



City of Lewisville, TX
Planning and Zoning Commission
Agenda

151 W Church Street
Lewisville, Texas 75057

Tuesday, August 18, 2026

6:30 PM

Council Chambers

Regular Session - 6:30 P.M.

- A. Call to Order and Announce that a Quorum is Present.**
- B. Approval of Minutes**
 - 1. [Consider the Minutes of the July 7, 2026 Regular Meeting.](#)
- C. Public Hearing**

2. [An Ordinance of the Lewisville City Council Amending Volume II of the Lewisville City Code, Known as the Unified Development Code; Amending Article II, Chapter 2, "Definitions" to add and Modify Definitions Impacted by the Changes Below; Amending Article III, Chapter 4, Section 3, "Engineering Site Plan Requirements and Approval" to Require Outside Storage to be Shown on Engineering Site Plans and Make Other Nonsubstantive Changes; Amending Chapter VII.2, "Allowed Uses by District", Exhibits VII.2.3-2 Through VII.2.3-4 to Update References to Supplemental Use Regulations, Allow Independent Living Facilities in the Medical District, Allow Community Centers in the Old Town Mixed Use 2, Mixed Use And Mixed-Use 90 Zoning Districts, And Clarify That Electric Vehicle Charging Stations are Allowed by Right in All Zoning Districts as an Accessory Use; Amending Article VII, Chapter 3, "Supplemental Use Regulations," to Modify Certain Supplemental Use Standards Regulating Accessory Buildings and Structures, Backyard Cottages, Bed And Breakfasts, Food Truck Parks, Hotels, Motels, Inns, or Extended Stay Hotels, Home Occupations, Outside Storage, Independent Living, Assisted Living, Long Term Care Or Continuing Care Facility, Single-Family Attached Dwellings \(Townhouses\), Solar Energy Systems, State-Licensed Vehicle Storage Facilities, Temporary Construction Buildings, and Multi-Family Dwellings, to add Supplemental Standards for Unmanned Aircraft Systems, and to Clarify Relief Procedures for Supplemental Use Regulations; Amending Article VIII, Chapter 5, "Screening Requirements" to Add Standards for Screening Outside Storage and Ground-Mounted Solar Energy Systems; Amending Article VIII, Chapter 1 "Off-Street Parking Standards" to Clarify Requirements Related to Parking for Duplexes and Non-Residential Uses; and Making Other Minor Clarifying Amendments Throughout the Above-Listed Provisions; Providing for a Savings Clause, Repealer, Severability, a Penalty, and an Effective Date; and Declaring an Emergency.](#)

D. Presentation

3. [Receive an Update on Revised Policy Statement 1.0 Administration - Section II - City Council Meeting Speaker Protocol.](#)

E. Announcements

F. Adjournment

The Planning and Zoning Commission reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney).

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City will provide appropriate auxiliary aids and services, including sign language interpreters and assisted listening devices, whenever necessary to ensure effective communication with members of the public who have hearing, sight or speech impairments, unless doing so would result in a fundamental alteration of its programs or an undue financial burden. A person who requires an accommodation or auxiliary aid or service to participate in a City program, service or activity, should contact the sponsoring Department, or the Human Resource Department at 972-219-3450 or by Fax at 972-219-5005 as far in advance as possible but no later than 48 hours before the scheduled event.

I do hereby certify that the above notice of meeting of the City of Lewisville Planning and Zoning Commission was posted at City Hall, City of Lewisville, Texas in compliance with Chapter 551, Texas Government Code on _____, 2026 at _____ AM.

Planning Department

MINUTES
PLANNING AND ZONING COMMISSION
JULY 7, 2026

Item A: Call to Order and Announce that a Quorum is Present

With a quorum present, the Lewisville Planning and Zoning Commission meeting was called to order by Chair Karen Locke at 6:30 p.m. on Tuesday, July 7, 2026, in the Council Chambers, of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Members present: Chair Karen Locke, Vice Chair Erum Ali, Rick Lewellen, Ainsley Stelling, Joshua Peterson, Francisca Al-waely, Jack Tidwell

Members absent: none

Staff members present: Richard E. Luedke, Planning Director; Vashil Fernandez, Planning Manager; Michele Berry, Senior Planner; Lauren Cook, Planner I; Patty Dominguez, Senior Planning Technician

Item B: Approval of Minutes

1. Consider the Minutes of the June 23, 2026 Special-Called Meeting.

A motion was made by Erum Ali to approve the minutes as presented, seconded by Jack Tidwell. The motion passed unanimously (7-0).

Item C: Regular Hearing

2. Consideration of Three Alternative Standards Associated with Landscape Standards and Building Materials in the IH-35E Corridor Overlay Core Subdistrict; on 0.5211 Acres, Located at 1844 N Stemmons Freeway, Legally Described as Jeswood Addition, Lot 1, Block A; Zoned General Business (GB) District, as Requested by Mozharul Islam, of Civil Urban Associates, LLC., on Behalf of the Property Owner, Myasin Investments LLC (Case No. 26-04-5-AltStd)

Lauren Cook, Planner I, gave a brief overview and staff's recommendation. There was discussion regarding the TxDot right-of-way, front parking and front landscape buffer. There were no other questions. A motion was made by Rick Lewellen to recommend approval of the three alternative standards as presented, seconded by Ainsley Stelling. The motion passed unanimously (7-0). Richard E. Luedke, Planning Director, stated that this item will be considered by the City Council for final consideration on Monday, August 3, 2026 at 7:00 p.m.

Item D: Public Hearings

3. PUBLIC HEARING: Consider an Ordinance Amending Article III “Development and Zoning Procedures” of Volume II of The Lewisville City Code, Known as the Unified Development Code, by Amending, Chapter III.6, “Zoning Petitions and Procedures” to Clarify and Streamline the Zoning Petition Process, Including Appeals, and Align Notification Procedures With State Statutes, Amending Chapter III.10, “Zoning Regulation Text Amendments and Procedures” to Broaden its Application to all Text Amendments to the Unified Development Code and to Clarify and Streamline the Text Amendment Process, Including Appeals, and Align Notification Procedures With State Statues; and Deleting Chapter III.11, “Procedures for all Other Text Amendments”; Providing for a Savings Clause, Repealer, Severability, a Penalty, and an Effective Date.

Michele Berry, Senior Planner, gave a brief overview of the amendments and staff’s recommendation. Commissioner Tidwell asked if overlapping the advertising periods would hinder the Commission's ability to table an item. Staff confirmed that the Commission retains full authority to table items, though doing so creates a ripple effect of extra administrative work to adjust the City Council's agenda. This tool will be used to streamline the timeline for high-priority or straightforward applications. There were no other questions. Chair Locke opened the public hearing. With no one indicating a desire to speak, the public hearing was then closed. A motion was made by Joshua Peterson to recommend approval of the amendments as presented, seconded by Jack Tidwell. The motion passed unanimously (7-0). Richard E. Luedke, Planning Director, stated that this item would appear before the City Council on Monday, August 3, 2026 at 7:00 p.m. for a second public hearing and a final decision.

4. PUBLIC HEARING: Consideration of an Ordinance Granting a Special Use Permit for a Smoking Establishment; on a Portion of Approximately 1.828-Acre Tract, Legally Described as Lot 3R1, Block C, Highpoint Oaks; Located at 2680 Denton Tap Road, Zoned Light Industrial District (LI); as Requested by Naheed Vellani, the Applicant, on Behalf of Hilltop Corner LLC, the Property Owner. (Case No. 26-05-8-SUP)

Lauren Cook, Senior Planner, gave a brief overview of the special use permit request and stated that the staff’s recommendation has been updated to recommend approval after consulting with the applicant and confirming with the police department that there were no prior negative incidents involving the property or business owners. An updated narrative letter provided by the applicant was passed out to the Planning and Zoning Commission. There were no questions. Chair Locke opened the public hearing. The applicant, Naheed Vellani, stepped forward to make herself available for questions. With no one else indicating a desire to speak, the public hearing was then closed. A motion was made by Joshua Peterson to recommend approval of the special use permit as presented, seconded by Francisca Al-waely. The motion passed (6-1) with Commissioner Ainsley Stelling voting “no”. Richard E. Luedke, Planning Director, stated that this item would appear before the City Council on Monday, August 3, 2026 at 7:00 p.m. for a second public hearing and a final decision.

Item E: Other Business

5. Selection of Chair and Vice Chair.

A motion was made by Karen Locke to select Erum Ali as Chair, seconded by Francisca Al-waely. The motion passed unanimously (7-0).

A motion was made by Erum Ali to select Karen Locke as Vice Chair, seconded by Francisca Al-waely. The motion passed unanimously (7-0).

Item F: Announcements

There were no announcements.

Item G: Adjournment

A motion was made by Joshua Peterson to adjourn the Planning and Zoning Commission meeting. The motion was seconded by Francisca Al-waely. The motion passed unanimously (7-0). There being no other business to discuss, the Planning and Zoning Commission meeting was adjourned at 6:53 p.m.

These minutes will be approved by the Planning and Zoning Commission at the next scheduled meeting.

Respectfully Submitted,

Approved,

Vashil Fernandez, AICP
Planning Manager

Erum Ali, Chair
Planning and Zoning Commission

MEMORANDUM

TO: Planning & Zoning Commission

FROM: Michele Berry, Senior Planner, Part-Time

DATE: August 18, 2026

SUBJECT: **An Ordinance of the Lewisville City Council Amending Volume II of the Lewisville City Code, Known as the Unified Development Code; Amending Article II, Chapter 2, “Definitions” to add and Modify Definitions Impacted by the Changes Below; Amending Article III, Chapter 4, Section 3, “Engineering Site Plan Requirements and Approval” to Require Outside Storage to be Shown on Engineering Site Plans and Make Other Nonsubstantive Changes; Amending Chapter VII.2, “Allowed Uses by District”, Exhibits VII.2.3-2 Through VII.2.3-4 to Update References to Supplemental Use Regulations, Allow Independent Living Facilities in the Medical District, Allow Community Centers in the Old Town Mixed Use 2, Mixed Use And Mixed-Use 90 Zoning Districts, And Clarify That Electric Vehicle Charging Stations are Allowed by Right in All Zoning Districts as an Accessory Use; Amending Article VII, Chapter 3, "Supplemental Use Regulations," to Modify Certain Supplemental Use Standards Regulating Accessory Buildings and Structures, Backyard Cottages, Bed And Breakfasts, Food Truck Parks, Hotels, Motels, Inns, or Extended Stay Hotels, Home Occupations, Outside Storage, Independent Living, Assisted Living, Long Term Care Or Continuing Care Facility, Single-Family Attached Dwellings (Townhouses), Solar Energy Systems, State-Licensed Vehicle Storage Facilities, Temporary Construction Buildings, and Multi-Family Dwellings, to add Supplemental Standards for Unmanned Aircraft Systems, and to Clarify Relief Procedures for Supplemental Use Regulations; Amending Article VIII, Chapter 5, “Screening Requirements” to Add Standards for Screening Outside Storage and Ground-Mounted Solar Energy Systems; Amending Article VIII, Chapter 1 “Off-Street Parking Standards” to Clarify Requirements Related to Parking for Duplexes and Non-Residential Uses; and Making Other Minor Clarifying Amendments Throughout the Above-Listed Provisions; Providing for a Savings Clause, Repealer, Severability, a Penalty, and an Effective Date; and Declaring an Emergency.**

BACKGROUND:

This text amendment began as an update to the supplemental standards to allow for Unmanned Aircraft Systems and to make Backyard Cottage regulations more flexible. Additional changes were made to clarify relief procedures for all supplemental standards, whether they are modified through

administrative modifications, alternative standard procedures, or Special Use Permits. Further updates were made to other sections of the UDC to add definitions and update the use charts. Several state legislative updates necessitated changes to food truck parks and home occupations. In addition, all supplemental standards were reviewed and updated as needed.

ANALYSIS:

The primary objectives of this code update are to:

- Align local regulations with recent Texas state legislation
- Establish standards for Unmanned Aircraft Systems.
- Make backyard cottage easier.
- Correct inadvertent omissions from previous UDC adoptions
- Relocate and consolidate screening requirements and parking requirements.
- Establish a standardized "Alternative Standard" relief mechanism across design-based regulations.

Engineering Site Plan Updates (Exhibit A)

- Must now show the location and screening of all outside storage along with outdoor receptacles.

Use Table Updates (Exhibit B)

- Electric Vehicle Charging Stations: Added as an accessory use in all zoning districts, with the stipulation that they are reserved for residents and their guests in residential districts. While currently allowed in practice, explicitly stating this in the code supports qualification for energy and sustainability recognition.
- Unmanned Aircraft System Staging Areas: Added as allowed accessory uses in the GB, GB-2, LI, WH, HI, and PU zoning districts, and require an SUP in the MD and LC districts.
- Independent Living Facilities: Added as an allowed use in the MD zoning district, aligning with Assisted Living and Continuing Care Facilities.

Supplemental Standards Updates (Exhibit C)

General: Language was added to clarify when an alternative standard or Specific Use Permit is required to amend supplemental standards.

Unmanned Aircraft Systems (UAS) are added as an accessory use. Three new definitions are added to support this use.

- *Unmanned Aircraft (NEW):* Defined as an aircraft operated without direct human intervention from within or on the aircraft (commonly referred to as a drone).
- *Unmanned Aircraft System (UAS) (NEW):* Defined as an unmanned aircraft and its associated operational elements required for safe and efficient flight.

