



## PLANNING AND ZONING COMMISSION MEETING

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City Hall Council Chambers, 298 W. Washington  
Wednesday, September 15, 2021 at 5:30 PM

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### AGENDA

#### CALL TO ORDER

#### MINUTES

- [1.](#) Approval of Minutes - August 18, 2021

#### PUBLIC HEARING

- [2.](#) Case No.: RZ2021-014

Applicant Joe Soto is requesting a rezone of the remaining portion of property located at 645 McCart, Parcel R33258, of Shapard & Collins, Block 10, Lot 7, of the City of Stephenville, Erath County, Texas from (I) Industrial to (R-3) Multifamily.

- [3.](#) Changes to Zoning Regulations to Allow for Sale of Alcohol

#### ADJOURN

***In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.***



## PLANNING AND ZONING COMMISSION

City Hall Council Chambers, 298 W. Washington  
Wednesday, August 18, 2021 at 5:30 PM

### MINUTES

The Planning and Zoning Commission of the City of Stephenville, Texas, convened on August 18, 2021 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

**COMMISSIONERS PRESENT:** Lisa LaTouche, Chairperson  
Brian Lesley, Vice Chair  
Bruce Delater  
Justin Allison  
Nick Robinson  
Cliff McCrury  
Todd McEvoy

**COMMISSIONERS ABSENT:** Mary Beach McGuire – Alternate

**OTHERS ATTENDING:** Steve Killen, Director of Development Services  
Tina Cox, Commission Secretary

### CALL TO ORDER

Chairperson LaTouche called the meeting to order at 5:30 p.m.

### MINUTES

**1. Consider Approval of Minutes – July 21, 2021**

MOTION by Nick Robinson, second by Cliff McCrury, to approve the minutes for July 21, 2021.

MOTION CARRIED by unanimous vote.

### PUBLIC HEARINGS

**2. Case No.: RP2021-005**

**Applicant Barron Stark Engineers, representing 555 Dublin Avenue LLC, is requesting a replat of property located at 555 Dublin, Parcel R73140, of CITY ADDITION, BLOCK 72 & BLOCK 73 (PTS OF) of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary replat of two parcels.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that this is a preliminary plat that along with the appropriate submittals currently under review by staff has an intended project that will allow for a multi-family development. Mr. Killen stated that the future land use is single family. Mr. Killen shared with the Commission that the property is served by adequate

water and sewer connections. Mr. Killen stated that this is a replat of the property, not a rezone and that this property has met all the qualifications for a preliminary replat to be granted. Mr. Killen concluded his brief with providing to the commission the information that this preliminary plat will take two lots and combine them into one lot.

Chuck Stark and Will Schoonover, representing Barron Stark Engineers, were present to answer any questions.

Chairperson LaTouche opened the public hearing with a reminder that this was a replat hearing only.

No one came forward to speak in favor of the replat request.

Noni Casselman Reed, 1008 Counts St, spoke against the replat, expressing her concerns regarding safety issues.

Chairperson LaTouche closed the public hearing.

MOTION by Todd McEvoy, second by Nick Robinson, to approve Case No. RP2021-005 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

### 3. Case No.: PD2021-002

**Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of Cowtown Properties, is requesting a rezone of property located at 525 W Collins, Parcel R33237, of SHAPARD & COLLINS, BLOCK 6, LOTS 1 & 2 & A0032 BLAIR JOHN, of the City of Stephenville, Erath County, Texas, from (IND) Industrial to (PD) Planned Development. The applicant will present a conceptual plan. Formal action for the rezone request and approval of the Planned Development will be considered at a future meeting.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant wants to rezone the property from Industrial to Planned Development for the construction of a townhome development. The concept plan proposed will be 37 units on 2.65 acres (density of 13.96 units per acre) with 68 parking spaces (generally, two spaces per unit are required). Mr. Killen stated that the commission is charged with evaluating the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation.

Douglas Cooper, representing MMA, LLC and Troy Kunkel were present to answer any questions.

Chairperson LaTouche opened the public hearing.

Mr. Kunkel stated that the townhomes are to be developed with the intention to sell.

Mr. Cooper presented the Commissioners with a set of plans that gave detailed information regarding the site plan and conceptual drawings.

Commissioner McEvoy expressed his concerns regarding the height of the buildings.

Commissioner Delater expressed his concerns regarding traffic issues and the close proximity of the railroad.

Chairperson LaTouche closed the public hearing.

No action taken.

#### 4. Case No.: PD2021-003

**Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 817 W Washington, Parcel R29583, of CITY ADDITION, BLOCK 62, LOTS 6A;7;14;17; (PT, OF 14), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant wants to rezone the property from Retail and Commercial Business to Planned Development for the construction of a townhome development. The concept plan proposed will be 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement). Mr. Killen stated that the commission is charged with evaluating the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation. Mr. Killen concluded his presentation with sharing with the Commission that one letter of opposition from Stephenville Mobile Home Park.

Douglas Cooper, representing MMA, LLC and Troy Kunkel were present to answer any questions.

Chairperson LaTouche opened the public hearing.

Mr. Kunkel stated that the townhomes are to be developed with the intention to sell.

Mr. Cooper presented the Commissioners with a set of plans that gave detailed information regarding the site plan and conceptual drawings.

Commissioner Leslie expressed his concerns regarding the easement and the legal ramifications that may arise.

Commissioner Delater expressed his concerns regarding traffic issues and the close proximity of the school.

Chairperson LaTouche closed the public hearing.

No action taken.

#### 5. Case No.: PD2021-004

**Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 855 & 865 W Washington, Parcel R29581, of CITY ADDITION, BLOCK 62, LOTS 4;5;6B; (PT, OF 5), of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant wants to rezone the property from Retail and Commercial Business to Planned Development for the construction of a townhome development. The concept plan proposed will be 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement). Mr. Killen stated that the commission is charged with evaluating the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed

densities or lot sizes, proposed amenities and proposed regulation. Mr. Killen concluded his presentation with sharing with the Commission that one letter of opposition from Stephenville Mobile Home Park.

Douglas Cooper, representing MMA, LLC and Troy Kunkel were present to answer any questions.

Chairperson LaTouche opened the public hearing.

Commissioner Leslie expressed his concerns regarding the easement and the legal ramifications that may arise.

Commissioner Delater expressed his concerns regarding traffic issues and the close proximity of the school.

Chairperson LaTouche closed the public hearing.

No action taken.

#### 6. Case No.: PD2021-005

**Applicant Reese Flanagan of MMA, LLC, representing Troy Kunkel of 598 Westwood, LLC, is requesting a rezone of property located at 873 W Washington, Parcel R29580, of CITY ADDITION, BLOCK 62, LOT 3, of the City of Stephenville, Erath County, Texas, from (B-2) Retail and Commercial Business to (PD) Planned Development. The applicant will present a conceptual plan.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that the applicant wants to rezone the property from Retail and Commercial Business to Planned Development for the construction of a townhome development. The concept plan proposed will be 23 units on 0.94 acres (density of 24.47 units per acre) with 51 parking spaces (exceeding the two spaces per unit requirement). Mr. Killen stated that the commission is charged with evaluating the conceptual plan. The plan shall contain appropriate information to describe the general land use configuration, proposed densities or lot sizes, proposed amenities and proposed regulation. Mr. Killen concluded his presentation with sharing with the Commission that one letter of opposition from Stephenville Mobile Home Park.

Douglas Cooper, representing MMA, LLC and Troy Kunkel were present to answer any questions.

Chairperson LaTouche opened the public hearing.

Commissioner Leslie expressed his concerns regarding the easement and the legal ramifications that may arise.

Commissioner Delater expressed his concerns regarding traffic issues and the close proximity of the school.

Chairperson LaTouche closed the public hearing.

No action taken.

#### 7. Case No.: RP2021-006

**Property owner Taylor Kanute of Harbin Street LLC, is requesting a re-plat of property located at 0 S. Harbin Drive, Parcel R73763, of SOUTH SIDE ADDITION, BLOCK 19, LOT 15, of the City of Stephenville, Erath County, Texas. The applicant is requesting approval of a preliminary re-plat for the planned development.**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that this is a preliminary plat that on July 21, the City Council approved the rezoning of the parcel to PD contingent upon the approval of a preliminary plat. The applicant has submitted a preliminary plat along with the appropriate submittals currently under review by staff. Further, per the request of City Council, the applicant is providing additional detail relating to the Planned Development. The intended project will allow for retail and commercial space on approximately 2.7 acres, maintaining current zoning of B-2. The remainder of the parcel will be designated as a Planned Development relating to Townhomes. Mr. Killen concluded his brief stating that this is a replat of the property and that this property has met all the qualifications for a preliminary replat to be granted.

Taylor Kanute was present to answer any questions.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against the replat request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Todd McEvoy, to approve Case No. RP2021-006 and forward a positive recommendation to Council. MOTION CARRIED with a unanimous vote.

**8. Zoning Ordinance Revisions to R-3 Multi-family and Consideration of Draft Zoning District Known as R-2.5**

Steve Killen, Director of Development Services, briefed the commission on the case. Mr. Killen stated that recent applications for rezoning requests relating to R-3 Multifamily developments have been met with public apprehension. Currently, the R-3 zoning classification list of permitted uses includes higher use development that if approved, could jeopardize the character of some of our existing neighborhoods. City Council assigned the Development Services Committee to review the R-3 zoning classification and attempt to find a mechanism that could lead to the integration of trending housing choices while protecting our existing neighborhoods. Subsequently, the Committee has proposed actions that will, in essence, remove townhomes and equivalent housing from the R-3 classification and propose a new R-2.5 zoning classification that will include townhomes, single-family homes on smaller parcels and duplexes. Mr. Killen went onto explain that the following items are also accomplished through the proposals:

A. Townhome requirements are removed from the R-3 zoning classification and separate zoning classification for townhomes and trending housing styles is proposed.

B. A clear distinction on density requirements for the new zoning classification for townhomes is set at 14 units per acre compared to a density of 24 units per acre for multifamily dwellings.

C. R-2.5 allows for single family and townhome dwellings. Duplex style home are also a permitted use but at a much lower density.

D. Variations from density/setback requirements for the newly established zoning classification will require a residential site plan submittal and subsequent approval through Planning & Zoning and City Council.

