maintenance.</p>
<p>Grocery* or Food Store*</p>	<p>A retail business establishment that displays and sells consumable goods that are not to be eaten on the premises. Prepared food may be sold only as a secondary or accessory use.</p>
<p>Incidental or Accessory Retail or Service Uses</p>	<p>Any use different from the primary use but which compliments and/or supplements the primary use (for example, a sundries shop that serves tenants of an office building or hospital). Incidental shall mean an area which constitutes not more than fifteen percent (15%) of the main use</p>
<p>Kiosk*</p>	<p>A small, free-standing, one-story accessory structure having a maximum floor area of one hundred (100) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.</p>

Copy or Print Shop, Lithographic ***	A commercial printing establishment is a facility engaged in the reproduction of text, graphics, or images using professional printing methods such as offset printing, lithography, flexographic printing, digital printing, and screen printing. These operations are designed to fulfill individual orders from businesses, professional services, industries, or government organizations.
Mini-Warehouse/Self-Storage*	A facility offering compartmentalized storage units for personal or business use. Units are typically accessed by tenants and may include climate-controlled or outdoor storage. Permitted in commercial or industrial zones.
Mobile Food Unit/Food Truck (Health Permit Required)*	A vehicle-mounted, self-contained food service operation designed to be readily movable. Includes food trucks, trailers, or carts. Subject to location, health, and proximity regulations.
Paint Shop*	A commercial establishment where painting services are performed (but not automotive-related painting services, which would be included under "Automobile Repair, Major").
Pawn Shop*	An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker). Retail sales of primarily used (i.e., pre-owned) items is also allowed.
Pet Shops & Grooming*	A retail establishment offering small animals, fish and/or birds for sale as pets, where such creatures are housed within the building, and which may include the grooming of dogs, cats and similar animals.
Portable Building Sales (Outdoor Display)	An establishment which displays and sells structures capable of being carried and transported to another location, but not including mobile homes.
Propane Sales (Retail)	Retail sales of gaseous substances commonly used for household purposes such as propane and/or butane; does not include the storage, sale or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.
Restaurant (No Drive-Thru Service)*	A commercial establishment where food and beverages are prepared and served to customers for on-premises consumption. May include table service, counter service, or buffet-style dining. Typically permitted in commercial and mixed-use zones.
Restaurant with Drive-Thru Service*	A restaurant that includes a drive-thru lane and window for ordering and receiving food from a vehicle. Subject to additional zoning requirements for traffic flow, stacking space, and noise mitigation.

Restaurant with micro-brewery*	A restaurant that includes an on-site facility for brewing beer or other alcoholic beverages in small batches for consumption on the premises. May require special licensing and zoning approval for alcohol production and service
Restaurant with outdoor dining or service*	A restaurant that provides seating and food service in outdoor areas such as patios, courtyards, or sidewalks. Subject to regulations for noise, lighting, and proximity to residential uses.
Retail Shop, Apparel, Gift, Accessory and Similar Items*	An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. (Also see "General Retail Stores").
Secondhand Merchandise, Retail Sales*	A retail establishment selling previously owned goods such as clothing, furniture, electronics, or collectibles. Includes thrift stores, consignment shops, and resale outlets. Typically permitted in commercial zones.
Tavern/Bar*	A drinking establishment primarily serving alcoholic beverages for on-premises consumption. May include limited food service. Often permitted in commercial or entertainment districts.
Tobacco, Hookah, and Vape Store*	A retail establishment primarily engaged in the sale of tobacco products, electronic cigarettes, vaping devices, hookah products, and related accessories. This includes but is not limited to cigarettes, cigars, loose tobacco, flavored tobacco, vape liquids, and hookah supplies.
Industrial & Related Manufacturing Uses 16.11	
Animal Rendering Plant	A facility in which animal by-products, carcasses, fat, bone, viscera, or other animal materials are received and processed through crushing, cooking, dehydration, grinding, or chemical treatment to produce usable products such as tallow, grease, protein meal, fertilizer ingredients, or other industrial materials. Operations typically include the receipt, storage, handling, processing, and shipment of raw and finished materials.
Cement or Hydrated Lime Plant	An industrial facility engaged in the production, processing, or packaging of cement or hydrated lime. Operations may include crushing, mixing, kiln firing, and bulk storage of raw or finished materials.
Cleaning Plant (Commercial or Wholesale)*	An industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents on a commercial or wholesale basis.

Concrete or Asphalt Batching Plant (Permanent)	A permanent manufacturing facility for the production of concrete or asphalt.
Concrete or Asphalt Permitted Batching Plant (Temporary)	A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, and to be removed when the project is completed.
Distribution Center*	Building or facility used for the storage and distribution of wholesale items/products.
Equipment rental and sales establishment (indoor and outdoor)*	A commercial business engaged in the sale, lease, or rental of tools, machinery, or equipment, including construction, landscaping, or recreational items. May include outdoor display and storage areas, subject to screening and noise control standards.
Food Processing Plant*	A manufacturing or light industrial use that primarily deals with the processing and packaging of food (such as dairy or grain) products that are intended for human consumption, but which are not typically sold in volume to end users on the premises. Incidental retail sales of food products (e.g., bread and baked goods, dairy products such as cheese, etc.) created and packaged on the premises may be allowed as an accessory use.
Furniture, Home Furnishings, and Appliance Store*	This group includes retail stores selling new goods for furnishing the home including, but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances.
Heavy Machinery Sales and Storage*	A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.
High Risk or Hazardous	Manufacturing activities with minimal environmental or safety risks, such as assembly or light fabrication, that may occur partially outdoors. These uses are typically allowed in industrial zones with conditions to limit noise, dust, or visual impact
High Risk or Hazardous Industrial Manufacturing Wholly Enclosed within a Building	Industrial operations involving hazardous materials or processes (e.g., chemicals, flammable substances, toxic emissions) that pose significant risks to health, safety, or the environment. These activities must be fully contained within a building to mitigate exposure and comply with safety regulations.
Laboratory Equipment Manufacturing*	A facility that makes or produces equipment or products used for research or testing.