- *Unmanned Aircraft System (UAS) Staging Area (NEW)*: Defined as a designated accessory area for launch pads, takeoff/landing zones, docking stations, required safety zones, outdoor storage, and accessory structures.
- *Supplemental Standards (Section VII.3.25)*: Prohibits staging areas within 300 feet of residential uses, parks, hospitals (unless serving the hospital), and LLELA. Limits ground-mounted staging areas to 1,000 sq. ft. or 10% of the lot area. Authorizes a 10% reduction in required minimum site parking to accommodate staging facilities. Caps side-mounted staging height at the roofline and prohibits street-facing facade installations. Prohibits chain-link fencing (requires wrought iron, tubular steel, or matching masonry). Exempts police and fire department operations.

Backyard Cottages Standards were simplified or reduced to make placement feasible on a wider variety of lots. Many standards reflect the assessment and analysis of existing Lewisville lots conducted by UTA..

- Reduced minimum size from 400 square feet to 300 square feet.
- Allowed cottages to be attached or detached. If detached, they must comply with the building code for separation from the main building; the local 10-foot separation requirement was removed. The 10-foot distance is already governed by the building code regarding openings and fire ratings, offering flexibility while maintaining safety. If attached, cottages must comply with all zoning height and yard requirements for the main home.
- Added parking flexibility: Retains the requirement for one dedicated off-street parking space for the backyard cottage while removing restrictive language regarding placement location, contiguity with the existing driveway, and tandem spaces. This provides flexibility where alleys exist. Residential driveway standards limiting paved width and area in front yards still apply.
- Removed the specific prohibition against temporary buildings as redundant, since temporary residential structures are already prohibited.

Bed and Breakfasts: Stay limitations were increased from 10 days to 30 days to align with hotel and motel standards.

Duplexes: Supplemental standards for duplexes were relocated to the Parking Standards section, as all regulations pertain to garage doors, parking, and driveway locations.

Food Truck Parks: Removed the 12-hour limit and commissary servicing requirement to align with state law. Pavement parking requirements remain.

Hotels, Motels, Inns, and Extended Stay Hotels: Amended to clarify cross-references to Subsection B instead of Subsection A without altering substantive regulations.

Home Occupations: Revised to align with updated state statutes. Prohibitions against vehicle or engine repair/servicing (where no external evidence exists) and restrictions limiting employees strictly to residents were removed.

Outside Storage: Screening requirements were moved to the screening section of the code.

Independent Living, Assisted Living, Long-Term Care, or Continuing Care Facilities: Removed the requirement that "minimum dwelling unit sizes shall comply with state regulations for facilities eligible to receive Medicare/Medicaid funding," as this is an unenforced state regulation.

Single-Family Attached Dwellings (Townhouses): Removed the rule that one unit may not be located above another, as it duplicates existing definitions.

Solar Energy Systems: Screening standards were relocated to the general screening section of the UDC under ground-mounted mechanical equipment.

State-Licensed Vehicle Storage: Extended the allowable storage timeframe from 30 days to 45 days to accommodate complex police investigations.

Screening Requirement Updates (Exhibit D):

- Screening for Outside Storage (Section III.5.6): Transferred from Chapter VII.3. Requires a 6-foot solid fence or wall depending on street proximity; prohibits chain-link fencing with vinyl slats for screening.
- Screening for Ground-Mounted Solar Energy Systems (Section VIII.5.7): Transferred from Chapter VII.3. Requires a 6-foot solid fence for residential installations and an 8-foot screening wall for non-residential installations.
- Director's Administrative Authority (Section VIII.5.8): Relocated to Section VIII.5.8 with no substantive changes.

Off-Street Parking & Driveway Standards (Exhibits E & F):

- **Duplex Garages & Parking:** Relocated from VII.3 to VIII.1.2. Reworded for clarity without substantive changes:
 - Duplexes constructed after the adoption of this UDC shall not have off-street parking located in any portion of a front yard between the principal building and a public or private street. If an existing structure is converted to a duplex, existing parking between the principal building and street may remain but cannot be enlarged.
 - Duplex lots outside the Duplex (DU) zoning district shall not have garage doors facing a public or private street that is not an alley. Converted single-family homes may keep, but not enlarge, an existing street-facing garage door.
 - Front-entry duplexes located in the Duplex (DU) zoning district may have street-facing garage doors.
- **Single-Family Detached Standards:** Incorporated Section VIII.1.5 standards into Section VIII.1.2.
 - *Context:* Existing language in VIII.1.5 stated: "For lots with front entry upon which single-family detached dwellings and duplexes are located, Garages on single family detached and two-family dwelling are allowed facing the street only if the garage does not extend more than five (5) feet from the face of the dwelling. In addition, if the lot is 40 feet or less in width the garage doors shall either have windows, decorative hardware, or be limited to nine (9) feet in width."

- *Update:* This duplicated and conflicted with Section VIII.1.2, which mandated different enhanced garage standards regardless of home width. The proposed revision provides a 9-foot minimum width as an option for street-facing garages on lots 40 feet wide or less.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend approval to the City Council of the proposed changes as set forth in the caption above.

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING VOLUME II OF THE LEWISVILLE CITY CODE, KNOWN AS THE UNIFIED DEVELOPMENT CODE; **AMENDING ARTICLE II, CHAPTER 2, "DEFINITIONS" TO ADD AND MODIFY DEFINITIONS IMPACTED BY THE CHANGES BELOW;** AMENDING ARTICLE III, CHAPTER 4, SECTION 3, "ENGINEERING SITE PLAN REQUIREMENTS AND APPROVAL" TO REQUIRE OUTSIDE STORAGE TO BE SHOWN ON ENGINEERING SITE PLANS AND MAKE OTHER NONSUBSTANTIVE CHANGES; AMENDING CHAPTER VII.2, "ALLOWED USES BY DISTRICT", EXHIBITS VII.2.3-2 THROUGH VII.2.3-4 TO UPDATE REFERENCES TO SUPPLEMENTAL USE REGULATIONS, ALLOW INDEPENDENT LIVING FACILITIES IN THE MEDICAL DISTRICT, ALLOW COMMUNITY CENTERS IN THE OLD TOWN MIXED USE 2, MIXED USE AND MIXED-USE 90 ZONING DISTRICTS, AND CLARIFY THAT ELECTRIC VEHICLE CHARGING STATIONS ARE ALLOWED BY RIGHT IN ALL ZONING DISTRICTS AS AN ACCESSORY USE; AMENDING ARTICLE VII, CHAPTER 3, "SUPPLEMENTAL USE REGULATIONS," TO MODIFY CERTAIN SUPPLEMENTAL USE STANDARDS REGULATING ACCESSORY BUILDINGS AND STRUCTURES, BACKYARD COTTAGES, BED AND BREAKFASTS, FOOD TRUCK PARKS, HOTELS, MOTELS, INNS, OR EXTENDED STAY HOTELS, HOME OCCUPATIONS, OUTSIDE STORAGE, INDEPENDENT LIVING, ASSISTED LIVING, LONG TERM CARE OR CONTINUING CARE FACILITY, SINGLE-FAMILY ATTACHED DWELLINGS (TOWNHOUSES), SOLAR ENERGY SYSTEMS, STATE-LICENSED VEHICLE STORAGE FACILITIES, TEMPORARY CONSTRUCTION BUILDINGS, AND MULTI-FAMILY DWELLINGS, TO ADD SUPPLEMENTAL STANDARDS FOR UNMANNED AIRCRAFT SYSTEMS, AND TO CLARIFY RELIEF PROCEDURES FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE VIII, CHAPTER 5, "SCREENING REQUIREMENTS" TO ADD STANDARDS FOR SCREENING OUTSIDE STORAGE AND GROUND-MOUNTED SOLAR ENERGY SYSTEMS; AMENDING ARTICLE VIII, CHAPTER 1 "OFF-STREET PARKING STANDARDS" TO CLARIFY REQUIREMENTS RELATED

**TO PARKING FOR DUPLEXES AND NON-RESIDENTIAL
USES; AND MAKING OTHER MINOR CLARIFYING
AMENDMENTS THROUGHOUT THE ABOVE-LISTED
PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE,
REPEALER, SEVERABILITY, A PENALTY, AND AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens certain amendments to Volume II of the Lewisville City Code, known as the Unified Development Code, are necessary; and

WHEREAS, based on the following changes new definitions for new and existing uses are required; and

WHEREAS, the list of required documentation for engineering site plans needs to be expanded to ensure appropriate information on outside storage areas are presented to review for compliance with new supplemental use regulations; and

WHEREAS, the Independent Living Facility and Community Center uses were inadvertently excluded as allowed uses from certain districts where they had previously been allowed by right as part of the adoption of the Unified Development Code, and need to be added back to those districts; and

WHEREAS, the City wishes to clarify that the Electric Vehicle Charging Station use is allowed by right as an accessory use in all zoning districts in accordance with the City's adopted goals in the Sustainability Action Plan; and

WHEREAS, supplemental use regulations for accessory buildings and structures need to be amended to clarify that such buildings and structures may not be located within required side or rear yards; and

WHEREAS, supplemental use regulations and definitions are needed to regulate new drone delivery systems, also known as unmanned aircraft systems; and

WHEREAS, supplemental use regulations for backyard cottages need to be amended to make backyard cottages more accessible to more homeowners by right by reducing the minimum floor area to 300 square feet and allowing for attached backyard cottages, and

WHEREAS, the guest timeframe for a bed and breakfast is extended to be consistent with requirements applicable to other hotels, motels, and inns, and

WHEREAS, the current supplemental use regulations related to Food truck Parks are no longer enforceable due to recent changes in state law and need to be removed, and

WHEREAS, corrections are needed to the supplemental use regulations applicable to Hotels, Motels or Inns and Extended Stay Hotels to correct an internal reference therein, and

WHEREAS, moving the outside storage screening requirements from the supplemental use regulations to the screening section of the UDC would reduce confusion in both use and enforcement, and

WHEREAS, supplemental use regulations regarding minimum floor area for Independent Living, Assisted Living, Long Term Care or Continuing Care Facility need to be removed as minimum floor area is regulated and enforced by other agencies, and

WHEREAS, the supplemental use regulation prohibiting single-family attached dwellings (townhouses) from having one dwelling unit over another is unnecessary and may be removed without changing the regulation currently in place, and

WHEREAS, amending the applicable supplemental use regulation to extend the time that a State Licensed Vehicle Storage use may store vehicles will benefit more complex police investigations by providing additional time for storage of vehicles, and

WHEREAS, the supplemental use regulation providing that manufactured homes may be used as temporary construction buildings is unnecessary and may be removed without prohibiting this practice, and

WHEREAS, the supplemental use regulation requiring multifamily dwelling units in certain zoning districts to provide retail ready construction along certain street frontages needs to be revised to refer back to the fire separation required between residential and non-residential uses as opposed to specifying a one-hour separation in order to ensure consistency in fire safety regulations citywide, and

WHEREAS, new state legislation required amendments to the supplemental use regulations pertaining to home occupations, and

WHEREAS, supplemental use regulations also need to be updated to clarify the appropriate relief procedure for supplemental use regulations related to design and not zoning, and to remove redundant regulations; and

WHEREAS, several supplemental use regulations related to screening of outside storage and ground mounted solar systems are better located in the screening section of the Unified Development Code for clarity and information relating to these standards needs to be illustrated on engineering site plan application documents; and

WHEREAS, the City further wishes to clarify the existing regulations on parking design standards for duplexes and shared parking regulations for non-residential uses for greater ease of understanding and use; and

WHEREAS, additional minor clarifying amendments are needed throughout the Unified Development Code in order to integrate the above-outlined changes and for ease of understanding and use; and

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for these amendments, and that said amendments are in the best interest of the public at large and the citizens of the City of Lewisville, Texas, and help promote the general health, safety, and welfare of this community.

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

SECTION 1. Section II.2.1, Definitions, of the Unified Development Code is hereby amended by adding definitions for Electric Vehicle Charging Station, Unmanned Aircraft, Unmanned Aircraft System (UAS) and Unmanned Aircraft System (UAS) Staging Area and by deleting the current definition of “backyard cottage” and replacing it with the following:

Electric Vehicle Charging Station – *A parking space or spaces with equipment designed to charge electric vehicles.*

Unmanned Aircraft - *An aircraft operated without the possibility of direct human intervention from within or on the aircraft. Also known as a drone.*

Unmanned Aircraft System (UAS) - *An unmanned aircraft and its associated elements required for its safe and efficient operation.*

Unmanned Aircraft System (UAS) Staging Area - *A designated area for use by an unmanned aircraft system. The UAS staging area is an accessory use and includes the launch pad, takeoff and landing area, docking station, and any required safety areas. It may also include the following if related to the use of a UAS: outdoor storage, accessory structures for indoor storage, and other equipment.*

Backyard Cottage - *A self-contained dwelling unit on a fixed foundation that is secondary to the principal building and is subordinate in area, extent, or purpose to the principal building or principal use served. Backyard cottages could be attached or detached from the principal building. An accessory building with shower/bath and kitchen facilities is considered a backyard cottage. An accessory dwelling unit (commercial) is not a backyard cottage.*

SECTION 2. Section III.4.3, Engineering Site Plan Requirements and Approval, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Article III.4.3, Engineering Site Plan Requirements and Approval, attached hereto as Exhibit “A”.

