



## DEVELOPMENT SERVICES COMMITTEE MEETING

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City Hall Council Chambers, 298 West Washington Street  
Thursday, July 22, 2021 at 5:30 PM

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### AGENDA

#### DEVELOPMENT SERVICES COMMITTEE

Brandon Huckabee, chair; Gerald Cook, Ricky Thurman, Daron Trussell

- [1.](#) Discussion of Permitted Uses of the Zoning Code
- [2.](#) Residential Incentive Program
- [3.](#) Discuss Residential Zoning Regulations

*Note: The Stephenville City Council may convene into Executive Session on any matter related to any of the above agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.*

***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.***



## 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.

The Committee will discuss anticipated trends to determine which zoning districts, if any, should include alcohol sales as a permitted use and provide staff direction on how to proceed.

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

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**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 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)

## 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 confectionary—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	



## STAFF REPORT

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**SUBJECT:** Residential Incentive Program

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

### BACKGROUND:

The Residential Incentive Program was approved by City Council in early 2020 to serve as a catalyst to property improvements through city provided rebates. The Council allocated \$50K for FY 2020-21 to the program for qualifying properties. To date, the program has not been utilized to its fullest potential. In fact, there have only been two participants totaling \$7,210 in rebates.

Staff is requesting a review of the guiding document. It is believed the qualifying criteria and the current residential market have led to the lack of participation. Suggested revisions and comments have been included in the guiding document via tracked changes.

**CITY OF STEPHENVILLE  
HOME IMPROVEMENT INCENTIVE PROGRAM**

The following policy applies to the Home Improvement Incentive Program of the Development Services Department.

The purpose of the Home Improvement Incentive Program is to encourage homeowners to make improvements to single-family residential properties. Goals include preventing blight, improving property values, inspiring surrounding homeowners to reinvest, and increasing the quality of life for the citizens of Stephenville neighborhoods.

The minimum improvement value to qualify under the Home Improvement Incentive Program is \$20,000.

**Qualifying projects will be incentivized as follows:**

1. 5% rebate on qualifying home improvement costs incurred under approved projects. The maximum rebate is \$5,000 per project.
2. A waiver of residential remodel building permit fees.
- 3.
4. After completion of the project and a city inspection, the city will repair or replace sidewalks in public right-of-ways for participating properties based on the assessed condition of the existing sidewalk.

**GENERAL QUALIFYING REQUIREMENTS**

1. The property must not exceed a total value of \$200,000.
2. The existing structure must be a minimum of 20 years old.
3. The minimum investment to be considered for this program is \$20,000. At least \$10,000 of the project cost must be related to exterior remodeling improvements of single-family detached homes.
4. The project must be completed within 12 months of approval as determined by the final inspection of the project. The owner is responsible for requesting the final inspection.
5. All applications must be received and approved prior to any work being started. Any improvements started before the application has been received and approved will be declared ineligible to receive any benefit from this program.
6. Applicant must be willing to allow for an initial inspection of property by a city inspector at the

conclusion of the project and provide an itemized list and related costs for all repairs to be completed through the project. The city reserves the right to deny the inclusion of any repair when related costs are deemed unreasonable or the repair is not completed in a workmanlike manner. The city reserves the right to deny program participation/or the issuance of a rebate if life-safety violations exist that were not brought into compliance as part of the project.

7. Permits must be obtained from the City of Stephenville Building Inspection Department. Permit fees will be waived for approved projects. All construction must comply with all current city requirements and all permits must be obtained in order to receive the rebate.
8. If approved, the rebate will only be paid to the applicant responsible for the improvements as stated under Applicant Information upon FULL completion of the agreed upon project. The rebate shall be paid in a lump sum to the applicant only. Rebates will not be split between parties.
9. At the time of application, the applicant's property must be free of nuisance code violations (such as, but not limited to, high grass, trash, improper storage, etc.). Such requirement does not apply to minimum housing deficiencies (such as, but not limited to, rotting wood, cracking or peeling paint, broken windows, etc.) that will be corrected as a result of the project. Participation in this program does not afford applicants additional time to comply with existing nuisance code violations.
10. The applicant must be in good standing with mortgage holders and current on ad valorem property taxes, utility payments, and judgements. The property must be free and clear of any liens.
11. All applicants are encouraged to select contractors whose businesses are located in Stephenville and registered with the city. Receipts will be required in order to receive the rebate. It is the homeowner's responsibility to do their own due diligence in determining the right contractor for their project.
12. All incentives will be awarded on a first-come, first-served basis and subject to fund availability.
13. City staff will not consider applications that are incomplete and do not comply with program policies. Applications must be submitted to the Development Services Department.