<p>Low Risk Industrial Manufacturing Not Wholly Enclosed Within a Building</p>	<p>A category of industrial activity characterized by clean, quiet, and low-intensity manufacturing operations that may include outdoor components. These uses are generally compatible with light industrial zones and may be conditionally permitted in transitional or mixed-use districts, subject to mitigation standards.</p>
<p>Low Risk Industrial Manufacturing Wholly Enclosed Within a Building</p>	<p>A low-impact industrial use where all manufacturing, processing, and storage activities are conducted entirely within a fully enclosed building. These uses are designed to minimize external effects and are often compatible with commercial or mixed-use zoning districts</p>
<p>Machine Shop*</p>	<p>A facility where metal or other materials are cut, shaped, or finished using tools such as lathes, mills, or grinders. Typically permitted in industrial zones and subject to noise and safety regulations.</p>
<p>Manufacturing, processing, and packaging - heavy*</p>	<p>Large-scale industrial operations involving raw materials, heavy machinery, and significant environmental impacts (e.g., noise, emissions). Typically located in designated heavy industrial zones with strict controls.</p>
<p>Manufacturing, processing, and packaging - light*</p>	<p>Smaller-scale industrial activities such as assembly, packaging, or fabrication using pre-processed materials. These uses are generally enclosed and compatible with commercial or light industrial zones.</p>
<p>Mini-Warehouse/Self Storage*</p>	<p>A facility offering compartmentalized storage units for personal or business use. Units are typically accessed by tenants and may include climate-controlled or outdoor storage. Permitted in commercial or industrial zones.</p>
<p>Mulching Plant</p>	<p>A facility where organic materials such as wood chips, leaves, or yard waste are processed into mulch. Operations may include grinding, shredding, and composting. Typically located in industrial or agricultural zones due to noise and odor considerations</p>
<p>Office Warehouse*</p>	<p>An establishment with more than twenty-five percent (25%) of the total floor area devoted to storage and warehousing, but not generally accessible to the public.</p>
<p>Outdoor storage, commercial and industrial*</p>	<p>The open-air storage of goods, equipment, or materials associated with a commercial or industrial use. May include vehicles, containers, or raw materials. Subject to screening, fencing, and setback requirements.</p>

<p>Petroleum Distribution/Storage/ Wholesale Facilities*</p>	<p>A facility for the longterm storage and distribution of petroleum that may also involve wholesale sales, but not retail sales, of petroleum and petroleum-based products. No manufacturing or refining of petroleum or petroleum- based products occurs on the premises, only storage and/or distribution functions.</p>
<p>Recycling Kiosk*</p>	<p>A small uninhabited structure (120 square feet maximum) or temporary container (e.g., “igloo” or dumpster-type container) which provides a self-service location for the depositing of recyclable materials such as aluminum cans (e.g., “can banks”), glass bottles, magazines/newspapers, metal or plastic containers, etc. Recyclables are picked up periodically from the site. This definition does not include large trailers or manned collection centers.</p>
<p>Salvage Reclamation or Recycling of Materials*</p>	<p>A facility engaged in the collection, sorting, processing, and resale of recyclable or salvaged materials such as metal, paper, glass, or electronics. May include outdoor storage and heavy equipment. Typically permitted in industrial zones and subject to environmental and nuisance controls.</p>
<p>Sand, Gravel or Stone Extraction or Storage*</p>	<p>The process of extracting and/or storing sand, gravel, stone, topsoil, compost or other products from the earth</p>
<p>Sexually Oriented Businesses</p>	<p>An inclusive term used to describe collectively the following businesses: adult arcade, sexually oriented media store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, sex shop, nude model studio, or sexual encounter center. See Article 4.100 [4.05] of the City Code of Ordinances.</p>
<p>Storage or Wholesale Warehouse*</p>	<p>A building used primarily for the storage of goods and materials.</p>

- (b) **General Definition:** The purpose of the General Definitions section is to provide clear, consistent, and uniform terminology for interpreting and applying the provisions of this Zoning Ordinance. Precise definitions ensure that property owners, developers, decision-makers, and the general public share a common understanding of key terms related to land use, development, building materials, zoning districts, and regulatory processes. Establishing standardized definitions promotes fairness, improves administrative efficiency, reduces ambiguity, and supports predictable development outcomes aligned with the community's adopted planning goals and regulatory framework.
 - (c) These definitions are intended to clarify the meaning of terms used throughout this Ordinance and shall be applied whenever such terms appear, unless the context clearly indicates a different meaning. When necessary, the definitions in this section support the Ordinance's broader purposes, including public health and safety, compatibility of land uses, orderly growth, protection of neighborhood character, and the effective implementation of adopted land-use policies.
-
- (1) **ACCESSORY DWELLING UNIT (ADU)** is a secondary, self-contained residential dwelling located on the same lot as a primary single-family dwelling and clearly subordinate in size, appearance, and function to the principal residence. An ADU may be attached to the main dwelling (e.g., a garage apartment or integrated living space) or detached as a separate accessory dwelling structure.
 - (2) **ACCESSORY STRUCTURE (RESIDENTIAL):** In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure

but not involving the conduct of a business (i.e., the building area must be significantly less than that of the main structure). Examples may include, but are not limited to, the following: a private garage for automobile storage, tool shed, greenhouse as a hobby (no business), home workshop, children's playhouse, storage building, garden shelter, etc.