SECTION 3. Chapter VII.2, Allowed Uses by District, Exhibit VII.2.3-2, Residential Zoning Districts; Exhibit VII.2.3-3, Mixed-Use Zoning Districts; and Exhibit VII.2.3-4, Non-Residential Zoning Districts, are hereby deleted in their entirety and replaced with a new Exhibit

VII.2.3-2, Residential Zoning Districts; Exhibit VII.2.3-3, Mixed-Use Zoning Districts; and Exhibit VII.2.3-4, Non-Residential Zoning Districts, attached hereto as Exhibit “B”.

SECTION 4. Chapter VII.3, Supplemental Use Regulations, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Chapter VII.3, Supplemental Use Regulations, attached hereto as Exhibit “C”.

SECTION 5. Chapter VIII.5, Screening Requirements, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Chapter VIII.5, Screening Requirements, attached hereto as Exhibit “D”.

SECTION 6. Chapter VIII.1, Off-Street Parking Standards, Section VIII.1.2, Design Standards, of the Unified Development Code is hereby deleted in its entirety and replaced with a new Section VIII.1.2, Design Standards, attached hereto as Exhibit “E”.

SECTION 7. Chapter VIII.1, Off-Street Parking Standards, Section VIII.1.5, Location of Parking Spaces and Residential Garages, is hereby deleted in its entirety and replaced with a new, Section VIII.1.5, Location of Parking Spaces, attached hereto as Exhibit F.

SECTION 8. SAVINGS CLAUSE. Nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 9. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 10. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 11. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the municipal court, shall be subject to a fine of not more than \$2,000.00 for each offense, and every day such offense is continued shall constitute a separate offense.

SECTION 12. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 13. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby, waived and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 21ST DAY OF SEPTEMBER 2026.

APPROVED:

ORDINANCE NO. _____

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TJ Gilmore, MAYOR

ATTEST:

Jennifer Ippolito, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Section III.4.3. Engineering Site Plan Requirements and Approval

- A. **Applicability** - An engineering site plan is required for the following types of development, subject to the regulations contained within this Chapter:
1. Commercial and multi-family development;
 2. A development of multiple single-family detached dwellings when on lots of 4,000 square feet or less in size;
 3. A development of single-family attached dwellings;
 4. A manufactured home community use;
 5. Development of parking lots, parking garages or outside storage; and
 6. Additions or alterations to existing structures or buildings that exceed ten percent (10%) of the aggregate building or structure area on the lot or 5,000 square feet, whichever is less.
- B. **Exemptions** - The following types of development are exempted from the engineering site plan requirements:
1. Agricultural buildings.
 2. Temporary buildings.
 3. Parking lot reconstruction or expansions, if ten (10) or fewer parking spaces are added or the number of additional parking spaces does not exceed 15 percent of the total number of existing parking spaces, whichever is greater. A grading/paving permit will be required regardless of the number of additional parking spaces.
 4. A single family attached or detached dwelling on an existing platted lot where streets and City utilities are provided.
- C. **Application Procedures and Requirements** - An engineering site plan is subject to the requirements of Article III.2.5 related to timing and processing.
1. An engineering site plan shall include and be presented as follows:
 - a. All sheets shall be formatted as follows and include the information below unless otherwise specified:
 - 1) North arrow.
 - 2) Scale - Maximum scale of one inch equals 20 feet (1" = 20') for lots up to three (3) acres and one inch equals 40 feet (1" = 40') for lots over three (3) acres.
 - 3) Be on a sheet size that is 22 inches by 34 inches.
 - 4) Location map in top right corner or top left corner, one inch equals 1,000 feet (1" = 1,000') (Must use City base map).
 - 5) The date the original plans were submitted and dates of revisions for resubmittals.
 - 6) A title block located at top center of the cover sheet and the bottom right hand side of subsequent pages to include project's name, addition's name, lot, block and phase designations, total acreage, zoning classification and address if available. A template will be available from the Planning Director.
 - 7) Information shall be consistent and accurate on all pages of the engineering site plan.

- b. Cover sheet which shall include:
 - 1) Approval signature block. A template will be available from the Planning Director.
 - 2) Location map centered on the page, one inch equals 1,000 feet (1" = 1,000') (Must use City base map).
 - 3) Name, address and phone number of contact person of developer, owner, builder, engineer or surveyor.
 - 4) All previously approved or new requests for variances, administrative modifications and alternative standards.
- c. The engineering site plan sheets shall include the following. This information may be shown on several sheets to promote legibility and clarity of plans:
 - 1) A summary table for building square footage by proposed use with total number of parking spaces required for each, building height, impervious area in square feet and R.O.W. square footage or acreage (if applicable).
 - 2) Distances and bearings of the lot including total land area, subdivision lot, and block designation and phase lines. The entire platted lot shall be shown on the engineering site plan.
 - 3) Iron rods set or found.
 - 4) Contours with intervals of two (2) feet or less, referred to sea level datum, including City benchmark.
 - 5) Building setback lines including required setback from all water, sanitary sewer and drainage easements.
 - 6) Zoning of subject lot and adjoining property.
 - 7) Easements or encumbrances which impact development of the lot.
 - 8) Control of access lines, corner clips and clear vision areas.
 - 9) Traffic control signals, devices, and striping and traffic control plan in conformance with the latest edition of the Texas Manual on Uniform Traffic Control Devices.
 - 10) Median openings, traffic islands, turning lanes, and acceleration and deceleration lanes.
 - 11) Public streets, alleys, and easements adjacent to the site showing right-of-way and limits of paving.
 - 12) The dimensions, locations, and design of the proposed driveway(s), existing driveway(s) and associated deceleration lanes, if any.
 - 13) All existing or proposed driveways, gutters, storm sewers, manholes, fire hydrants, utility poles, service fixtures, trees and other features which may affect proposed driveway, turn lane or median opening location and operation.
 - 14) Any existing driveways or curb cuts located on adjacent lots or lots across the street.
 - 15) All of the geometric design features of the roadway, including medians, the number and width of travel lanes, the presence or absence of a shoulder or on-street parking.
 - 16) Driveways, sidewalks, water and sanitary sewer services, grading, drainage and other site improvements.

- 17) Parking layout, including maneuvering, loading and unloading service areas, and required truck berths.
 - 18) Screening, including height and type of construction.
 - 19) Landscaping and open space with dimensions and total square footage.
 - 20) Construction details for all site improvements, as applicable.
 - 21) Fire protection including fire hydrants, fire lanes, fire lines and related fire protection devices.
 - 22) Location and screening of all outdoor receptacles and outside storage areas.
 - 23) Other utilities.
 - 24) Finished floor elevation.
 - 25) Requested administrative modifications and alternative standards.
 - 26) Note stating required exterior finish, if applicable.
 - 27) Location of all proposed free-standing signage.
 - 28) Location of free-standing light fixtures.
- d. Construction plans, as outlined in Section III.4.4.B., for any site improvements.
- e. Traffic Impact Analysis. Assumptions and parameters for the Traffic Impact Analysis shall be approved by the City Engineer prior to completing the analysis. May be on 8.5" by 11" paper with no location map, scale or north arrow.
- f. Landscape Plan, prepared by a landscape architect registered in the State of Texas which shall include and be presented as follows:
- 1) Landscape requirement table listing each applicable landscaping requirement and the landscaping provided to meet that requirement; landscape strip, tree in strip, parking lot landscape area, tree in parking lot, mitigation requirement (if any).
 - 2) Landscape materials table listing the common name, scientific name, quantity, size, and any symbol or abbreviation used on the plan for each plant species used.
 - 3) All easements and utility lines, overhead and underground.
 - 4) All pavement area measure in square feet, building areas measured in square feet, and detention/retention areas.
 - 5) All landscaped areas including landscape strips, buffers, parking lot islands, and any other plantings etc.
 - 6) Show location of all proposed plant materials, with species clearly labeled, consistent with landscape materials table.
 - 7) Label any trees planted for mitigation purposes with an "M."
 - 8) Name address and phone number for developer and landscape architect/designer.
 - 9) Site boundary.
 - 10) Landscape must be consistent with all other sheets submitted as part of the engineering site plan.

- 11) Landscape notes, including a note on automatic irrigation to be provided and planting details.
 - g. Tree survey and tree preservation plan, where required by and in compliance with Article VIII.4.
 - 1) Location of all protected trees.
 - 2) All pavement, building footprints, easements and existing and proposed grade.
 - 3) Table containing list of all protected trees, with information on species, DBH, whether preserved or removed, whether exempt or mitigation required and, if mitigation is required, the amount of inches or fee for that mitigation.
 - 4) A summary of the total inches removed requiring mitigation and how that mitigation will be provided.
 - h. Conceptual façade plans showing each building elevation with building materials labeled, windows, doors, heights and including a material percentage table. Building elevations shall be labeled by the cardinal direction they face and reference the street they face, [if] any.
 - i. Turning templates to ensure fire access. Details on requirements for turn templates shall be kept on file by the Fire Marshal.
 - j. Tax certificates showing no taxes due. These do not need to be formatted.
 - k. Photometric plans with information as required in Article VIII.7.
 - l. Other approvals as required by this UDC.
 2. The City Engineer may waive the submission of certain information or plans if in his judgment said information or plans are not necessary based on the particular characteristics of the proposed development.
- D. **Approval Authority** - Engineering site plans and any associated administrative modifications as defined in Article IV.3 of this UDC may be approved by the Planning Director or City Engineer, as provided for in that Chapter. Requests for variances or alternative standards must be approved in accordance with this UDC before staff can approve an engineering site plan.
- E. **Effect of Approval** - Approval of an engineering site plan is the City's authorization for commencement of construction of private and public infrastructure and to apply for approval of building permits. So long as the engineering site plan remains valid, the City shall not apply any additional requirements concerning building placement, streets, drives, parking, landscaping, or screening. Engineering site plan approval is separate and distinct from other permits and approvals as may be required by the City and other regulatory agencies. Approval of an engineering site plan shall not affect other applicable regulations concerning development and land use. Engineering site plan approval shall expire upon completion of the improvements shown on the engineering site plan. Subsequent additional development, site modifications, and redevelopment shall be permitted only in accordance with this Chapter.
- F. **Period of Validity** - An approved engineering site plan shall expire two (2) years following the date of original approval, if no progress has been made toward completion of the project, as "progress" is defined in V.T.C.A., Local Government Code § 245.005. If progress has been made on only a single phase of the property and for improvements, the engineering site plan for the remaining phase shall be null and void.
- G. **Lapse in Approval** - The applicant shall be required to submit a new engineering site plan for review and approval subject to the then existing regulations. However, the applicant may apply to extend the period of validity in accordance with Section III.4.5.B of this Chapter, below.

CHAPTER VII.2. ALLOWED USES BY DISTRICT

Exhibit VII.2.3-2 Residential Zoning Districts

EXHIBIT VII.2.3-2 RESIDENTIAL ZONING DISTRICTS																
USES	AO	R-18	R-12	R-9	R-7.5	R-6	R-5	DU	ETH	TH	TH-2	MF-1	MF-2	MF-3	MHP	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
ACCESSORY USES																
Accessory Structure	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Article VII.3.2
Accessory Use												A	A	A		
Backyard Cottage	A	A	A	A	A	S	S		S							Article VII.3.1
Carport	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.2
Cemetery or Columbarium when Accessory to a Religious Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Day Care, In-Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.6
Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.10
Solar Energy System	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.17
Wind Energy Conversion System	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.21
Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	For the use of residents and their guests
AGRICULTURAL AND ANIMAL USES																
Agricultural, Farming, Ranching	A															

EXHIBIT VII.2.3-2 RESIDENTIAL ZONING DISTRICTS																
USES	AO	R-18	R-12	R-9	R-7.5	R-6	R-5	DU	ETH	TH	TH-2	MF-1	MF-2	MF-3	MHP	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
EDUCATIONAL, INSTITUTIONAL, PUBLIC AND SPECIAL USES																
Assisted Living Facility												A	A	A		Article VII.3.15
Cemetery, Columbarium, Mausoleum	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	A/S	Allowed by right when as a use accessory to a religious facility, otherwise SUP required.
Continuing Care Facility												A	A	A		Article VII.3.15
Country Club or Golf Course	A	A	A	A	A	A	A	A	A	A						
Governmental Office and Service	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.15
Long Term Care Facility												A	A	A		
Private Recreation Area/Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Public Park and Playground	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Religious Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
School, Private	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
School, Public or Parochial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
RESIDENTIAL USES																
Dormitory for Students												A	A	A		
Dwelling, Two-Family (Duplex)					A	A	A	A		A	A					

EXHIBIT VII.2.3-2 RESIDENTIAL ZONING DISTRICTS																
USES	AO	R-18	R-12	R-9	R-7.5	R-6	R-5	DU	ETH	TH	TH-2	MF-1	MF-2	MF-3	MHP	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Household Care Facility	A	A	A	A	A	A	A	A	A	A	A					
Independent Living Facility												A	A	A		Article VII.3.15
Manufactured Home															A	Article VII.3.11
Manufactured Home Community															A	Article VII.3.11
Multi-Family Dwelling												A	A	A		
Single-Family Attached Dwelling								A	A	A	A					Article VII.3.16
Single-Family Detached Dwelling	A	A	A	A	A	A	A	A	A	A	A					
SERVICE USES																
Day Care Center												A	A	A		Article VII.3.6
TEMPORARY USES																
Asphalt/ Concrete Batch Plant (Temporary)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Real Estate Sales Office (Temporary)		A	A	A	A	A	A	A	A	A	A					Article VII.3.19
Temporary Construction Building	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.19
TRANSPORTATION, UTILITY AND COMMUNICATIONS USES																
Amateur Radio Communication Antenna/ Support Structure	A	A	A	A	A	A	A	A	A	A	A					Article VII.3.5