#### **DOCUMENTATION REQUIREMENTS**

1. A printed copy of the most recent Erath County Appraisal District's appraised value of the property to be improved.
2. A title search indicating ownership.
3. Proof that the owner is current on property taxes and there are no liens on the property other than the first mortgage.
4. Proof that the homeowner is current on the homeowner's insurance for the property as evidenced by a receipt or documentation showing the policy has been paid or is current on scheduled payments.

5. Line-item bid estimate(s) provided by a licensed contractor who will perform the improvements.
6. Applicant must be the owner of the property and a U.S. citizen or permanent resident with a social security card and a State-issued identification card or driver's license.

#### **ADDITIONAL TERMS AND CONDITIONS**

1. Receipt of the application does not commit the city to approve the application for the program or to pay any cost incurred in the preparation of the application. The award of any rebate is at the sole discretion of the City of Stephenville. The program may be suspended or terminated at any time regardless of availability of funds or pending applications on file.
2. No application shall be accepted or rebate awarded that would constitute a conflict of interest. Members of the Stephenville City Council, city employees, or are ineligible for the receipt of benefits from this rebate program.
3. Applicants will be limited to three incentive agreements per calendar year, although multiple elements may be included in a single agreement. Only one application will be accepted per household.
4. All applications and information contained therein are subject to disclosure pursuant to the Texas Public Information Act.

#### **QUALIFYING IMPROVEMENTS**

1. Replace existing windows with energy efficient windows
  - a. Must replace minimum of 50% of total windows in home to qualify
  - b. If not replacing all windows, those windows visible from the street must be replaced to qualify.
2. Replace exterior doors, including garage door
3. Replace soffit and/or fascia
  - a. Must replace with fiber-cement material such as Hardiplank
  - b. Must replace a minimum of 50% to qualify
4. Replace entire driveway with concrete to city specifications, if driveway is located at the front of the house.
5. Replace or repair fence to city specifications. Must replace or repair a minimum of 50% of the total linear feet of fencing to qualify.
6. Replace siding using fiber-cement material such as Hardiplank. Must replace a minimum of 50% of the total siding area to qualify.
7. Add or repair garage, conforming to all City specifications

8. Repaint house
  - a. Color must be consistent with neighborhood
  - b. Entire house surface (main living structure) must be painted to qualify
9. Install or replace front gutters with color matching or complimentary to the paint color of the house.
10. Add or repair front porch, conforming to city specifications
11. Foundation repair
  - a. Foundation repair cannot be the only approved improvement to the property.
  - b. Owner must secure a foundation assessment and repair report, at the owner's expense, from a structural engineer certified in the State of Texas that is dated no longer than 90 days from the date of the application for this program.
  - c. To be considered for eligibility, the foundation repair component of the application must conform entirely to the assessment and repair document prepared by a structural engineer.
12. Removal of accessory buildings
  - a. Removal of accessory buildings (detached garage, storage shed, etc.) cannot be the only approved improvement to the property.
  - b. Only removal will be considered for eligibility under this program. Repair or renovation is not eligible.
  - c. Removal must include both demolition and hauling of demolished materials to a landfill, following the rules and policies of the destination landfill.
13. Re-shingle roof with 30-year shingles. Must replace a minimum of 50% of the total roof area to comply.
14. Other improvements that result in aesthetic improvements and/or the repair/correction of housing deficiencies may also be approved by city staff.



## STAFF REPORT

**SUBJECT:** R-3 (Multifamily) Zoning Review

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director

### BACKGROUND:

At the July 6, 2021, City Council meeting, the Committee was assigned the task of reviewing the R-3 zoning classification in an effort to identify mechanisms that could integrate current housing trends relating to townhome style housing while preserving our traditional style neighborhoods.