- (3) **ACCESSORY STRUCTURE (BUSINESS OR INDUSTRY):** In the nonresidential districts, a subordinate building to the main building that does not exceed the height of the main building and does not exceed fifty percent (50%) of the floor area of the main building, and that is used for purposes accessory and incidental to the main use (see "Accessory Use").
- (4) **ACCESSORY USE:** A use that is customarily incidental, appropriate and subordinate to the principal use of land or building(s) and that is located upon the same lot therewith (i.e., the land/building area that is used for the accessory use must be significantly less than that used for the primary use, and/or the gross receipts/income that is derived from the accessory use must be significantly less than that derived from the primary use).
- (5) **ALLEY:** A minor right-of-way that is dedicated to public use and which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
- (6) **ANTENNA, MICROWAVE REFLECTOR & ANTENNA SUPPORT STRUCTURE:** An antenna is the arrangement of wires or metal rods used in transmission, retransmission and/or reception of radio, television, electromagnetic or microwave signals (includes microwave reflectors/antennae). A microwave reflector is an apparatus constructed of solid, open mesh, bar-configured, or perforated materials of any shape/configuration that is used to receive and/or transmit microwave signals from a terrestrial or orbitally located transmitter or transmitter relay. Microwave reflectors are also commonly referred to as satellite receive only earth stations (T.V.R.O.S.), or satellite dishes. An antenna support structure is any tower, mast, pole, tripod, box frame, or other structure utilized for the purpose of supporting one or more antennae or microwave reflectors. (See Section 37.6).
- (7) **AUTOMOBILE:** A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people including but not limited to the following: passenger cars, light duty trucks and sport utility vehicles, vans and mini-vans, motor scooters and motorcycles.
- (8) **BARN:** A structure intended for the purpose of storing farming and ranching related equipment and/or housing livestock.
- (9) **BASEMENT (OR CELLAR):** A portion of a building that is partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.
- (10) **BLOCK:** A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the City Administrator, or his/her designee, shall determine the outline of the block.
- (11) **BUILDING:** Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.
- (12) **BUILDING HEIGHT:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof.

- (13) **BUILDING LINE:** A line parallel, or approximately parallel, to any lot line at a specific distance therefrom, marking the minimum distance from the lot line that a building may be erected (see Illustrations 6 and 8).
- (14) **BUILDING, MAIN OR PRIMARY:** A building in which the principal use of the lot on which it is situated is conducted. In a residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.
- (15) **BUILDING MATERIALS, Hardware or Home Improvement (Outdoor Storage)** A retail or wholesale establishment selling goods used in construction, renovation, or maintenance of buildings. Includes lumber, plumbing supplies, tools, fixtures, paint, and landscaping materials.
- (16) **BUILDING MATERIALS, Hardware or Home Improvement Center (Indoor Only)** A large-scale retail establishment offering a wide range of building supplies, tools, fixtures, and home improvement products. May include outdoor storage, garden centers, and contractor services.
- (17) **BUILDING OFFICIAL:** The inspector or administrative official charged with responsibility for issuing permits and enforcing the Zoning Ordinance and Building Code of the City of Hutchins.
- (18) **BUILDING SITE:** See “Lot” definition.
- (19) **BUS STATION OR TERMINAL:** Any premises for the transient housing and/or parking of motor-driven buses and the loading and unloading of passengers.
- (20) **CARPORT:** A structure that is open on a minimum of two sides and designed or used to shelter not more than three vehicles and not to exceed twenty-four feet on its longest dimension. Also called “covered parking area.”
- (21) **CERTIFICATE OF OCCUPANCY:** An official certificate issued by the City through the Building Official which indicates conformance with the zoning regulations and building codes and which authorizes legal use of the premises for which it is issued.
- (22) **CITY COUNCIL:** The governing body of the City of Hutchins, Texas.
- (23) **CIVIC CENTER:** A building or complex of buildings that house municipal offices and services, and which may include cultural, recreational, athletic, food service, convention and/or entertainment facilities owned and/or operated by a municipality.
- (24) **COMMUNICATIONS OPERATIONS (NONCOMMERCIAL/AMATEUR):** The transmission, retransmission and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use, and not for the purpose of operating a business and/or for financial gain.
- (25) **COMMUNICATIONS OPERATIONS (COMMERCIAL):** The transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.
- (26) **COMPREHENSIVE PLAN:** Document adopted by the City that consists of graphic and textual policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.
- (27) **COUNTRY CLUB (PRIVATE):** A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.
- (28) **COURT:** An open, unobstructed space, bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard, or other permanent open space.

- (29) **COVERAGE:** The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.
- (30) **DENSITY:** The total number of residential buildings allowed upon a given tract of land usually expressed in total number of units per gross acres or net acre.
- (31) **DETACHED:** Having no physical connection above the top of the floor line of the first floor with any other building or structure.
- (32) **DRAPERY OR FURNITURE UPHOLSTERING SHOP:** An establishment for the production, display and sale of draperies and soft coverings for furniture.
- (33) **DWELLING:** Any building or portion thereof, which is designed or used as living quarters for one or more families.
- (34) **EASEMENT:** A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.
- (35) **EDUCATIONAL FACILITIES:** Public and private primary, secondary and post-secondary educational facilities offering instruction in the branches of learning and study required to be taught by the Texas Education Agency; and such federally funded educational programs for preschool children as the Head Start Program.
- (36) **ELECTRICAL SUBSTATION OR TRANSMISSION (HIGH VOLTAGE, BULK POWER):** A subsidiary station in which electric current is transformed.
- (37) May include outdoor display and storage areas, subject to screening and noise control standards.
- (38) **ENCLOSED BUILDING:** A structure which is floored, roofed and surrounded by outside walls, which contains no opening larger than 120 square feet in area normally open to the air and which contains no series of openings forming a divided opening larger than 120 square feet in area normally open to the air.
- (39) **FAMILY:** One or more persons related by blood, marriage, or adoption; or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit.
- (40) **FLOODPLAIN:** An area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM Flood Insurance Rate Map of the City of Hutchins.
- (41) **FLOOR AREA:** The total gross square feet of floor space within the outside dimensions of a building including each floor level, but excluding carports, residential garages, and breezeways.
- (42) **FLOOR AREA RATIO (FAR):** The floor area of a main building or buildings on a lot, divided by the lot area (see Illustration 1).
- (43) **FRANCHISED PRIVATE UTILITY (NOT LISTED):** A utility such as one distributing heat, chilled water, closed circuit television or similar service and requiring a franchise to operate in the City of Hutchins.
- (44) **FRATERNAL ORGANIZATION, LODGE UNION HALL OR CIVIC CLUB:** An organized group having a restricted membership and specific purpose related to the welfare of the members such as Elks, Masons, Knights of Columbus, or a labor union.
- (45) **FRONT YARD:** See "Yard, Front".