EXHIBIT VII.2.3-2 RESIDENTIAL ZONING DISTRICTS																
USES	AO	R-18	R-12	R-9	R-7.5	R-6	R-5	DU	ETH	TH	TH-2	MF-1	MF-2	MF-3	MHP	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Communication Antenna (Over 25 feet in height)	A/S															Article VII.3.5
Communication Antenna (Up to 25 feet in height)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article VII.3.5
Communication Support Structure	A/S															Article VII.3.5
Gas and Oil Drilling Related Use	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Private Utility Plant or Substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
ACCESSORY USES						
Accessory Building	A	A	A	A	A	Article VII.3.2
Accessory Structure	A	A	A	A	A	Article VII.3.2
Accessory Use	A	A	A	A	A	
Backyard Cottage		A	A			Article VII.3.1
Accessory Dwelling Unit (Commercial)	A	A	A	A	A	Article VII.3.1
Carport		A	A			Article VII.3.2
Cemetery, Columbarium, Mausoleum	A	A	A	A	A	Allowed by right only when associated with a religious facility; otherwise not allowed.
Day Care, In-Home	A	A	A	A	A	Article VII.3.6
Home Occupation	A	A	A	A	A	Article VII.3.10
Solar Energy System	A	A	A	A	A	Article VII.3.17
Wind Energy Conversion System	A	A	A	A	A	Article VII.3.21
Electric Vehicle Charging Station	A	A	A	A	A	
AGRICULTURAL AND ANIMAL USES						

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Animal Care (Indoor)			A/S	A/S	A/S	Article VII.3.3
Animal Care (Outdoor Pens or Runs)			S	S		
Veterinarian (Indoor Pens)			A/S	A/S	A/S	Article VII.3.3
Veterinarian (Outdoor Pens and Runs)				A	A	
EDUCATIONAL, INSTITUTIONAL, PUBLIC AND SPECIAL USES						
Business or Commercial School or other Institution of Education	A/S(1)		A	A	A	(1) SUP required in the Main Street Corridor Subarea when on the first floor of a building
Cemetery, Columbarium, Mausoleum		S	S		S	
Community Center			A	A	A	
Governmental Office and Service	A	A	A	A	A	
Public Park and Playground	A	A	A	A	A	
Public Utility Plant or Substation	A	A	A	A	A	
Religious Facility	A	A	A	A	A	
School, Private	A	A	A	A	A	
School, Public or Parochial	A	A	A	A	A	

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
MANUFACTURING AND INDUSTRIAL USES						
Brewery, Distillery, or Winery	A		A	A	A	
OFFICE AND PROFESSIONAL USES						
Medical Office and Clinic	A/S(1)&(2)		A/S(2)	A/S(2)	A/S(2)	(1) SUP required in the Main Street Corridor Subarea when on the first floor of a building Article VII.3.23
Professional and Administrative Office	A/S(1)	A	A	A	A	
RESIDENTIAL USES						
Dwelling, Two-Family (Duplex)		A	A			
Household Care Facility		A	A			
Multi-Family Dwelling	A		A	A	A	Article VII.3.22
Single-Family Attached Dwelling			A	A	A	Article VII.3.16
Single-Family Detached Dwelling		A	A	A		
RETAIL USES						
Bakery/Food Production with Retail Sales	A	A	A	A	A	
Bar	S		S			

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Building Material Sales, Including Lumber Yard			S			
Food Truck Park	S		S			Article VII.3.8
Grocery Store	A		A	A	A	
Restaurant	A		A	A	A	
Restaurant, Stand Alone	A		A	A	A	
Retail Store or Shop	A		A	A	A	
SERVICE USES						
Bank or Financial Institution	A/S(1)		A	A	A	(1) SUP required in the Main Street Corridor Subarea when on the first floor of a building
Bed and Breakfast		S	S	S	S	Article VII.3.4
Commercial Amusement (Indoor)	A		A	A	A	
Day Care Center			A	A	A	Article VII.3.6
Dry Cleaning/ Laundry Service			A	A	A	
Extended Stay Hotel			S	S	S	Article VII.3.9
Fraternal Organization or Lodge						

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Funeral Home or Mortuary			S	S	S	
Hotel, Motel or Inn	A		A	A	A	Article VII.3.9
Licensed Massage Therapy			A/S	A/S	A/S	Article VII.3.23
Personal Service	A		A	A	A	
Smoking Establishment			S	S		
Theater	A		A	A	A	
TEMPORARY USES						
Asphalt/Concrete Batch Plant (Temporary)						
Outside Display			A	A	A	
Seasonal Sales			A	A	A	Article VII.3.13
Temporary Construction Building		A	A	A	A	Article VII.3.19
Temporary Snow Cone Stand				S	S	
TRANSPORTATION, UTILITY AND COMMUNICATIONS USES						
Amateur Radio Communication Antenna/Support Structure			A	A		Article VII.3.5

EXHIBIT VII.2.3-3 MIXED-USE ZONING DISTRICTS						
USES	OTC	OTMU-1	OTMU-2	MU	MU-90	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
Communication Antenna (over 25 feet in height)			A/S			Article VII.3.5
Communication Antenna (up to 25 feet in height)	A	A	A	A	A	Article VII.3.5
Communication Support Structure			A/S			Article VII.3.5
Private Utility Plant or Substation	S	S	S	S	S	
VEHICLE AND RELATED USES						
Gasoline Service Station			S	S		Article VII.3.20
Parking Garage or Structure			S	S	S	Article VII.3.20

Exhibit VII.2.3-4 Non-residential Zoning Districts

EXHIBIT VII.2.3-4 NON-RESIDENTIAL ZONING DISTRICTS											
USES	OD	MD	LC	GB	GB-2	LI	WH	HI	PU	SU	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES
ACCESSORY USES											
Accessory Building	A	A	A	A	A	A	A	A			
Accessory Dwelling Unit (Commercial)			S	S	S	S	S	S			Article VII.3.1
Accessory Structure	A	A	A	A	A	A	A	A	A		
Accessory Use	A	A	A	A	A	A	A	A			
Cemetery, Columbarium, Mausoleum	A	A	A	A	A	A	A	A	A		Allowed by right only when associated with a religious facility otherwise not allowed
Outside Storage (Accessory)				A	A	A	A	A			Article VII.3.12
Solar Energy System	A	A	A	A	A	A	A	A			Article VII.3.17
Unmanned Aircraft System Staging Area		S	S	A	A	A	A	A	A		Article VII.3.25
Wind Energy Conversion System	A	A	A	A	A	A	A	A			Article VII.3.21
Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	
AGRICULTURAL AND ANIMAL USES											
Animal Care (Indoor)	A		A	A	A	A					Article VII.3.3
Animal Care (Outdoor Pens or Runs)			S	S	S						
Agricultural, Farming, Ranching	S	S	S	S	S	S	S				
Veterinarian (Indoor Pens)	A		A	A	A	A					Article VII.3.3
Veterinarian (Outdoor Pens and Runs)				S	S	S					
EDUCATIONAL, INSTITUTIONAL, PUBLIC AND SPECIAL USES											
Assisted Living Facility		A									Article VII.3.15

Exhibit B Use Chart

Business or Commercial School or other Institution of Education	A		A	A	A	A		A			
Cemetery, Columbarium, Mausoleum	S	S	S	S	S	S	S	S	S		
Chapter 748 Operation		S									
Community Center			A	A	A	A			A		
Continuing Care Facility	S	A	S	A	A						Article VII.3.15
Criminal or Penal Institution										A	
Hospital		A									Article VII.3.23
Landfill Operation and Accessory Use										A	
Long Term Care Facility		A									Article VII.3.15
Governmental Office and Service	A	A	A	A	A	A	A	A	A		
Public Park and Playground	A	A	A	A	A	A	A	A	A		
Sports Field (Private), Stadium or Arena (Private)			S	S	S	S		S			
Public Utility Plant or Substation	A	A	A	A	A	A	A	A	A		
Religious Facility	A	A	A	A	A	A	A	A	A		
School, Private	A	A	A	A	A	A			A		
School, Public or Parochial	A	A	A	A	A	A			A		
MANUFACTURING AND INDUSTRIAL USES											
Asphalt/ Concrete Batch Plant (Permanent)								S			
Brewery, Distillery, or Winery				A	A	A		A			
Cleaning, Laundry and Textile Processing Plant						S		A			
Laboratory- Scientific Research and Testing		A				A	A	A			
Manufacturing, Light Intensity						A	A	A			

Exhibit B Use Chart

Manufacturing, Medium Intensity						S	A	A			
Manufacturing, Heavy Intensity							S	S			
Mining Activity										A	
Recycling Facility								S			
OFFICE USES											
Medical Office and Clinic	A	A	A	A	A	A					Article VII.3.23
Professional and Administrative Office	A		A	A	A	A					
RESIDENTIAL USES											
Dwelling Unit				S	S	S					Minimum 850 square feet per dwelling unit and must be located on the second story or higher, above a non-residential use.
Independent Living Facilities		A									Article VII.3.15
RETAIL USES											
Automobile Parts Sales			A	A	A	A					Wholly contained within a building and no service bays
Bakery/ Food Production with Retail Sales			A	A	A	A		A			
Bar				S	S	S		S			
Building Material Sales, Including Lumber Yard				S	S	S		S			
Food Truck Parks			S	S	S	S					Article VII.3.8
Grocery Store			A	A	A	A					
Kiosk			S	S	S	S					
Pawn Shop						A					
Plant Nursery, Retail Sale (Indoor)			A	A	A	A					
Plant Nursery, Retail Sale (Outdoor)			S	S	S	S		S			
Restaurant			A	A	A	A					

Exhibit B Use Chart

Restaurant, Stand Alone			A	A	A	A					
Retail Store or Shop			A	A	A	A					
SERVICE USES											
Bank or Financial Institution	A		A	A	A	A					
Beverage Container Recycling Collection Unit			S	S	S	S		S			
Commercial Amusement (Indoor)			A	A	A	A		A			
Commercial Amusement (Outdoor)				S	S	S		S			
Credit Access Business						A					
Day Care Center	A	A	A	A	A	A					Article VII.3.6
Dry Cleaning/ Laundry Service			A	A	A	A					
Extended Stay Hotel				S	S	S		S			Article VII.3.9
Flea Market - Outdoor				S	S	S		S			
Fraternal Organization or Lodge			A	A	A	A					
Funeral Home or Mortuary				S	S	S		S			
Hotel, Motel, and Inn				A	A	A		A			Article VII.3.9
Licensed Massage Therapy	A	A	A	A	A	A					Article VII.3.23
Nightclub				S	S	S		S			
Personal Service			A	A	A	A					
Recreational Vehicle Park						S		S			
Service Contractor				A	A	A	A	A			
Shooting Range, Indoor/ Outdoor						S		S			
Theater			A	A	A	A					
TEMPORARY USES											

Exhibit B Use Chart

Asphalt/ Concrete Batch Plant (Temporary)	A	A	A	A	A	A	A	A			
Seasonal Sales	S	S	A	A	A	A					Article VII.3.13
Temporary Construction Building	A	A	A	A	A	A	A	A	A		Article VII.3.19
Temporary Snow Cone Stand			S	S	S	S					
TRANSPORTATION, UTILITY AND COMMUNICATIONS USES											
Airport or Heliport						S		S			
Broadcasting Station or Studio with Towers (Radio or Television)				S	S	S		S			
Communication Antenna (Over 25 feet in height)			S	S	S	S	S	S			Article VII.3.5
Communication Antenna (Up to 25 feet in height)	A	A	A	A	A	A	A	A			Article VII.3.5
Communication Support Structure			S	S	S	S	S	S			Article VII.3.5
Helipad or Helistop		S		S	S	S		S			
Gas and Oil Drilling Related Use						S	S	S	S		
Private Utility Plant or Substation	S	S	S	S	S	S	S	S	S		
Contractor's Yard							S	S			
VEHICLE AND RELATED USES											
Auction Yard (Vehicle)						S		S			Article VII.3.20
Automobile Repair (Major)						S	A/S	A/S			Allowed by right if meeting all supplemental use regulations in Article VII.3.20, otherwise a SUP is required
Automobile Repair (Minor)			A/S	A/S	A/S	A/S	A/S	A/S			Allowed by right if meeting all supplemental use regulations in Article VII.3.20, otherwise a SUP is required
Automobile Sales and Leasing				S	S	S		S			Article VII.3.20
Automobile Salvage								S			Article VII.3.20
Boat Sales and Service				S	S	S	S	S			
Car Wash			A/S	A/S	A/S	A/S	A/S	A/S			Allowed by right if meeting all supplemental use regulations in Article VII.3.20, otherwise a SUP is required

Exhibit B Use Chart

Farm Implement Sales and Service				S	S	A		S			Article VII.3.20
Gasoline Service Station			S	A/S	A/S	A/S		A/S			Allowed by right if meeting all supplemental use regulations in Article VII.3.20, otherwise a SUP is required
Heavy Equipment Sales/ Rental and Service						S		S			Article VII.3.20
Junk Yard								S			Article VII.3.20
Manufactured Home Display and Sale						S		S			Article VII.3.20
Motor Freight Terminal						S	S	S			Article VII.3.20
Motorcycle Sales and Service				S	S	S		S			Article VII.3.20
Recreational Vehicle Sales and Service						S		S			Article VII.3.20
Recreational Vehicle Storage						S	S	S			Article VII.3.20
Truck Parking Lot							S	S			Article VII.3.20
Wrecker Service								S			Article VII.3.20
WAREHOUSE AND STORAGE USES											
Outside Storage (Principal Use)							S	S			Article VII.3.12
Self-Service Storage Facility						S	S				Article VII.3.14
Storage Warehouse with Outside Storage Yards							S	S			Article VII.3.12
Warehouse Distribution Facility						A	S	A			
Wholesale Establishment				S	S	S	S	A			

CHAPTER VII.3. SUPPLEMENTAL USE REGULATIONS

The uses below have supplemental requirements based on the nature and impact of the use. These use-specific regulations are designed to mitigate the concerns associated with the specific use so that it may be compatible within the zoning districts allowed. These regulations are needed to protect health, safety and welfare while adding flexibility to allow uses by right. The uses listed in this Chapter must comply with the additional standards outlined herein. If these standards cannot be met, the applicant may apply for a special use permit to modify or waive the applicable standard, unless the applicable standard provides for modification or waiver of the standard by an administrative modification or an alternative standard. No special use permit, alternative standard, or administrative modification may authorize a violation of local, state, or federal law, and if granted, any special use permit, alternative standard, or administrative modification that authorizes such a violation shall be void.