E. Parking requirements for the R-3 zoning over the newly established zoning classification (R-3 is currently allowed up to 24 units per acre). Increase parking requirements intended for student housing properties, revising from per unit to per bed.

F. Establish a clear distinction between R-3 zoning relating to student housing has been clarified to mean two spaces per rented bed.

G. R-3 zoning will generally relate to managed properties on a single-parcel while the newly established zoning will generally allow for replatted properties where each unit is individually platted and typically, owner occupied.

H. R-3 zoning will not have a site plan review process but will maintain the current process of variance requests before the Board of Adjustment.

Mr. Killen concluded his brief with a request to the Commission to recommend to the City Council to revise certain provisions of the zoning code and adopt a new section known as R2.5 as a new residential zoning classification as reviewed by the Planning and Development Services committee on July 22, 2021.

Chairperson LaTouche opened the public hearing.

No one came forward to speak in favor of or against the zoning ordinance revision request.

Chairperson LaTouche closed the public hearing.

MOTION by Bruce Delater, second by Nick Robinson, that both revisions would be recommended for approval to Council. MOTION CARRIED with a unanimous vote.

**ADJOURN**

The meeting was adjourned at 6:34 p.m.

APPROVED:

\_\_\_\_\_  
Lisa LaTouche, Chair

ATTEST:

\_\_\_\_\_  
Tina Cox, Commission Secretary



# STAFF REPORT

**SUBJECT:** Case No.: RZ2021-014

Applicant Joe Soto is requesting a rezone of the remaining portion of property located at 645 McCart, Parcel R33258, of Shapard & Collins, Block 10, Lot 7, of the City of Stephenville, Erath County, Texas from (I) Industrial to (R-3) Multifamily.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

## RECOMMENDATION:

The Comprehensive Plan for future land use designates this property to be multifamily. Staff supports the rezone request.

## BACKGROUND:

The intended project for the requested zoning is for a multifamily development.

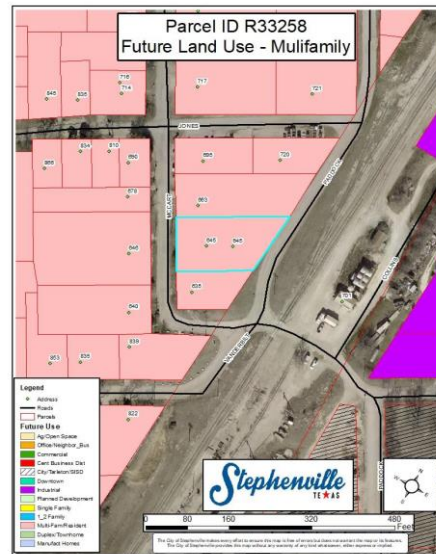
The applicant previously submitted a rezone application in 2017 which was subsequently approved by the Commission and City Council in the fall of 2017. In 2020, the applicant submitted an application for replat which was also approved by the Commission and City Council in May, 2020.

Recent submittals for the project led to the discovery that the replat removed an approximate 27 feet of the property known as 663 McCart and expanded the property known as 645 McCart. Consequently, 645 McCart now has a split zoning of Industrial and R-3, multifamily.

### CURRENT ZONING:



### FUTURE LAND USE:





**APPROVED REPLAT:**

**DESCRIPTION OF REQUESTED ZONING:**

**Sec. 154.05.6. Multiple family residential district (R-3).**

**5.6.A Description.** This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

**5.6.B Permitted Uses.**

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Two-to-four family dwellings, with each family limited as in division (1) above;
- (3) Townhouse dwellings, with each family limited as in division (1) above;

- (4) Condominium dwellings, with each family limited as in division (1) above;
- (5) Multiple family dwellings, with each family limited as in division (1) above;
- (6) Assisted living center;
- (7) Convalescent, nursing or long term-care facility;
- (8) Retirement housing complex;
- (9) Accessory buildings;
- (10) Churches, temples, mosques and related facilities;
- (11) Community home;
- (12) Park or playground;
- (13) SISD school—public;
- (14) Bed and breakfast/boarding house;
- (15) Group day care home;
- (16) Registered family home;
- (17) Day care center; and
- (18) Fraternity or sorority house.

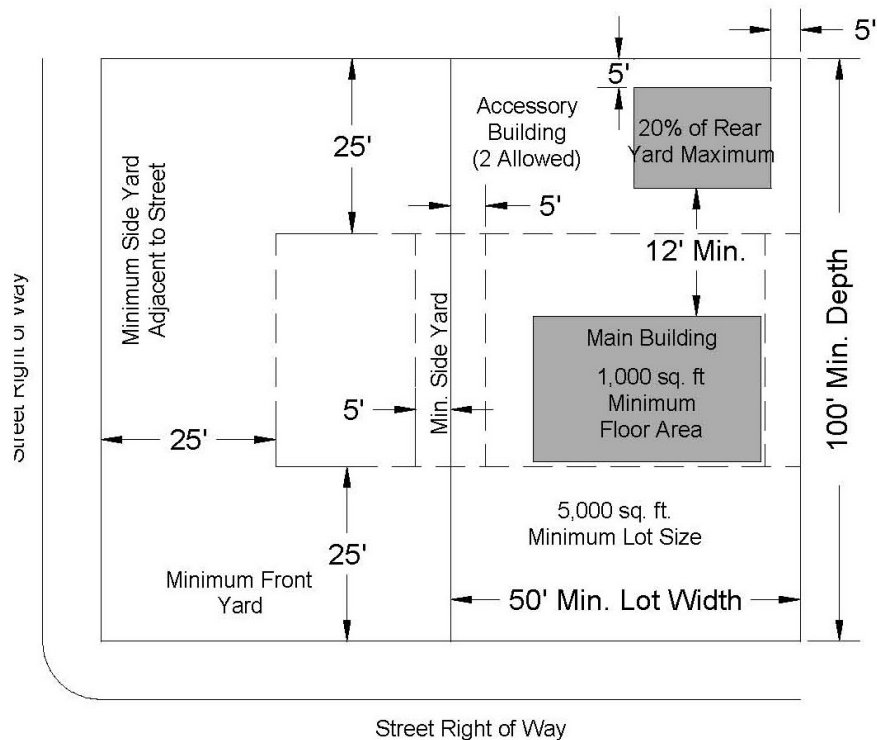
#### 5.6.C Conditional Uses.

- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Adult and/or children's day care centers;
- (4) Foster group home; and
- (5) Residence hall.

#### 5.6.D Height, Area, Yard and Lot Coverage Requirements.

- (A) *Single family dwelling.*
  - (1) Minimum lot area: 5,000 ft<sup>2</sup>.
  - (2) Minimum lot width and lot frontage: 50 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum depth of front setback: 25 feet.
  - (5) Minimum depth of rear setback: 25 feet.
  - (6) Minimum width of side setback:
    - (a) Internal lot: five feet.
    - (b) Corner lot: 25 feet from intersecting side street.
  - (7) Building size:
    - (a) Maximum coverage as a percentage of lot area: 40%.
    - (b) Single family dwelling: 1,000 ft<sup>2</sup>.
  - (8) Accessory buildings:
    - (a) Maximum accessory buildings coverage of rear yard: 20%.
    - (b) Maximum number of accessory buildings: one.
    - (c) Minimum depth of side setback: five feet.
    - (d) Minimum depth of rear setback: five feet.

- (e) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

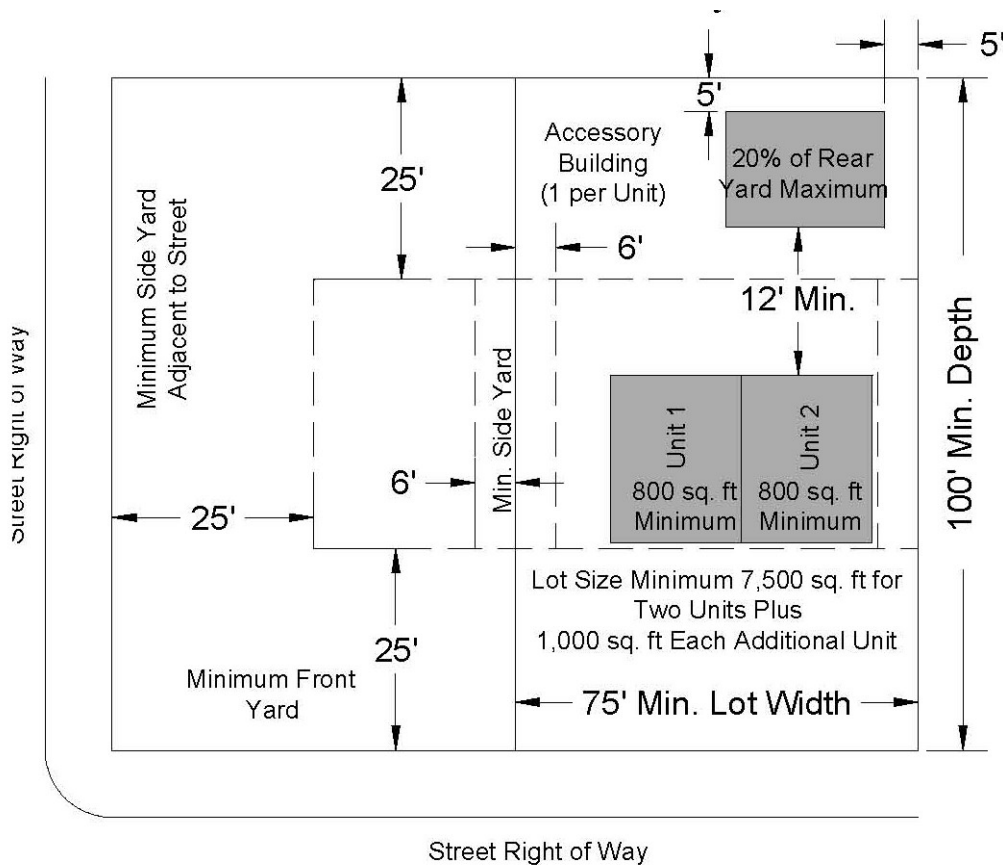


**5.6.E Parking Regulations.** A Single-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> for each additional dwelling unit.
- (2) Minimum lot width and lot frontage: 75 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
  - (a) Internal lot: six feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
  - (a) Maximum coverage as a percentage of lot area: 40%.
  - (b) Minimum area of each dwelling unit: 800 ft<sup>2</sup>.