- (46) GALVANIZED SHEET METAL, CORRUGATED METAL, OR CORRUGATED FIBERGLASS: Exterior wall or roof panels composed of metal or fiberglass materials formed with visible corrugations, including but not limited to galvanized steel sheets. These materials are typically regulated or restricted due to concerns regarding reflectivity, durability, and visual compatibility with surrounding development. Their use may be prohibited on primary structures and permitted only on detached accessory buildings as specified in applicable zoning regulations. (See “R-Panel Metal Fencing”.)
- (47) GYMNAS TIC OR DANCE STUDIO: A building or portion of a building used as a place of work for a gymnast or dancer or for instructional classes in gymnastics or dance.
- (48) HEAVY LOAD VEHICLE: A self-propelled vehicle having a manufacturer’s recommended Gross Vehicle Weight (GVW) of greater than 12,000 pounds (including trailers), such as large trucks, tractor-trailers, buses, vans, and other similar vehicles. The term “truck” shall be construed to mean “Heavy Load Vehicle” unless specifically stated otherwise. The term “heavy load vehicle” does not include recreational vehicles, motor homes or farm equipment.
- (49) HELIPORT: An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use for heliport buildings and other heliport facilities.
- (50) HELISTOP: The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted
- (51) HIGH RISK OR HAZARDOUS: Manufacturing activities with minimal environmental or safety risks, such as assembly or light fabrication, that may occur partially outdoors. These uses are typically allowed in industrial zones with conditions to limit noise, dust, or visual impact
- (52) INSTITUTION FOR ALCOHOLIC, NARCOTIC OR PSYCHIATRIC PATIENTS: An institution offering out-patient treatment to alcoholic, narcotic or psychiatric patients.
- (53) KIOSK: A small, free-standing, one-story accessory structure having a maximum floor area of one hundred (100) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.
- (54) KITCHEN, RESIDENTIAL: Generally, that portion of a residential dwelling that is devoted to the preparation and/or cooking of food for the purpose of consumption by residents of the dwelling. A kitchen, as referred to within this Ordinance, generally indicates the presence of complete cooking facilities (i.e., stove, oven, microwave oven and/or refrigerator) as differentiated from a “kitchenette” which provides very limited cooking facilities (i.e., single-burner hot plate, under- counter refrigerator, microwave oven only, etc.).
- (55) LABORATORY EQUIPMENT MANUFACTURING: A facility that makes or produces equipment or products used for research or testing.
- (56) LANDSCAPING: Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and nonliving durable materials that are commonly used in landscaping such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.
- (57) LAUNDROMAT (OR SELF-SERVE WASHATERIA): A facility where patrons wash, dry and/or dry clean clothing and other fabrics in machines that are operated by the patron.
- (58) LIGHT LOAD VEHICLE: A self-propelled vehicle having a manufacturer’s recommended gross vehicle weight (GVW) not greater than 12,000 pounds and having no more than two axles, such as

- pick-up trucks, sport utility vehicles, vans and mini-vans, recreational vehicles (less than thirty-two [32] feet in length), campers and other similar vehicles but not including automobiles and motorcycles.
- (59) LIGHT MANUFACTURING OR INDUSTRIAL USE: Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.
- (60) LOADING SPACE: An off-street space or berth used for the delivery and loading/unloading of vehicles.
- (61) LOCAL UTILITY LINE: The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.
- (62) LOT: A platted (as specified in Chapter 212 of the Texas Local Government Code) parcel of land that is occupied or intended to be occupied by one main building (or a group of main buildings) and any accessory building(s), which includes such parking, landscaping and open space as are required by this Ordinance or other laws and/or ordinances, and also which has its principal frontage upon a public street. (See Illustrations 6, 7 and 8)
- (63) LOT AREA: The total area, measured on a horizontal plane, included within lot lines.
- (64) LOT, CORNER: A lot which has at least two adjacent sides abutting for their full lengths upon a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five degrees (135°). (See Illustration 9).
- (65) LOT DEPTH: The mean horizontal distance between the front and rear lot lines. (See Illustration 7).
- (66) LOT, DOUBLE FRONTAGE: A lot having frontage upon two (2) nonintersecting streets, as distinguished from a corner lot. (See Illustration 5).
- (67) LOT, FLAG: A lot having access to a street by means of a parcel of land generally having a depth greater than its frontage, but not less than thirty-five (35) feet. Flag, or panhandle, lots are typically discouraged.
- (68) LOT, INTERIOR: A lot other than a corner lot.
- (69) LOT FRONTAGE: That dimension of a lot or portion of a lot abutting onto a street, excluding the side dimension of a corner lot.
- (70) LOT LINE, FRONT: The narrower side of the lot abutting a street. Where two lot lines abutting streets are of equal length, the owner shall have a choice in designating which shall be the lot frontage. For a lot which has a boundary line which does not abut the front street line, is not a rear lot line, and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setback lines. (See Illustration 6).
- (71) LOT, KEY: A corner lot whose exterior side is adjacent to the front yard of another lot.
- (72) LOT LINE, REAR: The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero. (See Illustration 8).
- (73) LOT LINE, SIDE: Any lot line not the front or rear lot line.