Section VII.3.1. Accessory Dwelling Units

- A. **Accessory Dwelling Units (Commercial)** - One (1) accessory dwelling unit (commercial) in a non-residential building may be allowed as an accessory use when the occupant is an owner, manager, security guard or other person employed by the business. The dwelling unit shall:
 - 1. Be a minimum of 400 square feet.
 - 2. Contain a private bathroom containing a shower or tub, toilet and sink.
 - 3. Contain a private kitchen with full size refrigerator, oven and cooktop.
- B. **Backyard Cottages** - Backyard cottages shall meet the standards of the specific zoning district and the following additional requirements:
 - 1. One (1) backyard cottage is allowed per lot and must be located on the same lot as the principal building.
 - 2. The property owner must occupy either the principal building or the backyard cottage as a permanent residence.
 - 3. The backyard cottage shall not be sold separately from the principal building.
 - 4. A backyard cottage shall have a minimum floor area of 300 square feet and a maximum floor area of 800 square feet or 50 percent of the principal building, whichever is greater.
 - 5. One (1) dedicated off-street parking space is required for the backyard cottage. This standard may be modified or waived by an alternative standard.
 - 6. The principal building, the backyard cottage, and any other allowed accessory buildings and structures shall not exceed the maximum lot coverage for the zoning district.
 - 7. Backyard cottages must be architecturally designed to be compatible with the principal building. This standard may be modified or waived by an administrative modification.
 - 8. Detached backyard cottages may be located within required yards, except where otherwise specified, subject to the following requirements:
 - a. Be located behind the principal building;
 - b. Not exceed the height of the principal building;
 - c. Meet the minimum required side yard along the street if located on a corner lot and be a minimum of five feet (5') from any other lot lines; except that it may be three feet (3') from any lot line along an alley. See Exhibit VII.3.1-1.

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- d. For non-corner lots, be a minimum of five feet (5') from any lot lines; except that it may be three feet (3') from any lot line along an alley. See Exhibit VII.3.1-2.

EXHIBIT VII.3.1-1 BACKYARD COTTAGE ON CORNER LOT

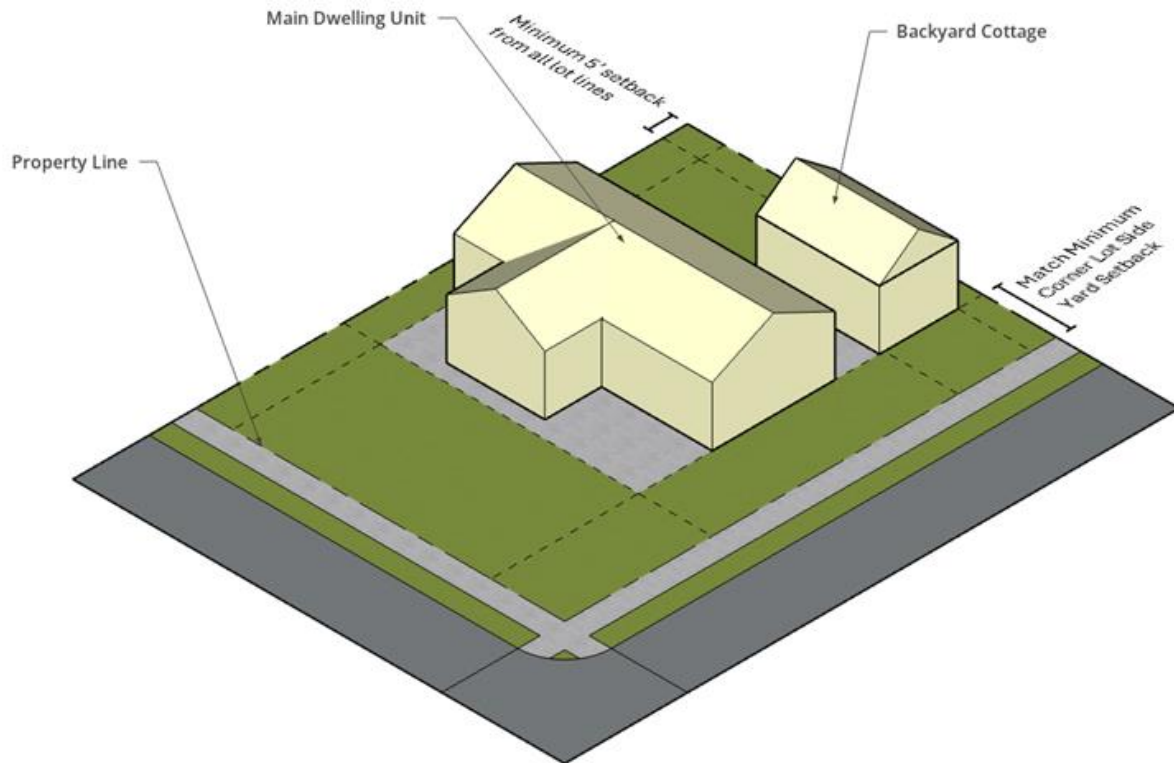
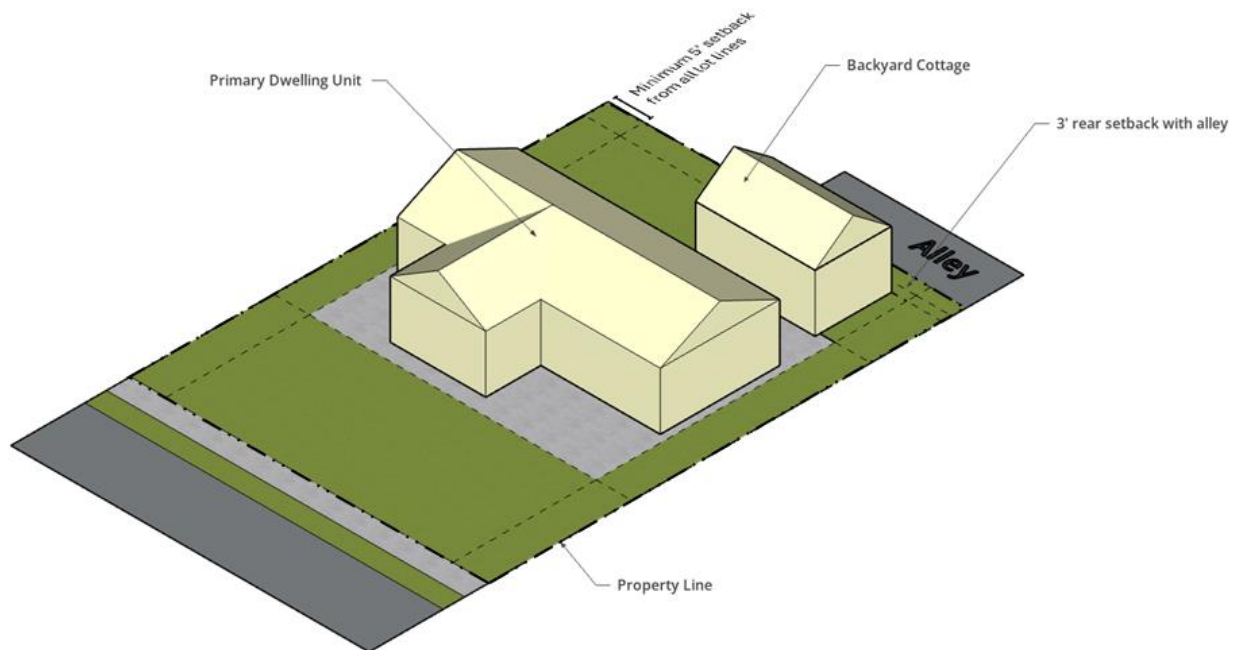


EXHIBIT VII.3.1-2 BACKYARD COTTAGE NOT ON CORNER LOT



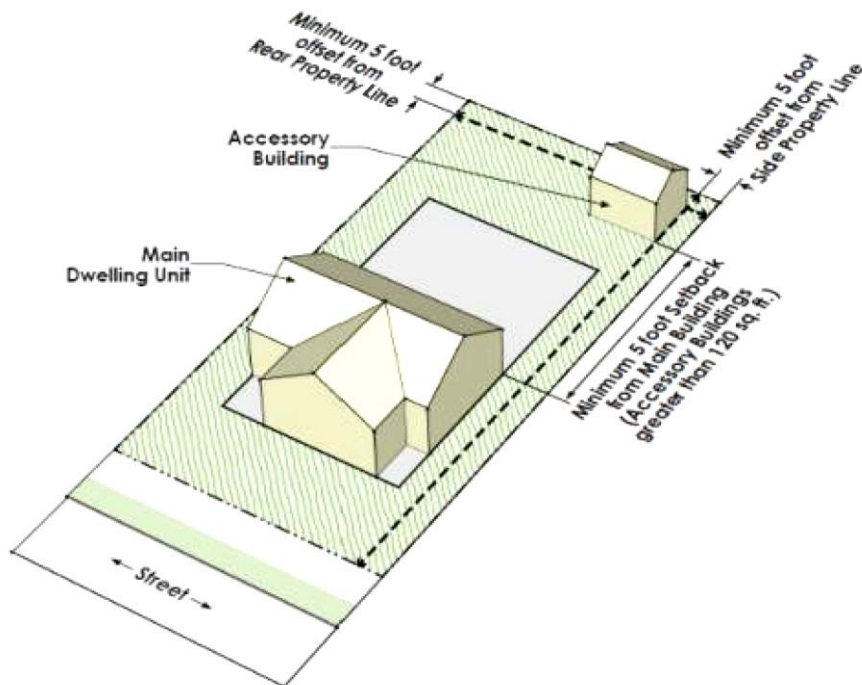
9. Attached backyard cottages must comply with all minimum yard or height requirements of the principal building.

Section VII.3.2. Accessory Buildings/Accessory Structures

- A. In single-family (AO, TH, TH-2, ETH, R-5, R-6, R-7.5, R-9, R-12, R-18), two-family residential zoning districts, and for single family attached uses, single family detached uses and duplex uses in all other zoning districts, accessory buildings/accessory structures shall not be used for non-residential purposes or for home occupations.
- B. Maximum floor area and number of accessory buildings/accessory structures allowed:
 1. Lot area of 7,500 square feet or smaller: One (1) accessory building/accessory structure not to exceed 250 square feet.
 2. Lot area of 7,501 to less than 18,000 square feet: Two (2) accessory buildings/accessory structures with an aggregate total not to exceed 500 square feet.
 3. Lot area of 18,000 square feet or larger: Two (2) accessory buildings/accessory structures with an aggregate total not to exceed 800 square feet.
 4. Lot area of 12,000 square feet or larger: May apply for a special use permit for up to two (2) accessory buildings/accessory structures with an aggregate total square footage greater than that which is allowed herein.
- C. **Location on Building Lot**
 1. Accessory buildings/accessory structures must be set back a minimum of five (5) feet from side and rear lot lines. For residential lots served by alleys, carports shall not be located closer than three (3) feet from any side or rear lot line.

2. Accessory buildings/accessory structures greater than 120 square feet in size must be set back a minimum of five (5) feet from the principal building. See Exhibit VII.3.2-3
3. In residential zoning districts, accessory buildings/accessory structures, including carports, shall not be located in front of the principal building.

EXHIBIT VII.3.2-3 RESIDENTIAL ACCESSORY BUILDINGS



- D. An accessory building/accessory structure shall not exceed the height of the principal building.
- E. An accessory building/accessory structure may not be placed in an easement.
- F. Accessory buildings/accessory structures must be architecturally designed to be compatible with the principal building. This standard may be modified or waived through an alternative standard.

Section VII.3.3. Animal Care (Indoor) and Veterinarian (Indoor Pens)

- A. Animal Care (Indoor) and Veterinarian (Indoor Pens) uses must be operated in a building.

Section VII.3.4. Bed and Breakfast

- A. Guest stays are limited to 30 consecutive days.
- B. Limited to ten (10) guest rooms.