- (8) Accessory buildings:
- Maximum accessory building coverage of rear yard: 20%.
  - Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - Maximum number of accessory buildings: one per unit.
  - Minimum depth of side setback: five feet.
  - Minimum depth of rear setback: five feet.
  - Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



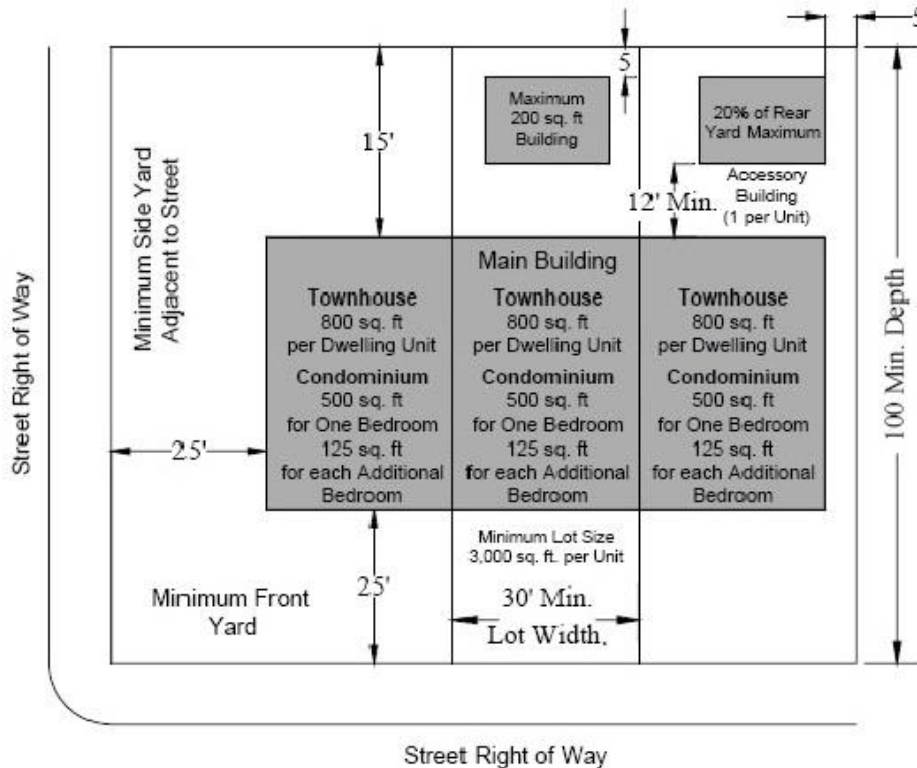
A Two to Four-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(C) *Townhouse/Condominium.*

- Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- Minimum average lot width and lot frontage: 30 feet.
- Minimum lot depth: 100 feet.
- Minimum depth of front setback: 25 feet.
- Minimum depth of rear setback: 15 feet.

- (6) Minimum width of side setback:
  - (a) Internal lot: five feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
  - (a) Maximum building coverage as a percentage of lot area: 40%
  - (b) Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>.
  - (c) Minimum area of each Condominium of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less, plus 125 ft<sup>2</sup> of floor area for each additional bedroom.
- (8) Accessory buildings:
  - (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (c) Maximum number of accessory buildings: one per unit.
  - (d) Minimum depth of side setback: five feet.
  - (e) Minimum depth of rear setback: five feet.
  - (f) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

**Townhouse/Condominium**



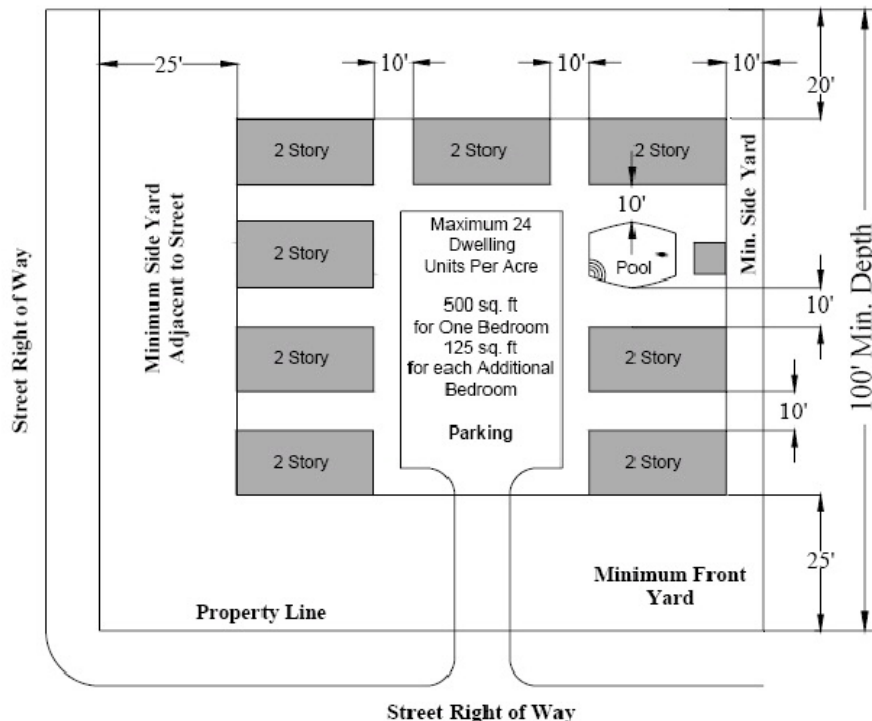
A Townhouse/Condominium, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this Ordinance.

(D) *Multiple family dwellings.*

- (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
  - (a) Internal lot: ten feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

**5.6.D Height, Area, Yard and Lot Coverage Requirements**

**Multiple Family Dwelling**



A Multiple-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

#### 5.6.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

#### FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

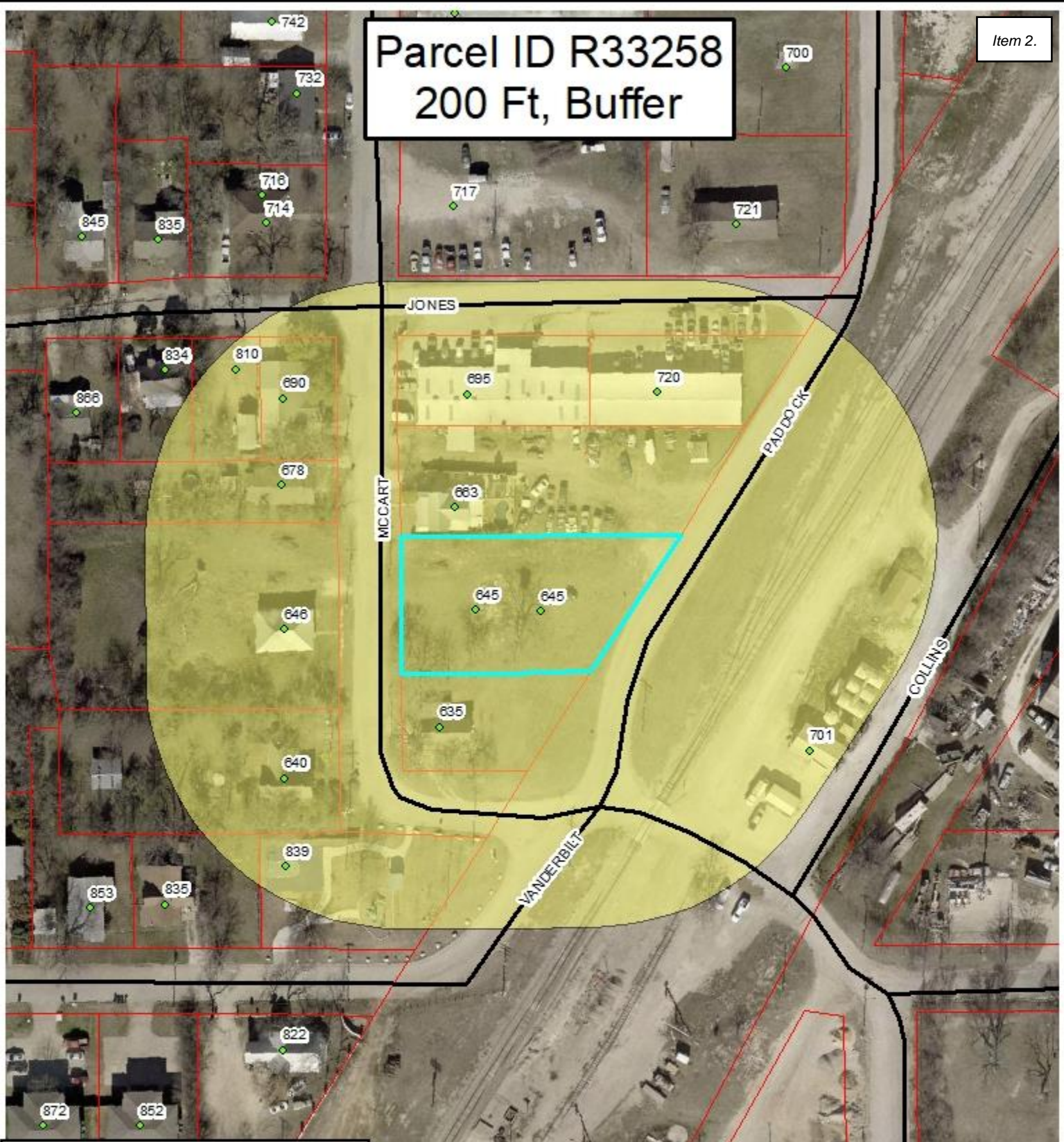
## ALTERNATIVES

- 1) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council approve zoning other than requested.
- 3) Recommend the City Council deny the request for rezoning.



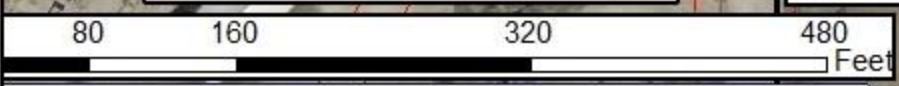
# Parcel ID R33258 200 Ft, Buffer

Item 2.