- (74) LOT LINES OR PROPERTY LINES: The lines bounding a lot as defined herein.
- (75) LOT OF RECORD: A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Dallas County.
- (76) LOT WIDTH: The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line. (See Illustration 6).
- (77) MAIN BUILDING: The building or buildings on a lot which are occupied by the primary use.
- (78) MANUFACTURED HOME DISPLAY OR SALES (NEW): The offering for sale, storage, or display of new manufactured housing units (e.g., mobile homes/trailers, HUD-Code homes, industrialized homes) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.
- (79) MANUFACTURED HOME DISPLAY OR SALES (USED): The offering for sale, storage, or display of previously owned (i.e., used), movable manufactured housing units (e.g., mobile homes/trailers, HUD-Code homes) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis
- (80) MOBILE HOME: A movable dwelling designed to be transported on its own chassis on the highway (either intact or in major sections) by a prime mover, which is constructed with a base section so as to be independently self-supporting, and which does not require a permanent foundation for year-round living. A mobile home is also defined as any manufactured home that was constructed prior to June 15, 1976.
- (81) MASONRY CONSTRUCTION: That form of construction comprised of brick, stone, granite, marble, concrete, hollow clay tile, concrete block or tile, brick veneer, or other similar building units or materials or combination of these materials laid up unit by unit and set in mortar (see Section 41).
- (82) MAUSOLEUM: Property used for the interring of the dead and where bodies are interred above ground in staked vaults.
- (83) MEDICAL FACILITIES:
 - (d) *Dental Office or Doctors Office*: Same as medical clinic.
 - (e) *Massage Establishment*: Any place of business in which massage therapy is practiced by a massage therapist, as defined and licensed by State law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body message. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub, shower or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.
 - (f) *Public Health Center*: A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.

- (g) *Sanitarium*: An institution providing health facilities for inpatient medical treatment or treatment and recuperation making use of natural therapeutic agents.
 - (h) *Surgical Out-Patient Facility*: An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.
 - (i) *Medical Laboratory*: An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.
- (84) **MOBILE HOME SPACE**: A plot of ground within a mobile home park, trailer park, RV park, or mobile home subdivision which is designed for the accommodation of one mobile home, trailer or RV unit.
 - (85) **MOTORCYCLE**: A usually two-wheeled, self-propelled vehicle having one or two saddles or seats, and which may have a sidecar attached. For purposes of this Ordinance, motorbikes, all-terrain vehicles (ATVs), motor scooters, mopeds and similar vehicles are classified as motorcycles.
 - (86) **MOTOR FREIGHT COMPANY/ TERMINAL**: A company using trucks or other heavy load vehicles to transport goods, equipment and similar products, or a premises where cargo is stored and where heavy load vehicles load and unload cargo, but excluding trucking as accessory to the primary use of the production or manufacture of goods or products. This term includes companies that move residential or commercial belongings and premises where such belongings are stored for any period of time.
 - (87) **MOTOR VEHICLE**: Any vehicle designed to carry one or more persons which is propelled or drawn by mechanical power, such as automobiles, vans, trucks, motorcycles and buses.
 - (88) **MUNICIPAL FACILITY OR USE**: Any area, land, building, structure and/or facility which is owned, used, leased or operated by the City of Hutchins, Texas.
 - (89) **NONCONFORMING USE**: See **Section 7** of this Ordinance.
 - (90) **NONPROFIT ACTIVITIES BY A CHURCH** Activities conducted by a religious institution that are not strictly worship-related but serve a charitable or community purpose. Examples include food pantries, counseling, or educational programs. Protected under federal law (RLUIPA) but may require special use permits.
 - (91) **NURSERY**: An establishment, including a building, part of a building or open space, for the growth, display and/or sale of plants, shrubs, trees and other materials used in indoor or outdoor planting.
 - (92) **OCCUPANCY**: The use or intended use of the land or buildings by proprietors or tenants.
 - (93) **OFFICE SHOWROOM**: An establishment with no more than twenty-five percent (25%) of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.
 - (94) **OFFICIALLY APPROVED PLACE OF ACCESS**: Access to a property, other than from a dedicated street, which is approved by the City of Hutchins.
 - (95) **OFF-STREET PARKING INCIDENTAL TO MAIN USE**: Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.