Section VII.3.5. Communications Antennas and Communication Support Structures

- A. All monopole and lattice towers which are more than 25 feet tall shall be placed at a distance of at least three (3) times the height of the monopole or lattice tower from the nearest lot in a single-family residential or duplex zoning district. Communication antennas and communication support structures may not be placed between the building and any street.
- B. Monopole and lattice towers which are placed on the ground and have a total height, including antenna, of not more than 25 feet above ground level shall be allowed in all zoning districts and shall be exempt from distance to height ratios contained in this Section and special use permit requirements contained in this UDC.
- C. A communication antenna not taller than 15 feet may be placed on a building or structure in all zoning districts and shall be exempt from distance to height ratios contained in this Section and special use permit requirements contained in this UDC. Communication antennas placed on buildings or structures shall be allowed, by right, as an accessory use in all residential zoning districts as enumerated in Article VII.2.4 and in office district (OD) and medical district (MD) zoning districts, or as a principal use in all other zoning districts.
- D. Communications antennas may be placed within spires, belfries, and other architectural features as an accessory use when integrated into the design.
- E. Communications antennas may be placed on electric transmission towers as an accessory use.

Section VII.3.6. Day Care Centers and Day Care (In-Home)

- A. **Day Care Centers**
 - 1. If required by the State of Texas, a day care center must be licensed or registered.
 - 2. No day care center shall be part of a single-family or two-family dwelling.
- B. Day Care (In-Home) is allowed as a home occupation in the caretaker's residence subject to the following:
 - 1. If required by the State of Texas, a day care (in-home) must be licensed or registered.
 - 2. Care may be provided to a maximum of 12 children, including the caretaker's own children.

Section VII.3.7. Reserved for Future Use

Section VII.3.8. Food Truck Parks

- A. Food trucks in a food truck park must be parked on pavement. This standard may be modified or waived by an alternative standard.

Section VII.3.9. Hotels, Motels or Inns and Extended Stay Hotels

- A. The following minimum standards apply to all hotels, motels or inns and extended stay hotels constructed or modified in the OTC, OTMU1 or OTMU2 zoning districts if such modification exceeds 50 percent of the then current appraised value (as set by the appropriate county's Appraisal District) of the existing hotel, motel or inn or extended stay hotel:
 - 1. The minimum guest room or suite size shall be 400 square feet of livable floor space. This requirement shall be exclusive of garages, porches, breezeways and entry halls. A room size summary table shall be included on the Old Town development plan for all hotel, motel or inn and extended stay facilities.

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2. All guest rooms or suites shall be accessible from a common interior corridor. This standard may be modified or waived by an alternative standard.
 3. At least one (1) staff member shall be available on-site 24 hours a day, seven (7) days a week. This standard may be modified or waived by an alternative standard.
- B. The following minimum standards apply to all hotels, motels or inns and extended stay hotels constructed or modified in any zoning district other than in Subsection A above, if such modification exceeds 50 percent of the then current appraised value (as set by the appropriate county's Appraisal District) of the existing hotel, motel or inn or extended stay hotel:
1. The minimum guest room size shall be 325 square feet.
 2. All guest rooms shall be accessible from a common interior corridor. This standard may be modified or waived by an alternative standard.
 3. At least one (1) staff member shall be available on-site 24 hours a day, seven (7) days a week. This standard may be modified or waived by an alternative standard.
 4. Daily housekeeping service is available to all guests. This standard may be modified or waived by an alternative standard.
 5. All guest rooms must include, at a minimum, a bed, dresser, nightstand, and television. This standard may be modified or waived by an alternative standard.
 6. A minimum of 120 guest rooms is required.
 7. All new construction shall be a minimum of four (4) stories in height.
 8. All elevations shall have a uniform level of quality and shall incorporate the same architectural features and facade articulation including the following, but:
 - a. Variation in building form such as recesses and projections;
 - b. Vertical accents or focal points;
 - c. Change in material and texture;
 - d. Emphasis on building entry through form, detail, color or materials;
 - e. Recessed windows minimum of three inches (3");
 - f. Projecting windowsills; and
 - g. Projecting cornices, roofs.Any portion of this standard may be modified or waived by an alternative standard.
- C. Two (2) of the following five (5) items shall be included in all hotels, motels or inns and extended stay hotels to which subsection B applies:
1. Fitness facility - Minimum 400 square feet.
 2. Indoor or outdoor pool - Minimum 1,000 square feet.
 3. Salon, spa or sauna - Minimum 800 square feet.
 4. Gift shop - Minimum 400 square feet.
 5. Private, enclosed or partially enclosed space with plantings, decorative pavement, and seating space - Minimum 1,000 square feet.

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- D. Three (3) of the following five (5) items shall be included in all hotels, motels or inns and extended-stay hotels to which subsection B applies:
1. Landscaping and hardscaping
 - a. Landscaping shall be increased by 30 percent from the then current city standards; and
 - b. Enhanced hardscaping shall be used in pedestrian areas, walkways from parking spaces to the primary entrance, and at the primary entrance. Enhanced hardscaping may include brick/concrete pavers, pave stones, stamped and stained concrete or similar materials.
 2. A restaurant or bar
 - a. Minimum hours of operation shall be from 6:00 p.m. to 11:00 p.m.
 - b. Minimum seating capacity of 50.
 - c. Full-service or counter service only.
 3. Meeting or conference room
 - a. Minimum 1,500 square feet which may be one (1) large room or a combination of several rooms.
 - b. Guest rooms and lobbies shall not count toward minimum square footage.
 4. Height - Minimum five (5) stories.
 5. Facades
 - a. Eighty percent stone, brick veneer, or a combination thereof shall be used on all facades.
 - b. Exterior insulated finishing systems (EIFS) shall not be used below nine (9) feet from finished grade.

Section VII.3.10. Home Occupations

Home occupations may be conducted in accordance with the following requirements:

- A. The number of employees, clients or patrons on the property where the home occupation is operated at any time may not exceed the maximum occupancy for that property under the current adopted version of the residential code.
- B. There shall be no external visual evidence of the home occupation detectable at the street, including but not limited to displays, signs, smoke, dust, glare, and storage of materials, goods, supplies or equipment. In addition, the home occupation shall not substantially increase noise in the area or violate the noise ordinance.
- C. The home occupation shall not generate on-street parking or a substantial increase in traffic through the area.

Section VII.3.11. Manufactured Homes and Manufactured Home Communities

- A. Except as provided herein, all manufactured home communities must also meet the requirements of Volume 1, Chapter 7.IV of the Code of Ordinances regulating manufactured homes and manufactured home parks.
- B. A six-foot (6') tall screening wall is required around all sides of a manufactured home community. The screening wall shall be constructed and maintained by the property owner of the manufactured home community. This standard may be modified or waived by an alternative standard.

Section VII.3.12. Outside Storage

A. General Requirements

1. Outside storage must not be placed:
 - a. Within the minimum required yards on the building lot;
 - b. Within parking spaces, fire lanes, easements, access aisles, customer pick-up zones, or loading spaces;
 - c. Where it obstructs visibility or interferes with pedestrian or vehicular circulation;
 - d. On the roof of any building or structure; or
 - e. So as to exceed the height of any required screening outlined in Section VIII.5.6, except that living plants and trees may exceed the height of the required screening.
2. The maximum permitted area of outside storage is as set forth in Exhibit VII.3.12-1 below:

EXHIBIT VII.3.12-1 PERMITTED AREA OF OUTSIDE STORAGE	
USE	MAXIMUM STORAGE AREA
Accessory	10% of the total lot area
Principal	80% of the total lot area or as constrained by minimum required yards, whichever is more restrictive
Plant Nursery, Retail Sale (Outdoor)	80% of the total lot area or as constrained by minimum required yards, whichever is more restrictive

3. A paved or gravel surface is not required for outside storage; however, access aisles, fire lanes and driveways that access the storage area must be paved. This standard may be modified or waived by an alternative standard.

Section VII.3.13. Seasonal Sales

- A. Seasonal sales may not exceed 30 days or 60 days for temporary Christmas tree lots.
- B. Seasonal sales shall comply with Volume 1, Chapter 7.XIV (Seasonal/Temporary Sales Activities) and Article XII (Temporary Christmas Tree Lots) of the Code of Ordinances.

Section VII.3.14. Self-Service Storage Facility

This use may include office space for the purposes of managing the facility; however, individual units may not be used for any purpose other than storage of household and personal property.

Section VII.3.15. Independent Living, Assisted Living, Long Term Care or Continuing Care Facility

- A. **Minimum Age Requirement for Independent Living Facility** - After the death of a family member who was 55 years or older, surviving member(s), regardless of age, may continue to occupy the dwelling unit.
- B. **Walls or Fences** - Walls or fences of not more than six (6) feet in height may be constructed in the front yard of a building lot for assisted living, long term care facilities or continuing care facilities, provided the construction is at least 50 percent open. This standard may be modified or waived by an alternative standard.

Section VII.3.16. Single-Family Attached Dwellings (Townhouses)

- A. No more than nine (9) single-family attached dwelling units may be attached to each other without a separation between dwelling units.

Section VII.3.17. Solar Energy Systems

- A. As an accessory use, solar energy systems shall comply with the following:
 - 1. Building-mounted systems shall be installed flush parallel with the roof and shall not extend more than 12 inches above the roof surface. If screened from street view by a parapet, the solar collectors may be mounted at an angle to the roof and may extend more than 12 inches above the roof surface, but no portion of the solar collectors may exceed the height of the parapet. This standard may be modified or waived by an alternative standard unless exceeding the heights set forth herein would cause the building-mounted system to exceed the maximum allowed building height for the zoning district.
 - 2. Ground-mounted systems shall not be located in front of the main building or within any required yards and shall not exceed six (6) feet in height.
 - 3. Ground-mounted systems shall not be included in the calculation of lot coverage.
 - 4. Solar energy systems that use concentrator technologies and have not incorporated antiglare measures shall be placed where the concentrated solar glare shall not be directed onto adjacent inhabited properties or rights-of-way. This standard may be modified or waived by an alternative standard.
- B. As a principal use, solar energy systems shall comply with the following:
 - 1. Ground-mounted systems shall not be located within required yards and shall not be included in the calculation of lot coverage.
 - 2. Solar energy systems that use concentrator technologies and have not incorporated antiglare measures shall be placed where the concentrated solar glare shall not be directed onto adjacent inhabited properties or rights-of-way. This standard may be modified or waived by an alternative standard.

Section VII.3.18. State-Licensed Vehicle Storage Facility

- A. No vehicle shall be stored for more than 45 days.

Section VII.3.19. Temporary Construction Buildings

- A. **Temporary Construction and Homebuilder Activities**
 - 1. Temporary construction buildings and real estate sales offices (temporary) shall be limited in time to a period not exceeding 24 months, however, this may be extended by the Building Official.
- B. Temporary construction buildings shall be located on the same property or on an adjacent property under the same ownership as the construction being supported.

Section VII.3.20. Vehicle and Related Uses

The following standards apply to all vehicle and related uses, as enumerated in the use tables in Article VII.2.4 of this UDC, when constructed or enlarged.

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- A. A minimum 40-foot landscape strip shall be provided along all public streets with shade trees every 30 feet on center, understory trees every 30 feet on center and a solid evergreen shrubbery hedge. The landscape strip may be reduced in width as allowed in Article VIII.3.4 but shall not be reduced to less than 15 feet and shall contain shade trees every 30 feet on center and a solid evergreen shrubbery hedge. This standard may be modified or waived by an alternative standard.
 - B. Signs shall only be low-profile/monument signs and wall signs. This standard may be modified or waived by an alternative standard.
 - C. Service bay doors shall not face public and private streets or adjacent residential uses. This standard may be modified or waived by an alternative standard.
 - D. Vehicle and related uses may not be located (a) within 1,000 feet of an existing vehicle and related use; (b) at the intersection of two (2) collector or higher classification thoroughfares as shown on the Thoroughfare Plan; or (c) within 200 feet of property zoned for or developed with single-family, duplex, or multi-family uses.

Section VII.3.21. Wind Energy Conversion Systems.

- A. Wind energy conversion systems must meet the height, setback and other requirements of the base zoning district.

Section VII.3.22 Multi-Family Dwelling

In the OTC and OTMU2 zoning districts, the ground floor of all buildings which include multi-family dwellings shall be designed to accommodate non-residential uses for a depth of at least 24 feet facing Main Street, Church Street, College Street and/or Mill Street by meeting the standards below. Any standard in this section, except for section VII.3.22.G.2, may be modified or waived by an alternative standard.

- A. The ceiling height shall not be less than 12 feet.
- B. Ceilings and walls separating the area designed to accommodate non-residential uses from any residential uses in the same building shall have fire separation as required to separate residential from non-residential per the adopted building code.
- C. The exterior ground floor architecture shall reflect a vernacular commercial storefront designed as outlined in Appendix 1, Old Town Design Guidelines, Chapter 7, Section 2, and consist of a minimum of 60 percent glazing.
- D. Space for future signage shall be provided on the exterior of the building above first floor windows.
- E. Access to the area designed to accommodate non-residential uses shall meet all applicable accessibility standards for such uses, including, but not limited to, ramps and width of doors.
- F. The building must have access to either a minimum nine-foot by nine-foot concrete space to accommodate an outdoor receptacle for non-residential use or a trash compactor that can be shared with non-residential uses.
- G. The ground floor must comply with at least one of the following:
 - 1. Ground floor podiums will be constructed using load-bearing columns, whereby the ground floor space which is designed to accommodate non-residential uses may be demolished and remodeled.
 - 2. All ground floor space will utilize girders or beams to connect two or more adjacent dwelling units to create a minimum of 1,400 square feet of connected space for non-residential uses. An alternative construction technique to girders or beams may be approved by the Planning Director

as an administrative modification, but any such alternative construction technique must allow for a minimum of 1,400 square feet of connected space.

- H. Post-tensioned foundation design shall not be allowed in the interior slabs for areas designated to accommodate non-residential uses.