### Legend

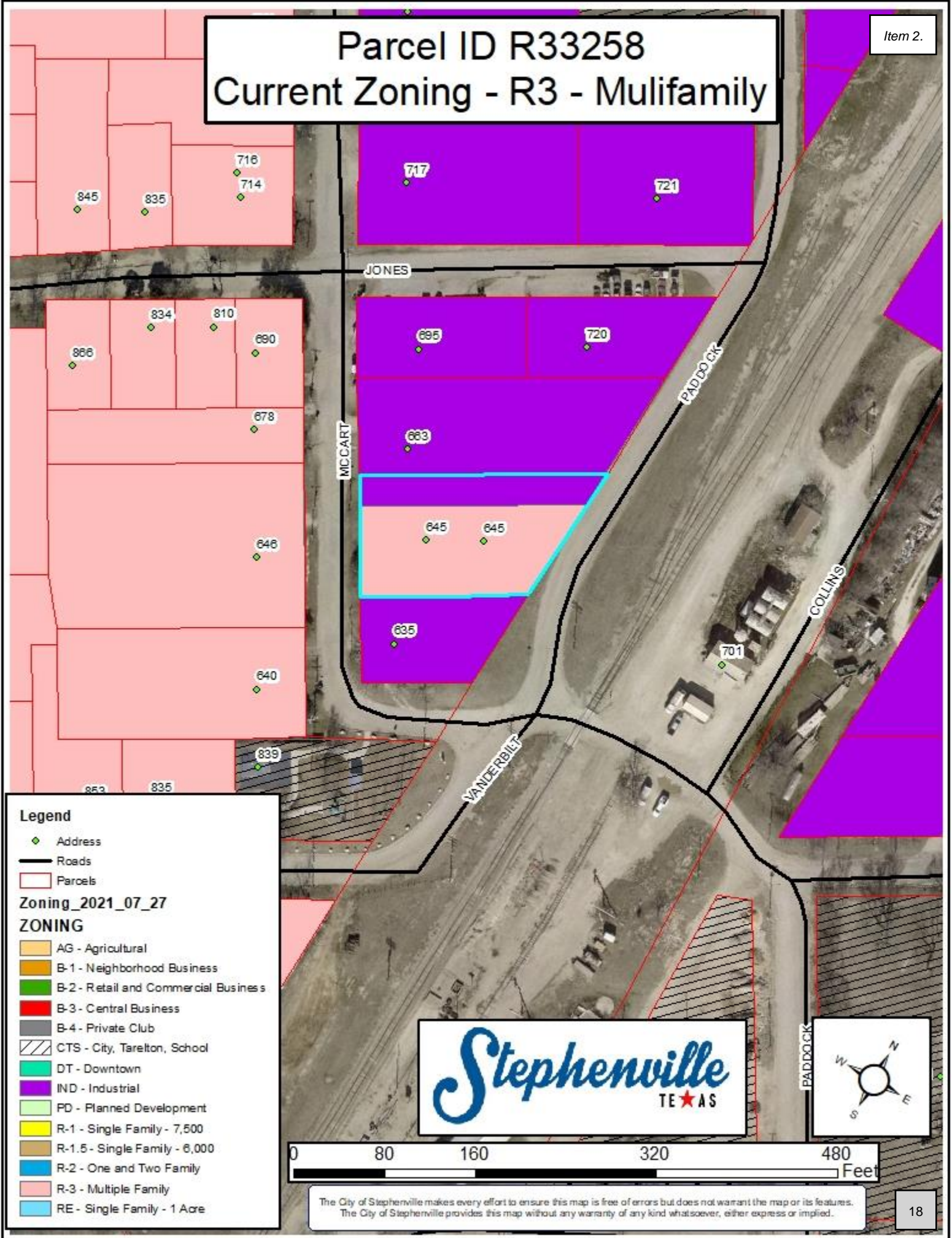
- Address
- Roads
- Parcel R33258 Buffer
- Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel ID R33258  
 Current Zoning - R3 - Multifamily

Item 2.



**Legend**

- ◆ Address
- Roads
- ▭ Parcels

**Zoning\_2021\_07\_27**

**ZONING**

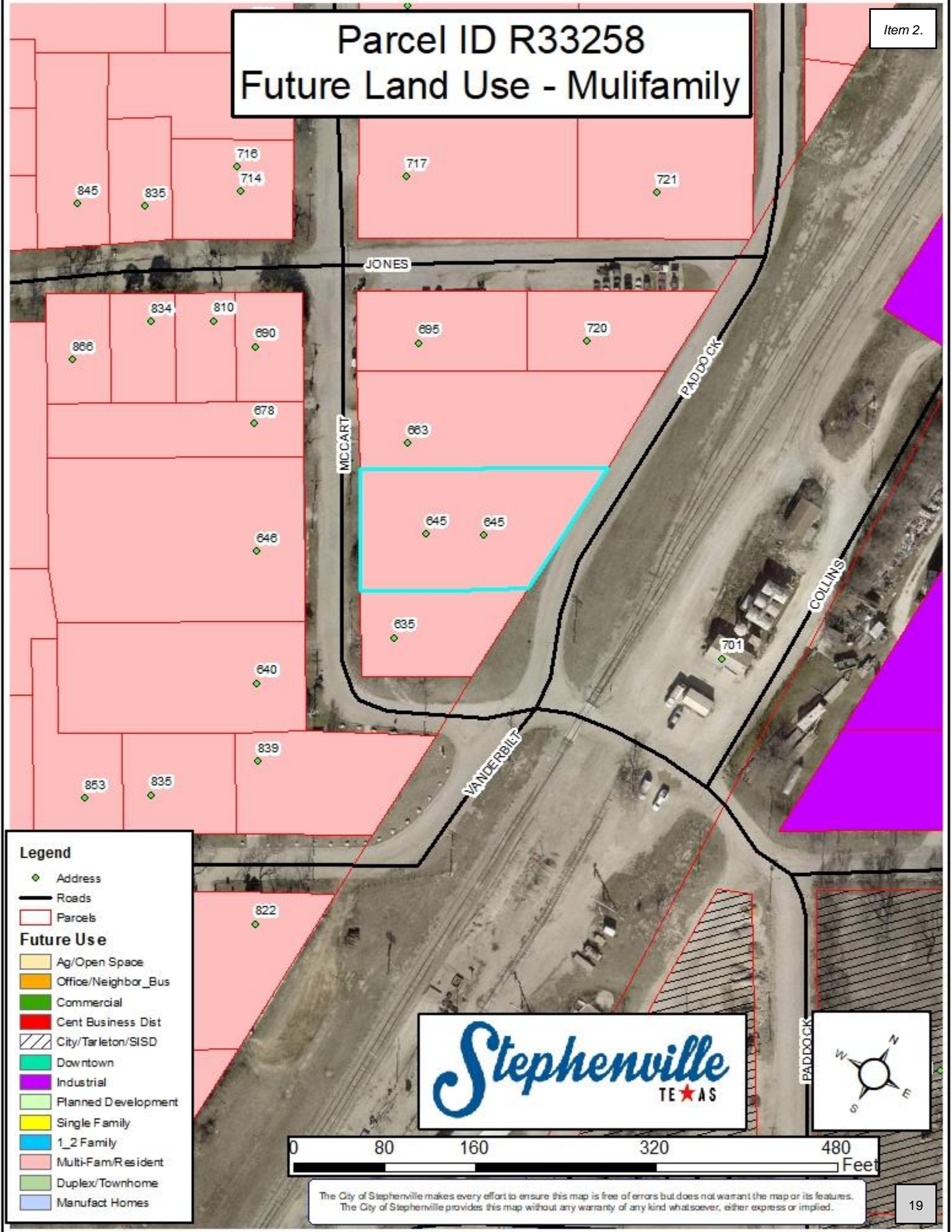
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

**Parcel ID R33258**  
**Future Land Use - Multifamily**

Item 2.



**Legend**

- ◆ Address
- Roads
- ▭ Parcels

**Future Use**

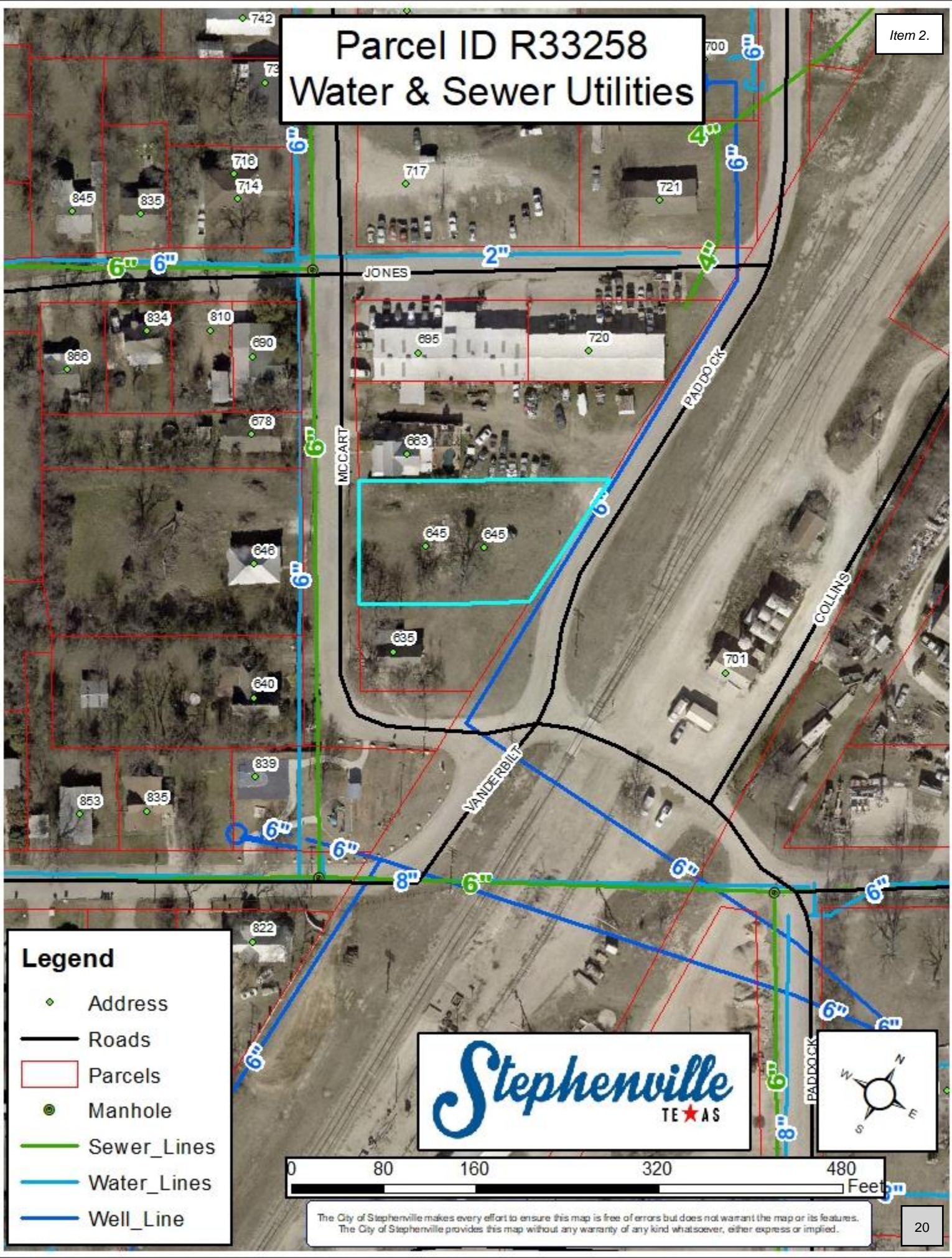
- ▭ Ag/Open Space
- ▭ Office/Neighbor\_Bus
- ▭ Commercial
- ▭ Cent Business Dist
- ▭ City/Tarleton/SISD
- ▭ Downtown
- ▭ Industrial
- ▭ Planned Development
- ▭ Single Family
- ▭ 1\_2 Family
- ▭ Multi-Fam/Resident
- ▭ Duplex/Townhome
- ▭ Manufact Homes