The following items are provided for discussion purposes:

- A. Consider removing the townhome requirements from the R-3 zoning classification and establish a separate zoning classification. Consider if additional housing preferences, such as zero lot line or patio style homes, may need to be included in the new zoning classification.
- B. Make a clear distinction on density requirements for the new zoning classification (current density is 14 units per acre for townhomes). Alternatively, set a density ratio at a multiplier of the existing district (for example, R-1 requires a minimum lot size of 7,500 square feet or 5.8 lots per acre. The new zoning would be the multiplier x the existing density).
- C. Define the types of housing that will fall into the new zoning category and include the maximum allowed density.
- D. Require that any variations from density/setback requirements for the newly established zoning classification require a residential site plan submittal and subsequent approval through Planning & Zoning and City Council. Establish certain submittal requirements for the site plan review and approval to ensure the new structures complement existing housing.
- E. Allow for a higher density for 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 and the newly established zoning classification in regards to parcel requirements. Consider modifications to the R-3 zoning to clearly define that such zoning is generally established for 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.
- G. Do not provide a site plan pathway for R-3 zoning – maintaining the current process whereby variance requests are decided before the Board of Adjustment.

## 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 platted as one parcel and sole source management. 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 aesthetic 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;
- (5) Multiple family dwellings, with each family limited as in division (1) above; Student living complexes will be subject to a variance request for units designed to occupy more than three unrelated students per unit.
- (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.

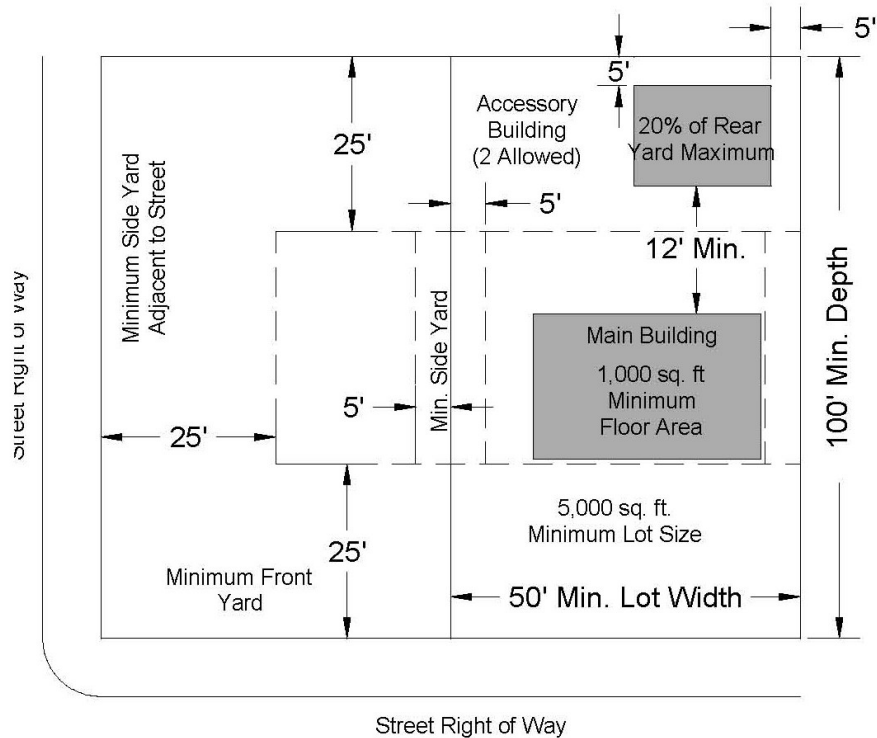
- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Adult and/or children's day care centers;
- (4) Foster group home; and
- (5) Residence hall.



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**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.