- (96) **OUTSIDE DISPLAY:** Outside temporary display of finished goods that are specifically intended for retail sale but not displayed outside overnight.
- (97) **OUTSIDE STORAGE:** The permanent and/or continuous keeping, displaying or storing, outside a building, of any goods, materials, merchandise or equipment on a lot or tract for more than twenty-four (24) hours. Also referred to as open storage.
- (98) **OUTDOOR STORAGE, COMMERCIAL AND INDUSTRIAL:** The open-air storage of goods, equipment, or materials associated with a commercial or industrial use. May include vehicles, containers, or raw materials. Subject to screening, fencing, and setback requirements.
- (99) **PAINT SHOP:** A commercial establishment where painting services are performed (but not automotive-related painting services, which would be included under “Automobile Repair, Major”).
- (100) **PARCEL:** Any unplatted tract of land, or any portion of an unplatted tract of land (also see “Tract”).
- (101) **PARKING LOT:** An off-street (i.e., not on a public street or alley), ground level area, paved in accordance with City of Hutchins parking lot standards, for the short- or long-term storage of motor vehicles.
- (102) **PARKING SPACE:** An off-street (i.e., not on a public street or alley) area, paved in accordance with City of Hutchins parking lot standards, that is used for parking a vehicle, and that is accessed from a paved driveway which connects the parking space with a public street.
- (103) **PLANNED DEVELOPMENT DISTRICT:** Planned associations of uses developed as integral land use units, such as industrial parks or industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or by a combination of owners.
- (104) **PLANNING AND ZONING COMMISSION:** A board which is appointed by the City Council as an advisory body, and which is authorized to recommend changes in the zoning of property and other planning functions as delegated by the City Council. Also referred to as the “Commission.”
- (105) **PLAT:** A plan showing the subdivision of land, creating building lots or tracts, showing all essential dimensions and other information in compliance with the subdivision standards of the City of Hutchins, and which is approved by the City of Hutchins and recorded in the plat records of Dallas County.
- (106) **PLATTED LOT:** See “Lot” and “Lot of Record”.
- (107) **PLAYFIELD OR STADIUM (PRIVATE):** An athletic field or stadium owned and operated by an agency other than the City of Hutchins or the School District.
- (108) **PREMISES:** Land together with any buildings or structures situated thereon.
- (109) **PRIMARY USE:** The principal or predominant use of any lot or building.
- (110) **PRINCIPAL BUILDING:** See “Main Building”.
- (111) **PRIVATE CLUB:** An establishment providing social and/or dining facilities which may provide
- (112) **PRIVATE RESIDENTIAL SUBDIVISION:** A legally platted residential development in which all internal infrastructure—including but not limited to streets, sidewalks, drainage systems, and common areas—is privately owned and maintained by a homeowners’ association (HOA), property owners’ association (POA), or similar governing body. Such subdivisions are not dedicated to public

- use and may include restricted access, private amenities, and enforceable community covenants or deed restrictions.
- (113) **PROFESSIONAL SERVICE:** Work performed which is commonly identified as a profession, and which may be licensed by the State of Texas.
- (114) **PROPANE SALES:** Retail sales of gaseous substances commonly used for household purposes such as propane and/or butane; does not include the storage, sale or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.
- (115) **PUBLIC VIEW:** Public view means areas that can be seen from any public street.
- (116) **R-PANEL METAL FENCING:** Fencing constructed with formed sheet metal panels, installed on metal posts, typically with runners for stability. May be fitted with decorative caps. (See “Galvanized Sheet Metal, Corrugated Metal, Or Corrugated Fiberglass”.)
- (117) **RADIO, TELEVISION OR MICROWAVE TOWER:** See “Antenna, Microwave Reflector & Antenna Support Structure” (see also Section 37.6).
- (118) **REAR YARD:** See “Yard, Rear”.
- (119) **RECREATION CENTER:** A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.
- (120) **RECREATIONAL VEHICLE (RV):** A self-propelled (i.e., motorized), mobile living unit which is typically used for temporary human occupancy away from the users’ permanent place of residence. An RV may also be utilized as a permanent place of residence within districts that allow them to be used as such.
- (121) **RECREATIONAL VEHICLE/CAMPER SALES AND LEASING:** An establishment that sells, leases and/or rents new and/or used recreational vehicles, travel trailers, campers, boats/watercraft, and similar types of vehicles.
- (122) **RESIDENCE:** Same as a dwelling; also, when used with district, an area of residential regulations.
- (123) **RESIDENCE HOTELS:** A multiunit, extended stay lodging facility consisting of efficiency units and/or suites with complete kitchen facilities and which is suitable for long-term occupancy. Customary hotel services such as linens and housekeeping, telephones, and upkeep of furniture shall be provided. Meeting rooms, club house, and recreational facilities intended for the use of residents and their guests are permitted. This definition shall not include other dwelling units as defined by this Ordinance.
- (124) **RESIDENTIAL DISTRICT:** District where the primary purpose is residential use.
- (125) **ROOM:** A building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.
- (126) **SCHOOL, BUSINESS:** A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial art school, but not including commercial trade schools.
- (127) **SCHOOL, COMMERCIAL TRADE:** A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades.
- (128) **SCIENTIFIC AND INDUSTRIAL RESEARCH LABORATORIES:** Facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.

- (129) SCREENED: Shielded, concealed, and effectively hidden from the view of a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm or similar architectural or landscape feature.
- (130) SEASONAL USES: Seasonal uses include the sales of items such as Christmas trees, pumpkins, snow cones, fresh produce, and other items which are typically only available at certain times of the year.
- (131) SIDE YARD: See "Yard, Side".
- (132) care, or rehabilitative services over a long period of time to persons who are chronically ill, aged or disabled and who need ongoing health supervision but not hospitalization.
- (133) SMALL ENGINE REPAIR SHOP: Shop for the repair of lawn mowers, chain saws, lawn equipment, and other machines with one-cylinder engines.
- (134) STORY: That portion of a building (above grade), other than a basement, that is included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables and other normal roof structures. In cases where the site has a significant slope, the number of stories (i.e., height) of a building shall be measured from point representing the average slope from front to back (or side to side) of the building.
- (135) STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing an independent apartment or self-contained living quarters shall be counted as a full story.
- (136) STREET: Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is greater than sixty feet (60').
- (137) STREET INTERSECTION: Any street which joins another street at an angle, whether or not it crosses the other.
- (138) STREET YARD: The area between the building front line and the front property (i.e., right-of-way) line.
- (139) STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of "Building").
- (140) STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as load-bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.
- (141) SWIMMING POOL (COMMERCIAL) A swimming pool with accessory facilities which is not part of the municipal or public recreational system and which is not a private swim club, but where the facilities are available for use by the general public for a fee.
- (142) TELEMARKETING CENTER: An establishment which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occurs at or on the premises. No products are stored at or on the premises.