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

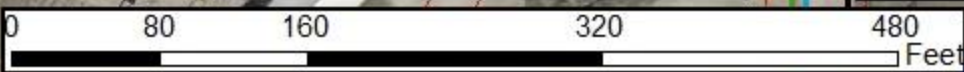
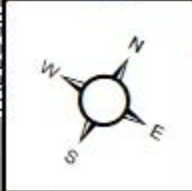
# Parcel ID R33258 Water & Sewer Utilities

Item 2.



## Legend

- ◆ Address
- Roads
- Parcels
- Manhole
- Sewer\_Lines
- Water\_Lines
- Well\_Line



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## Parcel R33258 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000033266	640 MCCART	BRAUN BOBBIE	1300 W HYMAN APT 506	STEPHENVILLE	TX	76401
R000033257	635 MCCART	BROCK ROBERT LEE	635 N MCCART	STEPHENVILLE	TX	76401
R000032744	839 W VANDERBILT	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000014966	0 N PADDOCK & VANDERBILT	FORT WORTH & WESTERN RAILROAD	6300 RIDGLEA PLACE STE 1200	FORT WORTH	TX	76116-5738
R000032743	835 VANDERBILT	GLIDEWELL THOMAS A ESTATE & KAY E	835 VANDERBILT	STEPHENVILLE	TX	76401
R000033261	834 JONES	HAYES WAYNE LEROY	PO BOX 2410	STEPHENVILLE	TX	76401
R000060763	695 MCCART	MCDONALD RICHARD & JANE MCDONALD FAMILY TRUST	PO BOX 1783	STEPHENVILLE	TX	76401-0000
R000033260	690 MCCART	SOTO FELIPE	3175 CR386	STEPHENVILLE	TX	76401-8510
R000033256	661 MCCART	SOTO FELIPE	3175 CR386	STEPHENVILLE	TX	76401-8510
R000033255	695 MCCART	SOTO FELIPE	3175 CR386	STEPHENVILLE	TX	76401-8510
R000033265	646 MCCART	SOTO FERNANDO & JOSE A SOTO	695 N MCCART	STEPHENVILLE	TX	76401
R000033258	663 MCCART	SOTO JOE	663 MCCART	STEPHENVILLE	TX	76401
R000033259	810 JONES	SOTO JOSE FELIPE	3175 CR386	STEPHENVILLE	TX	76401-8510
R000033263	678 MCCART	THE WRINKLE FAMILY TRUST	1005 CHARLOTTE	STEPHENVILLE	TX	76401



## STAFF REPORT

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**SUBJECT:** Discussion of Permitted Uses of the Zoning Code

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

### BACKGROUND:

Currently, alcohol sales within the city is generally associated with restaurant, grocery or convenience store operations. This list of permitted uses does not specify alcohol sales for any district and is silent when considering operations where alcohol sales is the primary retail product.

On August 3, 2021, the Development Services Committee convened and by unanimous vote, recommended the permitted use of alcohol sales be added to the zoning districts of B-1, B-2, B-3 and DT districts and refer to the Planning and Zoning Commission for public hearing.

The table of permitted uses (unofficial), the existing section of the Code of Ordinances pertaining to alcohol sales and a draft ordinance are included in the packet.

Staff requests the Commission forward a favorable recommendation to the City Council to adopt the proposed ordinance.

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## ARTICLE II. ALCOHOL

### Sec. 130.15. Possession of intoxicating beverages in city recreation hall or city park prohibited.

It shall be unlawful for any person to have in his/her possession intoxicating beverages while that person is in the City Recreation Hall or in any of the covered pavilions in the city park.

(1975 Code, § 11-13; Am. Ord.. passed 5-1-1979)

Cross reference(s)—Penalty, see § 10.99Cross reference(s)—.

### Sec. 130.16. Sale of alcoholic beverages.

- (A) *Definitions.* For the purposes of this chapter, all definitions of words, terms and phrases as set forth in V.T.C.A. Alcoholic Beverage Code §§ 1.01 et seq. are hereby adopted and made a part of this chapter.
- (B) *Required; fee.* No person within the city shall manufacture, sell, distribute or store any alcoholic beverage or engage in any other activity in relation thereto, for which a permit or license is required by the state alcoholic beverage code, without first obtaining a license to do so from the city. The fee for such license or permit shall be an amount equal to one-half the permit or license fee charged by the state under the state alcoholic beverage code.
- (C) *Location of alcoholic beverage establishments.*
  - (1) It shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages where the place of business is within 300 feet of any church, public or private school, or public hospital.
  - (2) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:
    - (a) In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
    - (b) If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
  - (3) It shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages in any residential area zoned as R-1, R-1.5, R-2, R-3, RE, or RHA.
  - (4) The City Council may allow a variance to the distance regulations provided in divisions (C)(1) and (C)(2) of this section if it determines that the enforcement of the regulations in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on the applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or, for any other reason the City Council determines, after consideration of the

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health, safety, and welfare of the public and the equities of the situation, that the variance is in the best interest of the community.

(Ord. 2008-27, passed 12-2-2008)

**Secs. 130.17—130.24. Reserved.**



**CITY OF STEPHENVILLE TEXAS  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF STEPHENVILLE, TEXAS AMENDING SECTIONS 154.06.1.- NEIGHBORHOOD BUSINESS DISTRICT(B-1), 154.06.2- RETAIL AND COMMERCIAL BUSINESS DISTRICT (B-2), 154.06.3.- CENTRAL BUSINESS DISTRICT (B-3), 154.06.7.- DOWNTOWN DISTRICT (DT), OF THE CODE OF ORDINANCES TO ADD THE PERMITTED USE OF THE SALE OF ALCOHOL, AS LICENSED BY THE TEXAS ALCOHOLIC BEVERAGE COMISSION, TO EACH NAMED ZONING DISTRICT, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Stephenville, Texas has determined that the sale of alcohol is not currently allowed in any zoning district; and

**WHEREAS**, the City Council desires to promote the general advantage to local businesses of allowing alcohol sales to appropriate districts; and

**WHEREAS**, the City Council has determined that alcohol sales should be added as a permitted use in the B-1, B-2, B-3 and DT Zoning Districts.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS:**

The following Sections of the Code of Ordinances are hereby amended to add the permitted use of the sale of alcohol, as licensed by the Texas Alcoholic Beverage Commission:

- Sec. 154.06.1.- Neighborhood business district (B-1).**
- Sec. 154.06.2.- Retail and commercial business district (B-2).**
- Sec. 154.06.3.- Central business district (B-3)**
- Sec. 154.06.7.- Downtown district (DT)**

This ordinance shall be effective upon passage.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
Staci L. King, City Secretary

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Reviewed by Allen L. Barnes,  
City Administrator

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Randy Thomas, City Attorney  
Approved as to form and legality

## Zoning district

## B-1 The Neighborhood Business District accommodates trade and personal services facilities tha

- B-1 Accessory building to main use;
- B-1 Animal grooming;
- B-1 Antique shop/art gallery—sales in building;
- B-1 Assisted living center;
- B-1 Bakery and confectionary—products for retail only;
- B-1 Banks or other financial institutions;
- B-1 Bed and breakfast/boarding house;
- B-1 Church, temple, mosque (and the like) and related facilities;
- B-1 Cleaning and pressing—small shop, pick-up and delivery;
- B-1 Clinic;
- B-1 Convalescent, nursing or long term care facility;
- B-1 Convenience/grocery store (without pumps);
- B-1 Day care center (12 or more children);
- B-1 Drapery, needlework or weaving shop;
- B-1 Farmers market;
- B-1 Florist;
- B-1 Fraternal organizations, lodge or civic club;
- B-1 Handcraft shop;
- B-1 Group day care home (7-12 children);
- B-1 Laundry and cleaning (self service);
- B-1 Municipal facilities/state facilities/federal facilities;
- B-1 Neighborhood grocery store (no fuel service);
- B-1 Office—professional and general administration;
- B-1 Park, playground, public community recreation center;
- B-1 Personal service shop (beauty, barber and the like);
- B-1 Private kindergarten;
- B-1 Retail stores and shops—other than listed;
- B-1 Restaurant or cafeteria—without drive-in service; and
- B-1 Retirement housing complex.
- B-1 Restaurant with alcoholic beverage service.