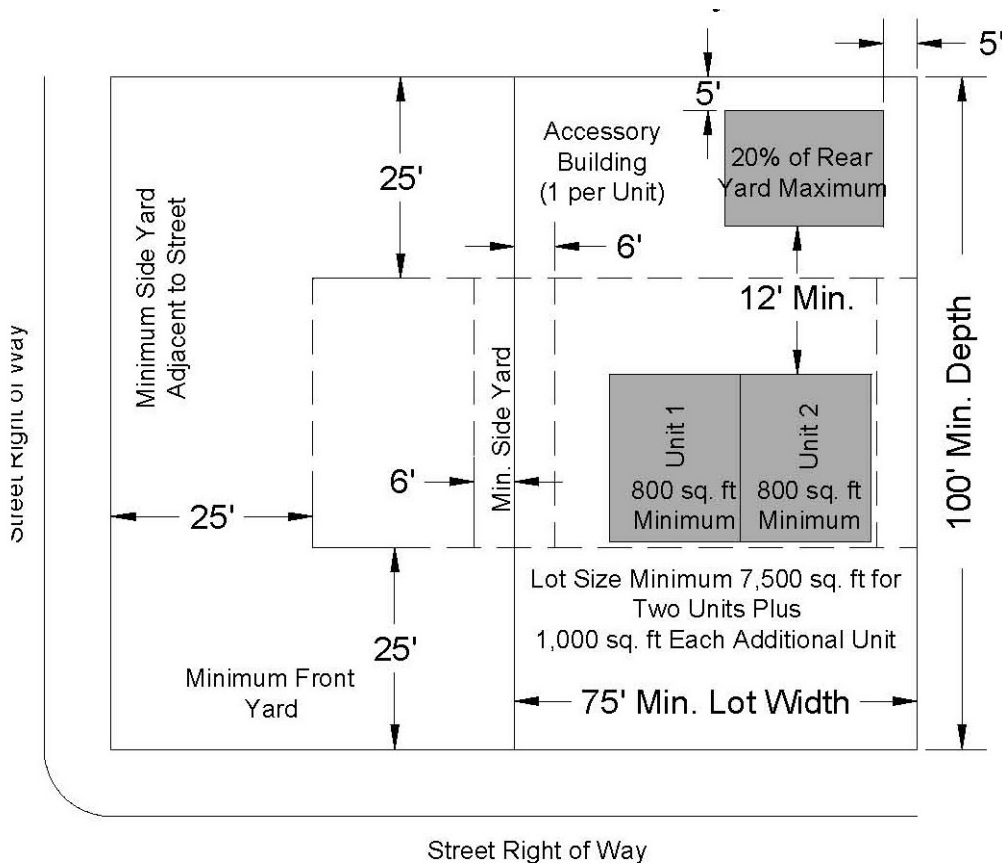


**5.6.E Parking Regulations.** A Single-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations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



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.

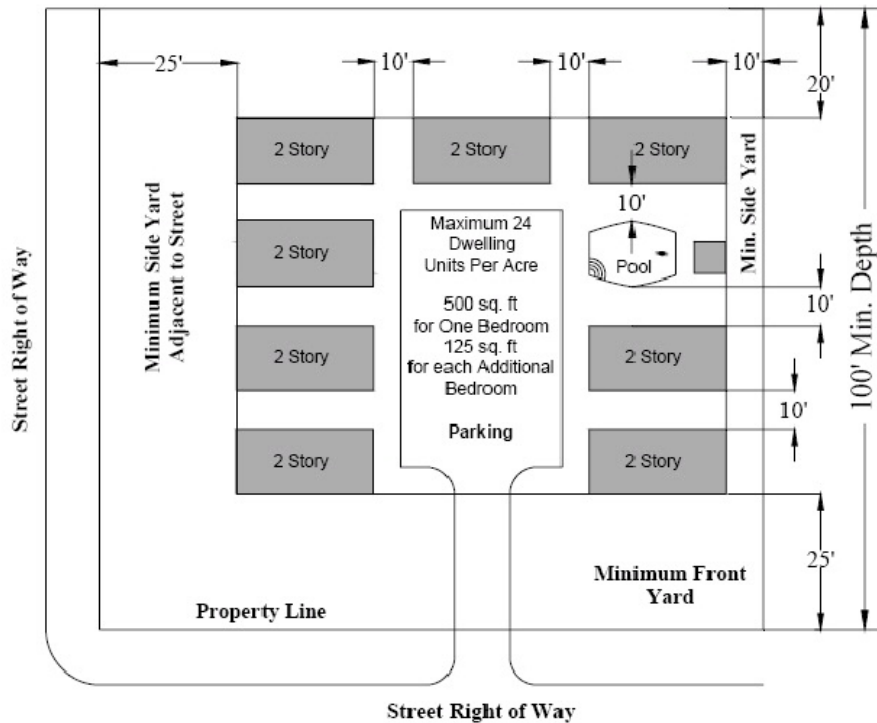
(D) *Multiple family dwellings.*

- (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. Student housing whereby individual rooms are leased by unit must required 1.5 spaces per rented bed.