- (143) TELEPHONE EXCHANGE, SWITCHING OR RELAY OR TRANSMITTING STATION: A line for the transmission of telephone signals and a central office in which telephone lines are connected to permit communication but not including a business office, storage (inside or outside) or repair yards.
- (144) TEMPORARY: Used or lasting for only a limited period of time; not permanent.
- (145) TEMPORARY BUILDING: Any nonresidential prefabricated structure which is not originally manufactured or constructed at its use site, required on-site installation of utilities and/or foundation.
- (146) TIRE DEALER, NO OPEN STORAGE: A retail establishment engaged in the sale and/or installation of tires for vehicles, but without open storage.
- (147) TIRE DEALER, WITH OPEN STORAGE: A retail establishment engaged in the sale and/or installation of tires for vehicles, with open storage.
- (148) TOOL AND MACHINERY RENTAL SHOP: A building or a portion of a building used for the display and rental of tools, machinery and instruments.
- (149) TRACT: A single individual parcel or lot.
- (150) TRACTOR SALES: See "Heavy Machinery Sales and Storage".
- (151) TRADE AND COMMERCIAL SCHOOLS: See "School, Commercial Trade".
- (152) TRAILER PARK OR COURT: See "Mobile Home Park".
- (153) TRAILER, HAULING: A vehicle or device which is pulled behind an automobile or truck and which is designed for hauling animals, produce, goods or commodities, including boats.
- (154) TRAILER HOME: See "Manufactured Housing, Mobile Home".
- (155) TRAILER OR MOBILE HOME SPACE: See "Mobile Home Space".
- (156) TRAILER RENTAL: The display and offering for rent of trailers designed to be towed by automobiles and light load vehicles.
- (157) TRAILER, TRAVEL OR CAMPING: A portable or mobile living unit which is used for temporary human occupancy away from the users' permanent place of residence, which does not constitute the users' principal place of residence, and which is designed to be towed behind another vehicle.
- (158) TRANSPORTATION AND UTILITY STRUCTURES/FACILITIES: Permanent facilities and structures operated by companies engaged in providing transportation and utility services including but not limited to railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.
- (159) TRUCK: A light or heavy load vehicle (see definitions for "Light Load Vehicle" and "Heavy Load Vehicle").
- (160) TRUCK AND BUS REPAIR: An establishment providing major and minor automotive repair services to heavy load vehicles.
- (161) TRUCK AND BUS LEASING: The rental of new or used panel trucks, vans, trailers, recreational vehicles or motor-driven buses in operable condition and where no repair work or intensive cleaning operations are performed.
- (162) TRUCK STOP: A facility for the parking, refueling and/or minor repair of heavy load tractor-trailer trucks. These facilities may also include retail sales of food and/or other items, restaurant(s), restroom/showers facilities, and/or temporary sleeping quarters.

- (163) TRUCK TERMINAL: An area and building where cargo is stored and where trucks, including tractor and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment. (Also see "Motor Freight Company or Terminal")
- (164) SEXUALLY ORIENTED BUSINESS. Any of the following uses, provided, "massage parlor" shall not include a spa, medical facility, athletic club or similar business where physical therapy and/or massages are offered by a massage therapist licensed to practice in the State of Texas:
1. Adult arcade. Any place to which the public is permitted or invited wherein coin-operated, token-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.
 2. Adult bookstore, adult novelty store, or adult video store. A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration, any one (1) or more of the following:
 - a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, discs, or other video reproduction, slides, or other visual representations which are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" or
 - b. Instruments, devices or paraphernalia that are designed for use in connection with "specified sexual activities."
 3. Adult cabaret. A nightclub, bar, restaurant, or similar commercial establishment which regularly features:
 - a. Persons who appear live in a state of nudity or semi-nudity; or
 - b. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities;" or
 - c. Films, motion pictures, video cassettes or discs, slides or other video or photographic reproductions which are distinguished or characterized by the depiction of "specified sexual activities" or "specified anatomical areas."
 4. Adult motel. A hotel, motel or similar commercial establishment which:
 - a. Offers accommodations to the public for any form of consideration; provides patrons with closed- circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" and has a sign visible from the public right-of- way which advertises the availability of this type of photographic reproduction; or
 - b. Regularly offers a sleeping room for rent for a period of time that is less than 10 hours;
 - c. Regularly allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.
- (165) USABLE OPEN SPACE: An open area or recreational facility which is designed and intended to be used for outdoor living and/or recreation purposes. An area of usable open space shall have a slope not exceeding ten percent (10%), shall have no dimension of less than ten feet (10'), and

- may include landscaping, walks, recreational facilities, water features and decorative objects such as art work or fountains.
- (166) USE: The purpose for which land or buildings are or may be occupied in a zoning district.
- (167) UTILITY DISTRIBUTION/TRANSMISSION LINES: Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the City or private utility company.
- (168) VARIANCE: An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district. Only the Zoning Board of Adjustment of the City of Hutchins can grant a variance.
- (169) YARD: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used. (See Illustration 6).
- (170) YARD, FRONT: A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building. (See Illustration 6).
- (171) YARD, REAR: The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard. (See Illustration 8).
- (172) YARD, SIDE: The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building. (See Illustration 8).
- (173) ZERO-LOT-LINE DWELLING: See "Patio Home".
- (174) ZONING BOARD OF ADJUSTMENT: A board which is appointed by the City Council, and which is authorized to make special exceptions and grant variances to the Zoning Ordinance, and to hear and decide any appeals that allege error in an order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Ordinance. Also referred to as the "ZBA."
- (175) ZONING DISTRICT: A classification applied to any certain land area within the City stipulating the limitations and requirements of land usage and development.
- (176) ZONING DISTRICT MAP: The official map upon which the boundaries of the various zoning districts are drawn and which is an integral part of the Zoning Ordinance. (See Section 3, "Zoning District Map" and Section 4, "Zoning District Boundaries").

Division IX: Summary of Zoning District Regulations and Illustrations

SECTION 14A.01.050. TABLE AND ILLUSTRATIONS

(a) **Summary Table.** This is a chart for general comparison purposes only and is incomplete. For complete requirements see the body of the Zoning Ordinance.