## B-2 Retail shops and stores offering goods and services for the residents in general. These shopping areas will generally be more d

- B-2 Animal grooming;
- B-2 Antique shop/art gallery—sales in building;
- B-2 Assisted living center;
- B-2 Athletic field;
- B-2 Automobile service station and car care center;
- B-2 Auto parking lot or building (commercial);
- B-2 Auto parts sales;
- B-2 Auto repair/mechanic garage;
- B-2 Auto sales;
- B-2 Automobile rental;
- B-2 Bail bond service;
- B-2 Bakery and confectionery—retail sales only;

B-2	Bakery and confectionery;
B-2	Banks or other financial institutions;
B-2	Boat sales;
B-2	Bottling works (wholesale);
B-2	Building material sales;
B-2	Cabinet and upholstery shop;
B-2	Car wash;
B-2	Care facility for narcotic, alcoholic or psychiatric patients;
B-2	Cemetery/mausoleum;
B-2	Church, temple or mosque;
B-2	Civic/community center;
B-2	Cleaning and pressing—small shop, pickup and delivery;
B-2	Clinic;
B-2	College or university;
B-2	Commercial amusement (indoor);
B-2	Commercial amusement (outdoor);
B-2	Convalescent, nursing or long term care facility;
B-2	Convenience/grocery store (without pumps) convenience store (with pumps);
B-2	Construction equipment rental and sales;
B-2	Construction yard (temporary);
B-2	Contractor shop and storage yard;
B-2	Department store;
B-2	Discount warehouse store;
B-2	Drapery, needlework or weaving shop;
B-2	Farmers Market;
B-2	Feed, seed and fertilizer store—no bulk storage;
B-2	Field office (temporary);
B-2	Florist;
B-2	Fraternal organization, lodge or civic club;
B-2	Furniture or appliance store;
B-2	Golf course or country club, driving range;
B-2	Greenhouse or nursery for retail plant sales with outside storage;
B-2	Handcraft shop;
B-2	Health club, weight and aerobic center;
B-2	Home improvement center;
B-2	Hospital—general acute care (human);
B-2	Hotels and motels;
B-2	Household appliance service and repair;
B-2	Kennel;
B-2	Kiosk;
B-2	Laboratory (medical);
B-2	Landscaping service;
B-2	Laundry and cleaning (self service);
B-2	Lawn equipment and small engine sales and services;
B-2	Micro brewery;
B-2	Mini storage/warehouses;
B-2	Monument retail sales (outside storage);

B-2	Mortuary or funeral home;
B-2	Moving company;
B-2	Neighborhood grocery store (no fuel service);
B-2	Office—professional and general administration;
B-2	Park, playground, public community recreation center;
B-2	Pawn shop;
B-2	Personal service shop (beauty, barber and the like);
B-2	Pet shop—small animals within building;
B-2	Plumbing shop;
B-2	Portable building sales;
B-2	Printing;
B-2	Produce stand;
B-2	Psychic/Tarot card reader;
B-2	Recreational vehicle sales;
B-2	Recycling kiosk;
B-2	Research lab (non-hazardous);
B-2	Restaurant (drive-in type);
B-2	Restaurant or cafeteria—without drive-in service;
B-2	Retail shops and stores other than listed;
B-2	Roofing and siding supply;
B-2	Schools—public, private and parochial;
B-2	Shopping center;
B-2	Storage or repair of furniture and appliances (display inside of building);
B-2	Studio (photographer, musician, artist);
B-2	Studio for radio and television;
B-2	Taxidermy;
B-2	Theater—indoor;
B-2	Tobacco shop;
B-2	Tool and equipment rental shop;
B-2	Trailer rental and sales;
B-2	Veterinary clinic or hospital; and
B-2	Veterinary services.
B-2	Restaurant with alcoholic beverage service.

**B-3      redevelopment of the downtown business area, which includes the historic courthouse, all t**

B-3	Accessory building to main use;
B-3	Antique shop/art gallery—sales in building;
B-3	Auto parking lot or building (commercial);
B-3	Bakery and confectionery shop;
B-3	Banks or other financial institutions;
B-3	Bed and breakfast/boarding house;
B-3	Church, temple or mosque;
B-3	Civic or community center;
B-3	Cleaning and pressing—small shop, pickup and delivery;
B-3	College or university;

- B-3 Condominium;
- B-3 Convenience/grocery store (without pumps);
- B-3 Department store;
- B-3 Drapery, needlework or weaving shop;
- B-3 Farmers market;
- B-3 Florist;
- B-3 Fraternal organization, lodge or civic club;
- B-3 Furniture or appliance store;
- B-3 Handcraft shop;
- B-3 Health club, weight and aerobic center;
- B-3 Home occupation;
- B-3 Hotels and motels;
- B-3 Household appliance service and repair (no outside storage);
- B-3 Kiosk;
- B-3 Laboratory (medical);
- B-3 Micro brewery;
- B-3 Multi-family dwelling (five more units);
- B-3 Municipal facilities/state facilities/federal facilities;
- B-3 Office—professional and general administration;
- B-3 Park, playground, public community recreation center;
- B-3 Personal service shop (beauty/barber shop and the like);
- B-3 Pet shop—small animals within building (no boarding);
- B-3 Railroad or bus passenger station;
- B-3 Registered family home (six + six children);
- B-3 Restaurant or cafeteria—without drive-in service;
- B-3 Retail shops;
- B-3 Retirement housing complex;
- B-3 Schools—private/parochial;
- B-3 Schools—public;
- B-3 Single family dwelling;
- B-3 Studio for photographer, musician, artist and the like;
- B-3 Studio for radio and television;
- B-3 Theater—indoor;
- B-3 Townhouse; and
- B-3 Two-four family dwelling.
- B-3 Restaurant with alcoholic beverage service.

b-4 private clubs providing on-the-premises consumption of alcoholic beverages.

- b-4 Fraternal organization, lodge, civic club;
- b-4 Golf course or country club (private);
- b-4 Hotels and motels; and
- b-4 Private clubs.

Industrial is intended to serve as the location for general industrial activities

Industrial Airport, heliport or landing field;

Industrial	Animal grooming;
Industrial	Athletic field;
Industrial	Auto paint and body shop/repair;
Industrial	Auto parking lot or building (commercial);
Industrial	Auto parts sales;
Industrial	Auto repair/mechanic garage;
Industrial	Auto sales;
Industrial	Auto storage;
Industrial	Auto wrecking or salvage yard;
Industrial	Automobile rental;
Industrial	Automobile service station and car care center;
Industrial	Bail bond service;
Industrial	Bakery and confectionery shop;
Industrial	Bakery and confectionery shop—products for retail only;
Industrial	Bakery and confectionery shop—wholesale and distribution;
Industrial	Banks or other financial institutions;
Industrial	Boat sales;
Industrial	Bottling works (wholesale);
Industrial	Building material sales;
Industrial	Bulk grain/feed storage;
Industrial	Cabinet and upholstering shop;
Industrial	Car wash;
Industrial	Chemical supply;
Industrial	Civic/community center;
Industrial	College or university;
Industrial	Commercial amusement (indoor and outdoor);
Industrial	Concrete or asphalt batching plant;
Industrial	Convenience store (with pumps);
Industrial	Convenience/grocery store (without pumps);
Industrial	Construction equipment rental and sales;
Industrial	Construction yard (temporary);
Industrial	Contractor shop and storage yard;
Industrial	Feed, seed and fertilizer store—no bulk storage;
Industrial	Feed store;
Industrial	Field office (temporary);
Industrial	Flea market;
Industrial	Frozen foods locker;
Industrial	Health club, weight and aerobic center;
Industrial	Heavy machinery sales and storage;
Industrial	Heavy manufacturing or industrial;
Industrial	Home improvement center;
Industrial	Hotels and motels;
Industrial	Industrial manufacturing/fabrication/assembly (closed);
Industrial	Industrial manufacturing/fabrication/assembly (outside storage);
Industrial	Kennel;
Industrial	Kiosk;
Industrial	Laboratory (medical);

Industrial	Landscaping service;
Industrial	Laundry plant;
Industrial	Lawn equipment and small engine sales and services;
Industrial	Light manufacturing or industrial;
Industrial	Machine shop;
Industrial	Micro brewery;
Industrial	Mini storage/warehouses;
Industrial	Mobile homes/manufactured home parks;
Industrial	Mobile home display and sales;
Industrial	Moving company;
Industrial	Newspaper printing;
Industrial	Office—professional and general administration;
Industrial	Overnight delivery and service center;
Industrial	Pawn shop;
Industrial	Plumbing shop;
Industrial	Portable building sales;
Industrial	Printing;
Industrial	Produce stand;
Industrial	Propane sales (filling stations);
Industrial	Radio, television, microwave or electric generating tower;
Industrial	Recreational vehicle sales;
Industrial	Railroad or bus passenger station;
Industrial	Recycling collection center;
Industrial	Recycling kiosk;
Industrial	Research lab (non-hazardous);
Industrial	Restaurant (drive-in type);
Industrial	Restaurant or cafeteria—without drive-in service;
Industrial	Roofing and siding supply;
Industrial	Sand/gravel/caliche/stone sales (storage);
Industrial	Shopping center;
Industrial	Sign manufacturing;
Industrial	Stone/clay/glass manufacture;
Industrial	Storage or repair of furniture and appliance (inside);
Industrial	Studio for radio and television;
Industrial	Tattoo parlor/body piercing studio;
Industrial	Taxidermy;
Industrial	Tobacco shop;
Industrial	Trade or commercial schools;
Industrial	Tire retreading;
Industrial	Tool equipment rental shop;
Industrial	Trailer rental/sales;
Industrial	Truck stop;
Industrial	Veterinary clinic or hospital;
Industrial	Veterinary services;
Industrial	Warehouse, wholesale (enclosed and outside storage);
Industrial	Welding shop;
Industrial	Wholesale distribution centers;



- Industrial Wholesale production and distribution of ice (mfg. by machine only); and
- Industrial Wrecking yard.
- Industrial Restaurant with alcoholic beverage service

DT redevelopment of the original township, which includes the historic courthouse, offices, retail business

- DT Bakery and confectionery shop;
- DT Banks or other financial institutions;
- DT Bed and breakfast;
- DT Bicycle sales and rental;
- DT Book and card/gift stores;
- DT Church, temple or mosque;
- DT Civic or community center;
- DT Clinic;
- DT Commercial parking garage/lot;
- DT Condominium (four or less units);
- DT Convenience/grocery store (without pumps);
- DT Day spa;
- DT Florist;
- DT Fraternal organization, lodge or civic club;
- DT Health club, weight and aerobic center;
- DT Home occupation;
- DT Hotels and motels;
- DT Library;
- DT Micro brewery/winery (retail sales)—without drive-in service;
- DT Municipal facilities/state facilities/federal facilities;
- DT Museums and galleries;
- DT Office—professional and general administration;
- DT Personal service shop (beauty/barber shop);
- DT Restaurant or cafeteria—without drive-in service;
- DT Retail shops;
- DT Single family dwelling;
- DT Studio for photographer, musician, artist;
- DT Theater-indoor;
- DT Townhouse (four or less units);
- DT Travel agencies;
- DT Two-four family dwelling.
- DT Restaurant with alcoholic beverage service.