**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)

## Sec. 154.0XX Integrated Housing District (R-2.5).

**5.6 .A Description.** This integrated residential housing district provides for medium-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, patio homes, condominiums and townhomes. Generally, this district is for developments resulting in individually platted homes or dwelling units and generally, owner occupied. 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 aesthetic and functional well being of the intended district environment. The R-2.5 will integrated housing will be for all Residential districts, B-1 Neighborhood Business and B-3 Central Business.

### 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;

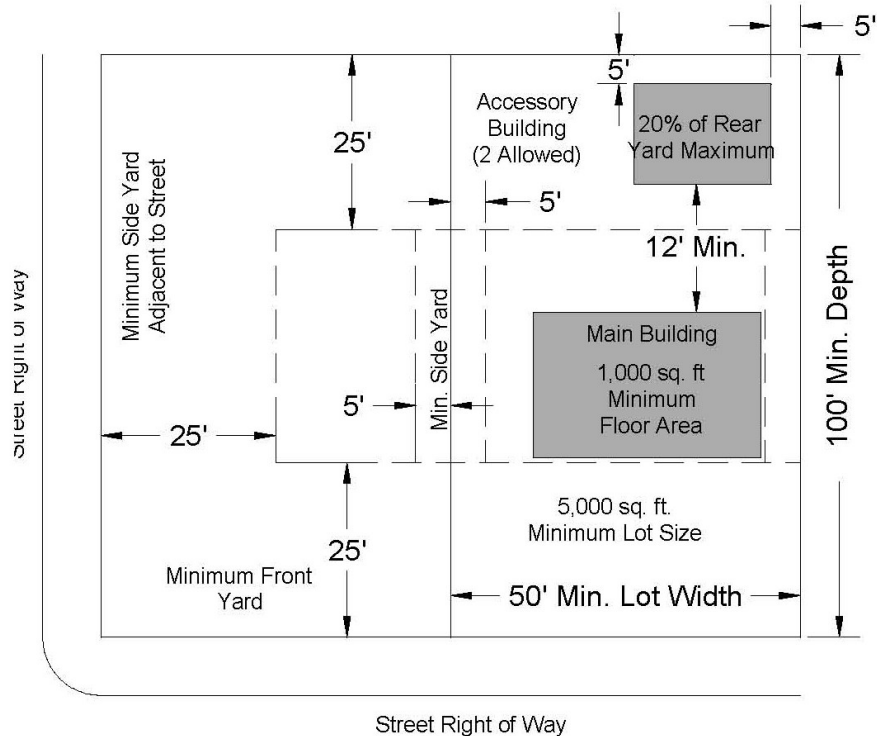
### 5.6.CConditional Uses.

- (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.DHeight, Area, Yard and Lot Coverage Requirements.

- (A) *Single family dwelling.*
  - (1) Minimum lot area: 3,0000 ft<sup>2</sup>.
  - (2) Minimum lot width and lot frontage: 50 feet.
  - (3) Minimum lot depth: 60 feet.
  - (4) Minimum depth of front setback: 15 feet.
  - (5) 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 coverage as a percentage of lot area: 40%.

- (b) Single family dwelling: 1,000 ft<sup>2</sup>.
- (8) Accessory buildings:
- Maximum accessory buildings coverage of rear yard: 20%.
  - Maximum number of accessory buildings: one.
  - 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.