(Ord. No. 0534-23-ORD, § 1, 3-20-2023)

Section VII.3.23. Medical Office and Clinic, Hospital, and Licensed Massage Therapy

- A. A special use permit shall be required for any medical office and clinic, hospital, or licensed massage therapy:
1. where two or more arrests have occurred for at least three offenses under Section 43.02, 43.021, 43.03, 43.04, 43.05, or 71.02 of the Texas Penal Code; or
 2. where an offense under Chapter 20A, or Section 34.02, 43.02, 43.021, 43.03, 43.04, 43.05, or 71.02 of the Texas Penal Code, was committed that resulted in a conviction; or
 3. that is operating at a location where a medical office and clinic, hospital, or licensed massage therapy which was required by this section to obtain a special use permit based on subsection A.1 or A.2, above, previously operated, whether or not the special use permit was ever obtained; or
 4. that is operating at a location where a medical office and clinic, hospital, or licensed massage therapy owned or operated by an individual who was arrested for an offense listed in subsection A.1 or was convicted of an offense listed in subsection A.2 previously operated.
- B. A special use permit required by this section shall:
1. require as a condition that the medical office and clinic, hospital, or licensed massage therapy limit its hours of operation to between the hours of 7:00 a.m. and 10:00 p.m.; and
 2. expire after two years unless otherwise provided by the City Council, except that the ordinance granting a special use permit required by this section may be revoked by the City Council as provided for in subsection D or repealed by the City Council as provided for in subsection H, below.
- C. Upon the expiration of a special use permit required by this section, the medical office and clinic, hospital, or licensed massage therapy shall no longer require a special use permit under this section unless and until, subsequent to the expiration of the special use permit any of the conditions in subsection A occur.
- D. The City Council may, on its own motion, call a public hearing to consider revoking a special use permit under this section by repealing the ordinance granting such special use permit:
1. the conditions outlined in the special use permit required by this section are not being met; or
 2. any additional arrest or citation in lieu of arrest for an offense listed in subsection A.1, or an offense listed in subsection A.2 resulting in a conviction, occurs at the location of a medical office and clinic, hospital, or licensed massage therapy operating pursuant to a special use permit required by this section.
- E. If a special use permit required by this section is revoked by the City Council as outlined in subsection D, the medical office and clinic, hospital, or licensed massage therapy requiring a special use permit under this section may no longer operate in the location where the special use permit had been required. Following revocation of such special use permit under this subsection, a medical office and clinic, hospital, or licensed massage therapy shall not be eligible to apply for a special use permit under this section in the same location for one year following repeal.
- F. To obtain a special use permit required by this section, in addition to the items required in Article III, Chapter 9, the owner or operator will be required to provide documentation showing what actions the owner or

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(Supp. No. 1, Update 3)

operator has taken to ensure that no further violations of the Texas Penal Code as listed in Subsections A.1. or A.2, above, occur at the medical office and clinic, hospital, or licensed massage therapy.

- G. Any medical office and clinic, hospital, or licensed massage therapy required to obtain a special use permit pursuant to subsections A.3 or A.4 may submit a request to the City Council for an exemption from such requirement.
1. The request for an exemption must include documentation sufficient to demonstrate the owner or operator has undertaken or implemented procedures and controls to prevent the commission of any offense listed in subsections A.1 or A.2 at the medical office and clinic, hospital, or licensed massage therapy.
 2. The City Council shall consider, but is not required to approve, the requested exemption at the City Council's next regularly scheduled meeting that allows sufficient time to comply with Chapter 551 of the Texas Government Code if:
 - a. in the two-year period preceding the date of the request for an exemption, an arrest has not occurred nor has a citation in lieu of arrest been issued for an offense listed in subsection A.1, nor has a conviction resulted from an offense listed in subsection A.2 committed at the medical office and clinic, hospital, or licensed massage therapy requesting the exception; and
 - b. the current owner of the medical office and clinic, hospital, or licensed massage therapy is not an individual who has been arrested or issued a citation in lieu of arrest for offenses listed in subsection A.1 or convicted of an offense listed in subsection A.2.
- H. Any owner of a new medical office and clinic, hospital, or licensed massage therapy operating or wishing to operate in a location which has a special use permit required by this section may submit a request to the City Council to repeal the ordinance granting the special use permit before the end of the then-current two-year term.
1. The request for repeal must include documentation sufficient to demonstrate the owner or operator has undertaken or implemented procedures and controls to prevent the commission of any offense listed in subsections A.1 or A.2 at the medical office and clinic, hospital, or licensed massage therapy.
 2. The City Council shall consider, but is not required to approve, the request to repeal the ordinance granting the special use permit if:
 - a. in the two-year period preceding the date of the request for repeal, an arrest has not occurred nor has a citation in lieu of arrest been issued for an offense listed in subsection A.1, nor has a conviction resulted from an offense listed in subsection A.2 committed at the medical office and clinic, hospital, or licensed massage therapy requesting the repeal; and
 - b. the current owner of the medical office and clinic, hospital, or licensed massage therapy requesting the repeal is not an individual who has been arrested or issued a citation in lieu of arrest for an offense listed in subsection A.1 or been convicted of an offense listed in subsection A.2.

(Ord. No. 0609-23-ORD, § 1, 11-6-2023)

Section VII.3.24. Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; and Warehouse Distribution Facility

Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; and Warehouse Distribution Facility uses are subject to the following standards:

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- A. No portion of a property containing a Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; or Warehouse Distribution Facility use may be located within 500 feet (500') of a property line of any property containing any use listed in Section VII.2.4.
1. This regulation shall not apply when:
- a. Every property within 500' contains one of the following uses:
 - i. Any use in the Manufacturing and Industrial Uses category as set forth in Section VII.2.4;
 - ii. Any use in the Temporary Uses category as set forth in Section VII.2.4;
 - iii. Any use in the Transportation, Utility and Communications Uses category as set forth in Section VII.2.4;
 - iv. Any use in the Warehouse and Storage Uses category as set forth in Section VII.2.4;
 - v. Landfill Operation and Accessory Use;
 - vi. Automobile Salvage;
 - vii. Junk Yard;
 - viii. Motor Freight Terminal; or
 - ix. Truck Parking Lot.
 - b. The use is or will be located in:
 - i. a building or structure in use as a Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; or Warehouse Distribution Facility use on March 3, 2025 as evidenced by a certificate of occupancy which was current and valid on that date; or
 - ii. if no certificate of occupancy exists for the building or structure, a building or structure which the Planning Director has determined, following review of any documentation he may deem relevant or helpful, to have been in use as a Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; or Warehouse Distribution Facility use on March 3, 2025; or
 - iii. a building or structure within a planned development district that authorizes the use or states that the purpose of the planned development district is to allow light industrial and manufacturing uses; or
 - iv. a building or structure designed for a Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; or Warehouse Distribution Facility use as designated on an Engineering Site Plan in effect on March 3, 2025; or
 - v. a building or structure: (1) designed for a Manufacturing, Light Intensity; Manufacturing, Medium Intensity; Manufacturing, Heavy Intensity; or Warehouse Distribution Facility use as designated on a Concept Plan or Engineering Site Plan for which a complete development application had been submitted to and accepted by the City and was under review by City staff on March 3, 2025; and (2) which was subsequently built in accordance with said Concept Plan or Engineering Site Plan as finally approved, so long as such finally approved Concept Plan or Engineering Site Plan designates the building or structure as designed for one of the above listed uses; or
 - vi. a building or structure which is less than 25,000 square feet.

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2. When a change is proposed to a building or structure described in Subsections VII.3.24.A.1.b.i, ii, and iv through vi that would require the submission of a new Engineering Site Plan as outlined in Section III.4.3, the exceptions set forth in those subsections shall no longer apply to that building or structure.
 3. Nothing in this subsection A shall be construed to remove or alter any other regulation in this UDC, including but not limited to abrogating a requirement to obtain a special use permit or altering the legal nonconforming status of an existing use, building lot, building structure, or site improvement which is based on any other regulation in this UDC.
- B. In addition to the landscape strip requirements in Sections VIII.3.4.A and VIII.3.4.B and in lieu of the screening requirements in Section VIII.5.3, a 50-foot landscape strip is required along all public or private streets and any property line adjoining all uses listed in Section VII.2.4 except for the uses listed in Subsections VII.3.24.A.1.a.i through ix above. In cases where a landscape strip is required along a public or private street under this Subsection A and the regulations set forth in this Section 24 conflict with the requirements of Sections VIII.3.4.A and VIII.3.4.B, the regulations set forth herein shall prevail. This standard may be modified or waived by an alternative standard.
1. The turf and groundcover requirements of Section VIII.3.4.A.4 shall apply to the landscape strip. The landscape strip shall contain the following elements:
 - a. A landscape berm which must be a minimum of five feet above the average grade of the nearest back-of-curb/pavement edge elevation or property line elevation, whichever is applicable, and the finished floor elevation of the building;
 - b. A row of evergreen understory trees a minimum of 6 feet tall at planting spaced 20 feet on center;
 - c. A double row of shade trees staggered and spaced 30 feet on center; and
 - d. An eight (8)-foot-tall masonry screening wall along the property line adjacent to any property occupied by any use in the Residential Uses category as set forth in Section VII.2.4 or designated as a residential zoning district listed in Exhibit VII.2.3-2, Residential Zoning Districts.
 - e. This standard may be modified or waived by an alternative standard.
- C. Truck docks shall not face any: public or private street; open space, including a public park and playground; or property occupied by any use in the Residential Uses category as set forth in Section VII.2.4 or designated as a residential zoning district listed in Exhibit VII.2.3-2, Residential Zoning Districts. This standard may be modified or waived by an alternative standard.
- D. The open sides of truck courts shall be screened from any street and adjoining properties with a minimum 12-foot-tall masonry or concrete tilt wall screening wall, which may have openings to accommodate required fire lanes and access aisles. The open sides of truck courts adjoining the uses listed in Subsections VII.3.24.A.1.a.i through ix above are exempt from this screening standard. This standard may be modified or waived by an alternative standard.
- E. These supplemental use regulations shall be in addition to the requirements of Section VI.8.1, IH-35E Corridor Overlay District. In cases where these supplemental use regulations conflict with the requirements of Section VI.8.1, IH-35E Corridor Overlay District, these supplemental use regulations shall prevail.

Section VII.3.25. UAS Staging Area requirements.

- A. A UAS staging area must be designated on an approved engineering site plan or, when an engineering site plan is not required, a building permit. This standard may be modified or waived by an administrative modification.
- B. A UAS staging area shall not be located within:

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1. 300 feet of any property upon which a residential use, independent living facility, assisted living facility, continuing care facility, public park and playground, private recreation area/facility, or hospital is located, unless the UAS is associated with and serving the hospital;
 2. 300 feet of the Lewisville Lake Environmental Learning Area (LLELA); or
 3. a fire lane, City-owned easement, parking lot access aisle, required maneuvering area, stacking space, required setback, required landscape area, required open space area, loading space, or required minimum parking space.
- C. The placement of a UAS staging area may not obstruct visibility or interfere with pedestrian or vehicular circulation. This standard may be modified or waived as an alternative standard.
- D. The minimum number of required parking spaces is reduced by 10% in order to accommodate the UAS staging area.
- E. A UAS Staging area may be non-contiguous.
- F. The following standards regulate UAS staging areas based on location:
1. When a UAS staging area is located on top of a building:
 - a. Any mechanical equipment mounted on the roof, excluding landing pads and docking stations, is subject to the roof-mounted equipment screening requirements in Section VIII.5.4. and shall follow the relief procedures applicable to that section.
 2. When a UAS staging area is attached to the side of a building:
 - a. The total height of the UAS staging area shall not extend above the top edge of the facade of the building where it is mounted unless otherwise allowed as an alternative standard, except that the UAS staging area may not exceed the maximum height requirement of the zoning district.
 - b. The UAS staging area may not be located on a street-facing façade. This standard may be modified or waived by an alternative standard.
 3. When a UAS staging area is located outside and is not attached to a building:
 - a. The UAS staging area, whether contiguous or noncontiguous, is limited to 10% of the total lot area or 1,000 square feet, whichever is greater.
 - b. Any goods, materials or other equipment in the UAS staging area is subject to the outside storage screening requirements in Section VIII.5.6. and shall follow the relief procedures applicable to that section.
 - c. Landing pads and docking stations are not required to be screened.
 4. When a UAS staging area is located within a building:
 - a. A UAS staging area located inside of an accessory structure is limited to a maximum of 10% of the total floor area of the principal building.
- G. Fencing. If fencing is provided, it must be permanent and cannot be chain link fencing but instead shall be one of the styles listed below. Any standard in this section may be modified or waived by an alternative standard.
1. Decorative wrought iron or tubular steel fence;

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2. Masonry compatible with the architecture and consistent with the materials of the building;
or
 3. Other open style fencing materials used in combination with consistent landscaping around the edge.
- H. UAS and the placement, location, and use of UAS staging areas shall comply with all federal, state, and local laws.
- I. Exemptions. UAS staging areas owned or operated by the City police and fire departments are exempt from the supplemental use regulations set forth in this Section VII.3.25..

CHAPTER VIII.5. SCREENING REQUIREMENTS

Section VIII.5.1. Purpose

This Chapter provides for visual screening as a transition between land uses of different character and to minimize noise, glare, light, litter and other potential nuisances. Screening required in this Chapter is intended to improve the appearance of development and provide an attractive streetscape.