Permitted Uses                      B-1                      B-2                      B-3                      B-4                      Industrial      DT

at meet the needs and enhance the quality of life of residential neighborhoods throughout the city.

ensely concentrated and more traffic intensive than allowed in the Neighborhood Business Districts.



types of offices, retail business and residences







s and residences. The varying land uses included in the Downtown District are compatible with existing uses to pre:





Permitted Uses P











serve the integrity of the area Downtown District and deter urban deterioration

















B-1	Accessory building to main use;	
B-3	Accessory building to main use;	
Industrial	Airport, heliport or landing field;	
B-1	Animal grooming;	
B-2	Animal grooming;	
Industrial	Animal grooming;	
B-1	Antique shop/art gallery—sales in building;	
B-2	Antique shop/art gallery—sales in building;	
B-3	Antique shop/art gallery—sales in building;	
B-1	Assisted living center;	
B-2	Assisted living center;	
B-2	Athletic field;	
Industrial	Athletic field;	
Industrial	Auto paint and body shop/repair;	
B-2	Auto parking lot or building (commercial);	
B-3	Auto parking lot or building (commercial);	
Industrial	Auto parking lot or building (commercial);	
B-2	Auto parts sales;	
Industrial	Auto parts sales;	
B-2	Auto repair/mechanic garage;	
Industrial	Auto repair/mechanic garage;	
B-2	Auto sales;	
Industrial	Auto sales;	
Industrial	Auto storage;	
Industrial	Auto wrecking or salvage yard;	
B-2	Automobile rental;	
Industrial	Automobile rental;	
B-2	Automobile service station and car care center;	
Industrial	Automobile service station and car care center;	
B-2	Bail bond service;	
Industrial	Bail bond service;	
B-1	Bakery and confectionery—products for retail only;	
B-3	Bakery and confectionery shop;	
Industrial	Bakery and confectionery shop;	
DT	Bakery and confectionery shop;	
Industrial	Bakery and confectionery shop—products for retail only;	
Industrial	Bakery and confectionery shop—wholesale and distribution;	
B-2	Bakery and confectionery;	
B-2	Bakery and confectionery—retail sales only;	
B-1	Banks or other financial institutions;	
B-2	Banks or other financial institutions;	
B-3	Banks or other financial institutions;	
Industrial	Banks or other financial institutions;	
DT	Banks or other financial institutions;	
B-1	Bed and breakfast/boarding house;	
B-3	Bed and breakfast/boarding house;	
DT	Bed and breakfast;	

DT	Bicycle sales and rental;
B-2	Boat sales;
Industrial	Boat sales;
DT	Book and card/gift stores;
B-2	Bottling works (wholesale);
Industrial	Bottling works (wholesale);
B-2	Building material sales;
Industrial	Building material sales;
Industrial	Bulk grain/feed storage;
Industrial	Cabinet and upholstery shop;
B-2	Cabinet and upholstery shop;
B-2	Car wash;
Industrial	Car wash;
B-2	Care facility for narcotic, alcoholic or psychiatric patients;
B-2	Cemetery/mausoleum;
Industrial	Chemical supply;
B-2	Church, temple or mosque;
B-3	Church, temple or mosque;
DT	Church, temple or mosque;
B-1	Church, temple, mosque (and the like) and related facilities;
B-3	Civic or community center;
DT	Civic or community center;
B-2	Civic/community center;
Industrial	Civic/community center;
B-2	Cleaning and pressing—small shop, pickup and delivery;
B-3	Cleaning and pressing—small shop, pickup and delivery;
B-1	Cleaning and pressing—small shop, pick-up and delivery;
B-1	Clinic;
B-2	Clinic;
DT	Clinic;
B-2	College or university;
B-3	College or university;
Industrial	College or university;
Industrial	Commercial amusement (indoor and outdoor);
B-2	Commercial amusement (indoor);
B-2	Commercial amusement (outdoor);
DT	Commercial parking garage/lot;
Industrial	Concrete or asphalt batching plant;
DT	Condominium (four or less units);
B-3	Condominium;
B-2	Construction equipment rental and sales;
Industrial	Construction equipment rental and sales;
B-2	Construction yard (temporary);
Industrial	Construction yard (temporary);
B-2	Contractor shop and storage yard;
Industrial	Contractor shop and storage yard;
B-1	Convalescent, nursing or long term care facility;



B-2	Convalescent, nursing or long term care facility;
Industrial	Convenience store (with pumps);
B-2	Convenience/grocery store (without pumps) convenience store (with pumps);
B-1	Convenience/grocery store (without pumps);
B-3	Convenience/grocery store (without pumps);
Industrial	Convenience/grocery store (without pumps);
DT	Convenience/grocery store (without pumps);
B-1	Day care center (12 or more children);
DT	Day spa;
B-2	Department store;
B-3	Department store;
B-2	Discount warehouse store;
B-1	Drapery, needlework or weaving shop;
B-2	Drapery, needlework or weaving shop;
B-3	Drapery, needlework or weaving shop;
B-1	Farmers market;
B-2	Farmers Market;
B-3	Farmers market;
Industrial	Feed store;
B-2	Feed, seed and fertilizer store—no bulk storage;
Industrial	Feed, seed and fertilizer store—no bulk storage;
B-2	Field office (temporary);
Industrial	Field office (temporary);
Industrial	Flea market;
B-1	Florist;
B-2	Florist;
B-3	Florist;
DT	Florist;
B-2	Fraternal organization, lodge or civic club;
B-3	Fraternal organization, lodge or civic club;
DT	Fraternal organization, lodge or civic club;
b-4	Fraternal organization, lodge, civic club;
B-1	Fraternal organizations, lodge or civic club;
Industrial	Frozen foods locker;
B-2	Furniture or appliance store;
B-3	Furniture or appliance store;
b-4	Golf course or country club (private);
B-2	Golf course or country club, driving range;
B-2	Greenhouse or nursery for retail plant sales with outside storage;
B-1	Group day care home (7-12 children);
B-1	Handcraft shop;
B-2	Handcraft shop;
B-3	Handcraft shop;
B-2	Health club, weight and aerobic center;
B-3	Health club, weight and aerobic center;
Industrial	Health club, weight and aerobic center;

DT	Health club, weight and aerobic center;
Industrial	Heavy machinery sales and storage;
Industrial	Heavy manufacturing or industrial;
B-2	Home improvement center;
Industrial	Home improvement center;
B-3	Home occupation;
DT	Home occupation;
B-2	Hospital—general acute care (human);
B-2	Hotels and motels;
B-3	Hotels and motels;
Industrial	Hotels and motels;
DT	Hotels and motels;
b-4	Hotels and motels; and
B-3	Household appliance service and repair (no outside storage);
B-2	Household appliance service and repair;
Industrial	Industrial manufacturing/fabrication/assembly (closed);
Industrial	Industrial manufacturing/fabrication/assembly (outside storage);
B-2	Kennel;
Industrial	Kennel;
B-2	Kiosk;
B-3	Kiosk;
Industrial	Kiosk;
B-2	Laboratory (medical);
B-3	Laboratory (medical);
Industrial	Laboratory (medical);
B-2	Landscaping service;
Industrial	Landscaping service;
B-1	Laundry and cleaning (self service);
B-2	Laundry and cleaning (self service);
Industrial	Laundry plant;
B-2	Lawn equipment and small engine sales and services;
Industrial	Lawn equipment and small engine sales and services;
DT	Library;
Industrial	Light manufacturing or industrial;
Industrial	Machine shop;
DT	Micro brewery/winery (retail sales)—without drive-in service;
B-2	Micro brewery;
B-3	Micro brewery;
Industrial	Micro brewery;
B-2	Mini storage/warehouses;
Industrial	Mini storage/warehouses;
Industrial	Mobile home display and sales;
Industrial	Mobile homes/manufactured home parks;
B-2	Monument retail sales (outside storage);
B-2	Mortuary or funeral home;
B-2	Moving company;
Industrial	Moving company;

B-3	Multi-family dwelling (five more units);
B-1	Municipal facilities/state facilities/federal facilities;
B-3	Municipal facilities/state facilities/federal facilities;
DT	Municipal facilities/state facilities/federal facilities;
DT	Museums and galleries;
B-1	Neighborhood grocery store (no fuel service);
B-2	Neighborhood grocery store (no fuel service);
Industrial	Newspaper printing;
B-1	Office—professional and general administration;
B-2	Office—professional and general administration;
B-3	Office—professional and general administration;
Industrial	Office—professional and general administration;
DT	Office—professional and general administration;
Industrial	Overnight delivery and service center;
B-1	Park, playground, public community recreation center;
B-2	Park, playground, public community recreation center;
B-3	Park, playground, public community recreation center;
B-2	Pawn shop;
Industrial	Pawn shop;
B-1	Personal service shop (beauty, barber and the like);
B-2	Personal service shop (beauty, barber and the like);
B-3	Personal service shop (beauty/barber shop and the like);
DT	Personal service shop (beauty/barber shop);
B-3	Pet shop—small animals within building (no boarding);
B-2	Pet shop—small animals within building;
B-2	Plumbing shop;
Industrial	Plumbing shop;
B-2	Portable building sales;
Industrial	Portable building sales;
B-2	Printing;
Industrial	Printing;
b-4	Private clubs.
B-1	Private kindergarten;
B-2	Produce stand;
Industrial	Produce stand;
Industrial	Propane sales (filling stations);
B-2	Psychic/Tarot card reader;
Industrial	Radio, television, microwave or electric generating tower;
B-3	Railroad or bus passenger station;
Industrial	Railroad or bus passenger station;
B-2	Recreational vehicle sales;
Industrial	Recreational vehicle sales;
Industrial	Recycling collection center;
B-2	Recycling kiosk;
Industrial	Recycling kiosk;
B-3	Registered family home (six + six children);
B-2	Research lab (non-hazardous);