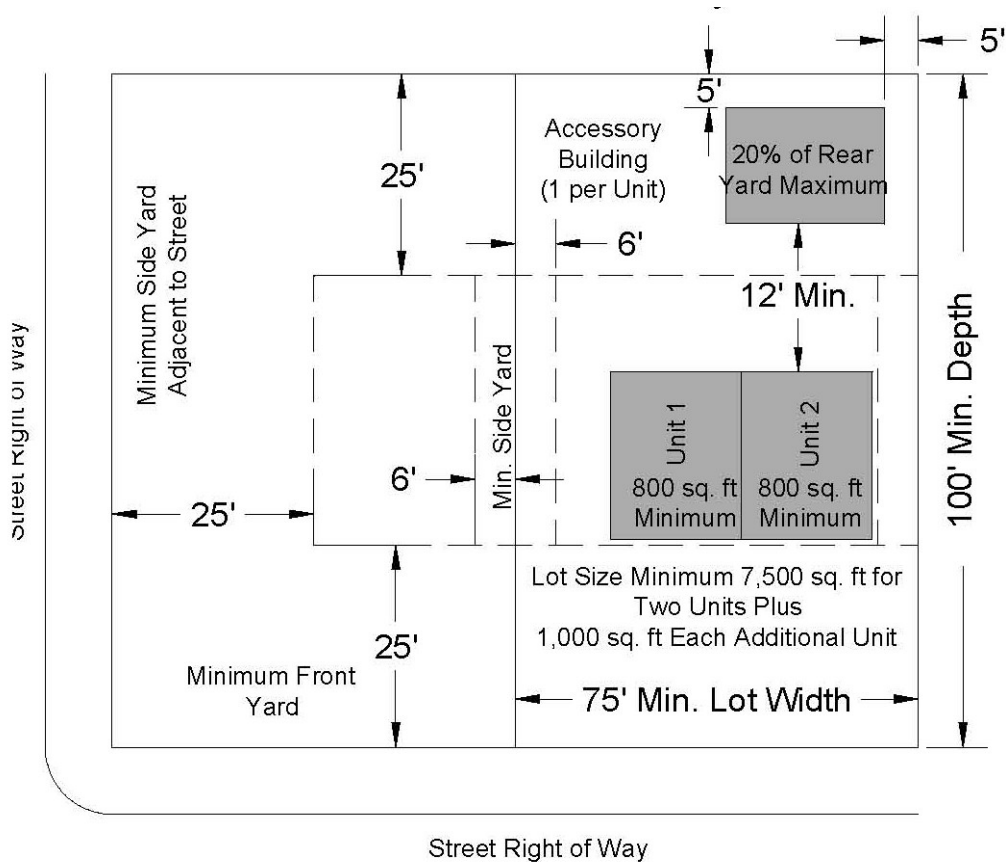


**5.6.E Parking Regulations.** A Single-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

- (B) *Two-to-four family.*
- 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.
  - Minimum lot width and lot frontage: 75 feet.

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- (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:
    - (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.





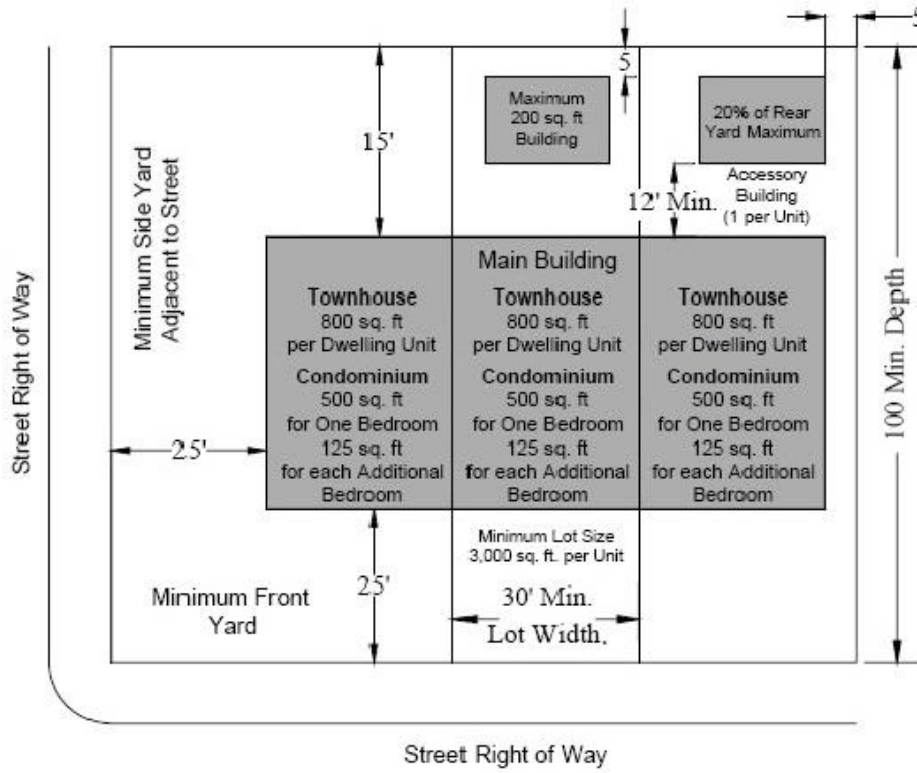
A Two to Four-Family, R-2.5 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(C) *Townhouse/Condominium.*

- (1) Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- (2) Minimum average lot width and lot frontage: 30 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) 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.

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- (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.
- (11) Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.

### 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.

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