District	Minimum Lot Area	Minimum Dwelling Unit Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard
A	1 Acre	2,000 Sq. Ft.	150 Ft.	200 Ft.	25 Ft	25 Ft	10% of lot width/30 Ft
SF-10	10,000 Sq. Ft.	1,800 Sq. Ft	75 Ft.	110 Ft	25 Ft	25 Ft	10% of lot width/20 Ft.
SF-8.5	8,500 Sq. Ft.	1,500 Sq. Ft.	70 Ft.	110 Ft.	25 Ft	25 Ft.	10% of lot width/15 Ft.
SF-7	7,000 Sq. Ft	1,250 Sq. Ft.	60 Ft	100 Ft	25 Ft.	25 Ft.	10% of lot width/15 Ft.
SF-6	6,000 Sq. Ft	1,250 Sq. Ft.	50 FT	110 FT	25 Ft	25 ft	10% of lot width/15 Ft.
SF-PH	4,500 Sq. Ft.	1,250 Sq. Ft.	40 Ft.	110 Ft.	25 Ft.	25 Ft	0 Ft./10 Ft./15 Ft
D	6,000 Sq. Ft./lot; 3,000 Sq. Ft./D.U	1,150 Sq. Ft	60 Ft.	100 Ft	25 Ft.	25 Ft.	10% of lot width/ 15 Ft.
SFA	3,000 Sq. Ft.	1,150 Sq. Ft.	30 Ft.	100 Ft.	25 Ft.	25 Ft.	0 Ft/15 Ft.
MF	6,000 Sq.Ft/lot 2,000 Sq.Ft./D.U.	550sf-Effic'y. 600sf-1 B.R. 800+sf-2 + B.R.	60 Ft	100 Ft.	30 Ft	25 Ft./80 Ft.	15 Ft./60 Ft

MH	3,000 Sq. Ft./Unit	1,000 Sq. Ft.	35 Ft.	80 Ft.	25 Ft.	10 Ft./25 Ft.	10 Ft./25 Ft.
O	7,000 Sq. Ft.	N/A	70 Ft.	100 Ft.	25 Ft.	25 Ft.	15 Ft./25 Ft.
R	6,000 Sq. Ft.	N/A	60 Ft.	100 Ft.	25 Ft.	25 Ft.	25 Ft.
C-1	6,000 Sq. Ft.	N/A	60 Ft.	100 Ft.	25 Ft.	25 Ft./60 Ft.	25 Ft./60 Ft.
HC	10,000 Sq. Ft.	N/A	80 Ft.	100 Ft.	30 Ft.	25 Ft./60 Ft./200 Ft./300 Ft.	25 Ft./60 Ft./200 Ft./300 Ft.
District	Minimum Lot Area	Minimum Dwelling Unit Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard
LI	20,000 Sq. Ft.	N/A	100 Ft.	200 Ft.	50 Ft.	25 Ft./60 Ft./200 Ft.	25 Ft./60 Ft./200 Ft.
HI	20,000 Sq. Ft.	N/A	100 Ft.	200 Ft.	50 Ft.	25 Ft./60 Ft./200 Ft.	25 Ft./60 Ft./200 Ft.

(b) **Illustrations**

Illustration #1



Illustration #2



Illustration #3

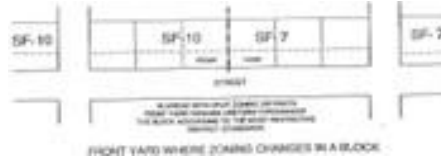


Illustration #4

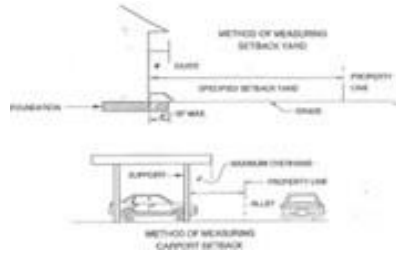


Illustration #5

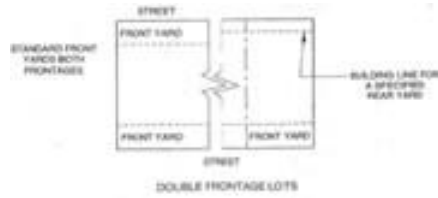


Illustration #6

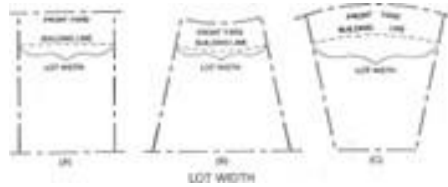


Illustration #7



Illustration #8

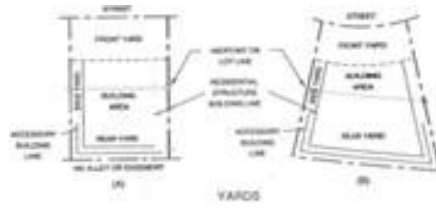


Illustration #9



Illustration #10



Illustration #11

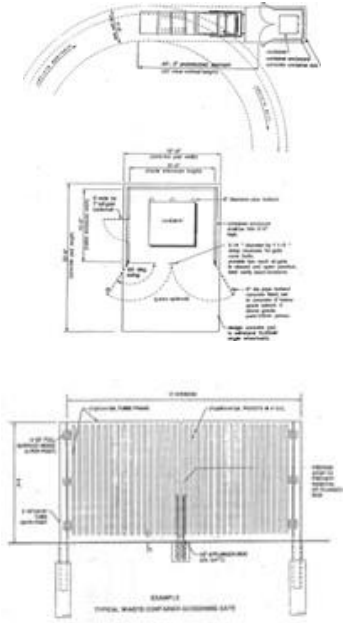


Illustration #12



Illustration #13