Industrial	Research lab (non-hazardous);
B-2	Restaurant (drive-in type);
Industrial	Restaurant (drive-in type);
B-2	Restaurant or cafeteria—without drive-in service;
B-3	Restaurant or cafeteria—without drive-in service;
Industrial	Restaurant or cafeteria—without drive-in service;
DT	Restaurant or cafeteria—without drive-in service;
B-1	Restaurant or cafeteria—without drive-in service; and
Industrial	Restaurant with alcoholic beverage service
B-1	Restaurant with alcoholic beverage service.
B-2	Restaurant with alcoholic beverage service.
B-3	Restaurant with alcoholic beverage service.
DT	Restaurant with alcoholic beverage service.
B-2	Retail shops and stores other than listed;
B-3	Retail shops;
DT	Retail shops;
B-1	Retail stores and shops—other than listed;
B-1	Retirement housing complex.
B-3	Retirement housing complex;
B-2	Roofing and siding supply;
Industrial	Roofing and siding supply;
Industrial	Sand/gravel/caliche/stone sales (storage);
B-3	Schools—private/parochial;
B-2	Schools—public, private and parochial;
B-3	Schools—public;
B-2	Shopping center;
Industrial	Shopping center;
Industrial	Sign manufacturing;
B-3	Single family dwelling;
DT	Single family dwelling;
Industrial	Stone/clay/glass manufacture;
Industrial	Storage or repair of furniture and appliance (inside);
B-2	Storage or repair of furniture and appliances (display inside of building);
B-2	Studio (photographer, musician, artist);
B-3	Studio for photographer, musician, artist and the like;
DT	Studio for photographer, musician, artist;
B-2	Studio for radio and television;
B-3	Studio for radio and television;
Industrial	Studio for radio and television;
Industrial	Tattoo parlor/body piercing studio;
B-2	Taxidermy;
Industrial	Taxidermy;
DT	Theater-indoor;
B-2	Theater—indoor;
B-3	Theater—indoor;
Industrial	Tire retreading;
B-2	Tobacco shop;

Industrial	Tobacco shop;
B-2	Tool and equipment rental shop;
Industrial	Tool equipment rental shop;
DT	Townhouse (four or less units);
B-3	Townhouse; and
Industrial	Trade or commercial schools;
B-2	Trailer rental and sales;
Industrial	Trailer rental/sales;
DT	Travel agencies;
Industrial	Truck stop;
B-3	Two-four family dwelling.
DT	Two-four family dwelling.
Industrial	Veterinary clinic or hospital;
B-2	Veterinary clinic or hospital; and
B-2	Veterinary services.
Industrial	Veterinary services;
Industrial	Warehouse, wholesale (enclosed and outside storage);
Industrial	Welding shop;
Industrial	Wholesale distribution centers;
Industrial	Wholesale production and distribution of ice (mfg. by machine only); and
Industrial	Wrecking yard.

Permitted Uses by Zoning District	B-1	B-2	B-3	B-4	Industrial	DT
Accessory building to main use;	X		X			
Airport, heliport or landing field;					X	
Animal grooming;	X	X			X	
Antique shop/art gallery—sales in building;	X	X	X			
Assisted living center;	X	X				
Athletic field;		X			X	
Auto paint and body shop/repair;					X	
Auto parking lot or building (commercial);		X	X		X	
Auto parts sales;		X			X	
Auto repair/mechanic garage;		X			X	
Auto sales;		X			X	
Auto storage;					X	
Auto wrecking or salvage yard;					X	
Automobile rental;		X			X	
Automobile service station and car care center;		X			X	
Bail bond service;		X			X	
Bakery and confectionery—products for retail only;	X					
Bakery and confectionery shop;			X		X	X
Bakery and confectionery shop—products for retail only;					X	
Bakery and confectionery shop—wholesale and distribution;					X	
Bakery and confectionery;		X				
Bakery and confectionery—retail sales only;		X				
Banks or other financial institutions;	X	X	X	X	X	X
Bed and breakfast/boarding house;	X		X			
Bed and breakfast;						X
Bicycle sales and rental;						X
Boat sales;		X			X	
Book and card/gift stores;						X
Bottling works (wholesale);		X			X	
Building material sales;		X			X	
Bulk grain/feed storage;					X	
Cabinet and upholstery shop;					X	
Cabinet and upholstery shop;		X				
Car wash;		X			X	
Care facility for narcotic, alcoholic or psychiatric patients;		X				
Cemetery/mausoleum;		X				
Chemical supply;					X	
Church, temple or mosque;		X	X		X	
Church, temple, mosque (and the like) and related facilities;	X					
Civic or community center;			X			X
Civic/community center;		X			X	
Cleaning and pressing—small shop, pickup and delivery;		X	X			
Cleaning and pressing—small shop, pick-up and delivery;	X					
Clinic;	X	X				X
College or university;		X	X		X	
Commercial amusement (indoor and outdoor);					X	
Commercial amusement (indoor);		X				
Commercial amusement (outdoor);		X				
Commercial parking garage/lot;						X
Concrete or asphalt batching plant;					X	
Condominium (four or less units);						X
Condominium;			X			
Construction equipment rental and sales;		X			X	
Construction yard (temporary);		X			X	
Contractor shop and storage yard;		X			X	
Contractor shop and storage yard;		X			X	
Convalescent, nursing or long term care facility;	X	X				
Convenience store (with pumps);					X	
Convenience/grocery store (without pumps) convenience store (with pumps);		X				
Convenience/grocery store (without pumps);	X		X		X	X
Day care center (12 or more children);	X					

Permitted Uses by Zoning District	B-1	B-2	B-3	B-4	Industrial	DT
Day spa;						X
Department store;		X	X			
Discount warehouse store;		X				
Drapery, needlework or weaving shop;	X	X	X			
Farmers market;	X	X	X			
Feed store;					X	
Feed, seed and fertilizer store—no bulk storage;		X			X	
Field office (temporary);		X			X	
Flea market;					X	
Florist;	X	X	X			X
Fraternal organization, lodge or civic club;		X	X	X		X
Frozen foods locker;					X	
Furniture or appliance store;		X	X			
Golf course or country club (private);				X		
Golf course or country club, driving range;		X				
Greenhouse or nursery for retail plant sales with outside storage;		X				
Group day care home (7-12 children);	X					
Handcraft shop;	X	X	X			
Health club, weight and aerobic center;		X	X		X	X
Heavy machinery sales and storage;					X	
Heavy manufacturing or industrial;					X	
Home improvement center;		X			X	
Home occupation;			X			X
Hospital—general acute care (human);		X				
Hotels and motels;		X	X	X	X	X
Household appliance service and repair (no outside storage);			X			
Household appliance service and repair;		X				
Industrial manufacturing/fabrication/assembly (closed);					X	
Industrial manufacturing/fabrication/assembly (outside storage);					X	
Kennel;		X			X	
Kiosk;		X	X		X	
Laboratory (medical);		X	X		X	
Landscaping service;		X			X	
Laundry and cleaning (self service);	X	X				
Laundry plant;					X	
Lawn equipment and small engine sales and services;		X			X	
Library;						X
Light manufacturing or industrial;					X	
Machine shop;					X	
Micro brewery/winery (retail sales)—without drive-in service;						X
Micro brewery;		X	X		X	
Mini storage/warehouses;		X			X	
Mobile home display and sales;					X	
Mobile homes/manufactured home parks;					X	
Monument retail sales (outside storage);		X				
Mortuary or funeral home;		X				
Moving company;		X			X	
Multi-family dwelling (five more units);			X			
Municipal facilities/state facilities/federal facilities;	X		X			X
Museums and galleries;						X
Neighborhood grocery store (no fuel service);	X	X				
Newspaper printing;					X	
Office—professional and general administration;	X	X	X		X	X
Overnight delivery and service center;					X	
Park, playground, public community recreation center;	X	X	X			
Pawn shop;		X			X	
Personal service shop (beauty, barber and the like);	X	X	X			X
Pet shop—small animals within building (no boarding);			X			
Pet shop—small animals within building;		X				
Plumbing shop;		X			X	
Portable building sales;		X			X	
Printing;		X			X	
Private clubs.				X		
Private kindergarten;	X					
Produce stand;		X			X	
Propane sales (filling stations);					X	

Permitted Uses by Zoning District	B-1	B-2	B-3	B-4	Industrial	DT
Psychic/Tarot card reader;		X				
Radio, television, microwave or electric generating tower;					X	
Railroad or bus passenger station;			X		X	
Recreational vehicle sales;		X			X	
Recycling collection center;					X	
Recycling kiosk;		X			X	
Registered family home (six + six children);			X			
Research lab (non-hazardous);		X			X	
Restaurant (drive-in type);		X			X	
Restaurant or cafeteria—without drive-in service;	X	X	X		X	X
Restaurant with alcoholic beverage service	X	X	X		X	X
Retail shops and stores other than listed;	X	X				
Retail shops;			X			X
Retirement housing complex.	X		X			
Roofing and siding supply;		X			X	
Sand/gravel/caliche/stone sales (storage);					X	
Schools—private/parochial;			X			
Schools—public, private and parochial;		X				
Schools—public;			X			
Shopping center;		X			X	
Sign manufacturing;					X	
Single family dwelling;			X			X
Stone/clay/glass manufacture;					X	
Storage or repair of furniture and appliance (inside);			X			
Storage or repair of furniture and appliances (display inside of building);		X				
Studio (photographer, musician, artist);		X	X			X
Studio for radio and television;		X	X		X	
Tattoo parlor/body piercing studio;					X	
Taxidermy;		X			X	
Theater-indoor;		X	X			X
Tire retreading;					X	
Tobacco shop;		X			X	
Tool and equipment rental shop;		X			X	
Townhouse (four or less units);						X
Townhouse;			X			
Trade or commercial schools;					X	
Trailer rental and sales;		X			X	
Travel agencies;						X
Truck stop;					X	
Two-four family dwelling.			X			X
Veterinary clinic or hospital;		X			X	
Veterinary services.		X			X	
Warehouse, wholesale (enclosed and outside storage);					X	
Welding shop;					X	
Wholesale distribution centers;					X	
Wholesale production and distribution of ice (mfg. by machine only); and					X	
Wrecking yard.					X	