Section VIII.5.2. Types of Screening

A. Screening types and composition are described below in Exhibit VIII.5.2-1.

EXHIBIT VIII.5.2-1 TYPES OF SCREENING	
TYPE	DESCRIPTION & COMPOSITION
Type 1	Six (6) foot tall screening wall with 10-foot landscape strip with shade trees* spaced 50 feet on center
Type 2	Eight (8) foot tall screening wall with 10-foot landscape strip with shade trees* spaced 30 feet on center
Type 3	Six (6) foot tall living screening with irrigation (See section VIII.5.2.B.)
Type 4	Six (6) foot tall wrought iron or tubular steel fence with columns made of brick, stone, decorative blocks or thin-wall brick and a six (6) foot tall living screen with irrigation (See section VIII.5.2.B.)
<i>*Shade trees that may be used are listed in Exhibit VIII.3.3-2 of this Article.</i>	

B. Living screens shall be irrigated and utilize native or adapted plant species that are drought tolerant, from the approved plants in Exhibit VIII.3.3-4 list marked as evergreen or other species as may be approved by the Parks and Recreation Director. Shrubs shall be a minimum of four (4) feet in height at planting and shall achieve a height of six (6) feet in two (2) years (for a required six (6) foot tall living screen) or eight (8) feet in three (3) years (for an eight-foot (8') tall living screen). The property owner and/or developer shall furnish all labor, materials, equipment, accessories, meters, irrigation and services necessary to install, maintain, and replace all plant materials when and if they become damaged or die.

Section VIII.5.3. Screening Between Different Zoning Districts, Uses, or Use Categories

A. Screening is required between the following zoning districts, uses, or use categories:

EXHIBIT VIII.5.3-1 EXISTING ADJACENT ZONING DISTRICT, USE, OR USE CATEGORY							
Zoning District, Use, Or Use Category Of Development Or Redevelopment	Single-Family Attached Dwelling Use, Single-Family Detached Dwelling Use, or Single-Family Zoning District (R-5, R-6, R-7.5, R-9, R-12, R-18, TH, TH2, ETH, MHP)	Multi-Family Dwelling Use or Multi-Family Zoning District (MF-1, MF-2, MF-3)	Public Park and Playground Use; or Country Club or Golf Course Use	Uses in the Following Use Categories: Office Uses; Retail Uses; Service Uses; Educational Institutional, Public and Special Uses; Agricultural and Animal Uses	Uses in the Following Use Categories: Manufacturing and Industrial Uses, Transportation, Utility and Communications Uses; Vehicle and Related Uses; and Warehouse and Storage Uses	Religious Facilities Use, Cemetery Use, Mausoleum Use, or Columbarium Use	Public and Parochial Schools Use
Single-Family Attached Dwelling Use, Single-Family Detached Dwelling Use, or Single-Family Zoning District (R-5, R-6, R-7.5, R-9, R-12, R-18, TH, TH2, ETH, MHP)	None	Type 1	None	Type 1	Type 2	Type 3	Type 4
Multi-Family Dwelling Use or Multi-Family Zoning District (MF-1, MF-2, MF-3)	Type 1	None	None	Type 1	Type 2	Type 3	Type 4
Uses in the Following Use Categories: Office Uses, Retail Uses, and Service Uses	Type 1	Type 1	Type 3	None	None	None	None
Manufacturing and Industrial Uses, Transportation, Utility and Communications Uses; Vehicle	Type 2	Type 2	Type 4	None	None	None	None

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and Related Uses; and Warehouse and Storage Uses Communications Uses; Vehicle and Related Uses; and Warehouse and Storage							
Religious Facilities Use, Cemetery Use, Mausoleum Use, Columbarium Use	Type 3	Type 3	None	None	None	None	None
Public and Parochial Schools Use	Type 4	Type 4	None	None	None	None	None

- B. **Responsibility for Construction and Maintenance** - Where development or redevelopment triggers screening as required in Exhibit VIII.5.3-1, the owner or developer of the development or redevelopment shall be responsible for constructing and maintaining, or causing to be constructed or maintained, said screening.

Section VIII.5.4. Screening of Ground-Mounted and Roof-Mounted Equipment

- A. Roof-mounted equipment shall be screened from a viewpoint measured at five (5) feet above grade at the street line along all right-of-way frontages by a parapet wall or similar feature that is an integral part of the building or structure. See Exhibit VIII.5.4-1.
- B. Except as otherwise provided for in section VIII.5.7 (Screening Requirements for Ground-Mounted Solar Energy System), ground-mounted equipment shall be screened from view along all right-of-way frontages by a living screen, a wrought iron or tubular steel fence, or screening wall that is compatible with the architecture, materials, and landscaping of the site. The screening shall be of a height equal to or greater than the height of the ground-mounted equipment being screened. See Exhibit VIII.5.4-1.

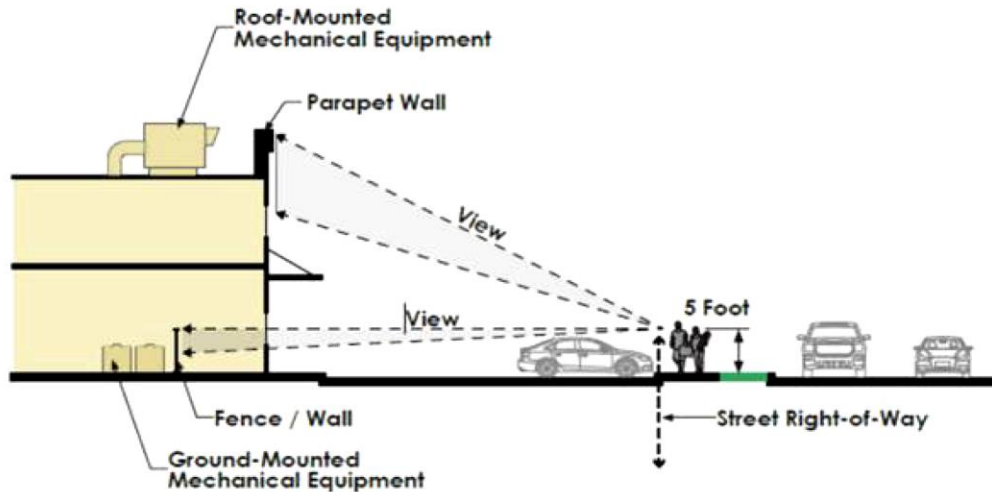


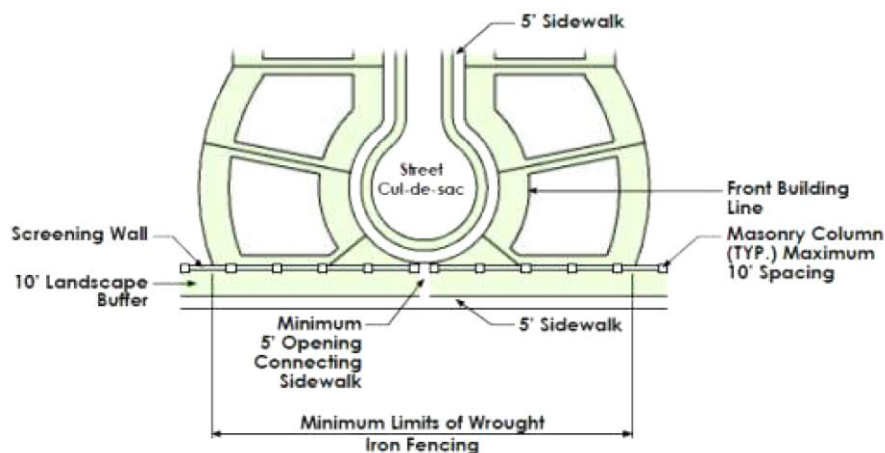
EXHIBIT VIII.5.4-1 SCREENING ROOF AND GROUND MOUNTED EQUIPEMENT

Section VIII.5.5. Screening Residential Adjacent to Thoroughfares

All new subdivisions for single-family detached, two-family and single-family attached lots which back or side to thoroughfares, as identified on the Thoroughfare Plan, shall provide screening from the thoroughfare. Screening is also required where an alley is parallel to and adjacent to a thoroughfare. Screening shall meet the following requirements:

- A. **Screening Options** - Developers may choose from Types 1—4 as described in Section VIII.5.2. above, and meet the requirements of this Section for wall materials and Chapter 3 of this Article for landscaping installation. See Exhibit VIII.5.5-1 for landscaped edge placement.

EXHIBIT VIII.5.5-1 LANDSCAPED EDGE PLACEMENT



B. Screening Placement

1. **Walls** - Walls shall be placed on the property line of lots backing or siding to a street. A four-foot (4') wide easement shall be provided along the length of the wall for city maintenance.

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- a. **Adjacent to An Alley** — Where an alley is parallel to and adjacent to the street, the wall shall be placed where the alley right-of-way meets the street right-of-way, as shown in Exhibit **IX.4.4-19**.
 - b. **Adjacent to Lots that Side to Thoroughfare** - Where single-family lots side to a thoroughfare, a combination of a wall and tubular steel type fence may be installed if the tubular steel type fence does not exceed 40 percent of the surface of the wall. The tubular steel type fence shall not extend beyond the front yard setback as shown in Exhibit VIII.4-1, and where a cul-de-sac extends to the thoroughfare a five-foot (5') wide opening in the fence is required for pedestrian access, as shown in Exhibit VIII.5.4.
 - 2. **Landscaping and Living Screens** as part of required screening under this Section VIII.5.5 shall be located in lots designated to be open spaces and owned and maintained by a homeowners' association.
 - C. **Maintenance Fee** - The developer shall pay a screening wall maintenance fee as required by Volume 1, Chapter 2-201 of the Code of Ordinances (Fee Schedule) for Type 1 and Type 2 screening walls to supplement future maintenance costs.

Section VIII.5.6. Screening Requirements for Outside Storage

- A. Outside storage must be screened as follows unless modified or waived by an alternative standard:
 - 1. Where adjacent to or within 25 feet of a public street, outside storage shall be screened by a minimum six-foot (6') tall screening wall which shall be placed behind the required landscape strip.
 - 2. Where not adjacent to or within 25 feet of a public street, outside storage shall be screened with a minimum six-foot (6') tall fence or screening wall.
- B. Chain link with vinyl slats shall not be used for screening of outside storage.
- C. Gates at access aisles and driveways are not required to be of solid construction.

Section VIII.5.7. Screening Requirements for Ground-Mounted Solar Energy System

- A. **Residential Installations** - Ground-mounted solar energy systems must be screened from adjacent streets and properties by a minimum six-foot (6') tall solid fence.
- B. **Installations on Non-residential Uses** - Ground-mounted solar energy systems must be screened from public streets by a minimum eight-foot (8') tall screening wall.

Section VIII.5.8. Administrative Modifications for Screening

The Planning Director may approve an administrative modification to the requirements of this Article that is being requested for one (1) of the following reasons:

- A. To accommodate a site-specific condition related to screening, including topography, existing vegetation, or other factors specific to the individual property. The Planning Director may approve the installation of either a living screen with irrigation or a wrought iron or tubular steel fence with masonry columns and a living screen with irrigation. Such living screens with irrigation shall meet the requirements contained in Section VIII.5.2.B above.
- B. To accommodate a site-specific condition related to ground-mounted or roof-mounted equipment. The Planning Director may approve other methods to reduce the visual impact of the equipment including increased required yards, additional landscaping, grouping of equipment on the property and painting or otherwise camouflaging the equipment.

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- C. To allow existing screening devices on a property to remain in place as an alternative to the requirements of this Article. The Planning Director shall consider the condition and effectiveness of existing screening and its expected longevity and the compatibility of the specific uses in question and their potential to be reoccupied over time.

Section VIII.1.2. Design Standards

- A. All parking lots, loading spaces, residential driveways and drive approaches, and parking spaces shall be paved with concrete or asphalt, except as provided for in Subsection VIII.1.3.C, below. Volume 1, Chapter 15.15-134 of the Code of Ordinances shall govern storage and parking of special vehicles and recreational vehicles, as those terms are defined in that section, on private property within any single-family, attached or detached, or duplex residential zoning district, and such storage shall not be governed by this Zoning Ordinance.
- B. In non-residential and multi-family uses, parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs or other approved methods. Paint used for striping shall be regularly maintained to ensure identification of spaces.
- C. A parking surface in the front yard of a single-family detached dwelling shall:
 - 1. Be limited to 27 feet in width on lots 60 feet wide or greater or 45 percent of the lot width for lots less than 60 feet wide;
 - 2. For single-family detached lots greater than 4,000 square feet in size, parking and driveway areas shall not cover more than 45 percent of the required front yard or more than more than 50 percent of the area between the front building line and the front property line; and
 - 3. Be paved with concrete except that the existing material of the adjacent parking surface may be continued if the parking surface is expanded; provided that, the total expanded parking surface otherwise complies with the requirements herein.
- D. Duplexes constructed after the adoption of this UDC shall not have off-street parking located in any portion of a front yard between the principal building and a public or private street; except that if an existing structure is converted to a duplex any existing parking located between the principal building and public or private street may remain, but the parking area between the principal building and the street may not be enlarged.
- E. Lots with duplexes outside of the Duplex (DU) zoning district shall not have any garage door facing a public or private street that is not an alley; excepting a garage door facing another type of public or private street on a single-family home that is converted to a duplex may keep but not enlarge the existing garage door.
- F. Lots with front entry duplexes which are located in the Duplex (DU) zoning district may have garage doors facing the street.
- G. For front entry single-family detached platted after the adoption of this UDC, driveways shall be designed and located in accordance with one (1) of the following options:
 - 1. Located along one (1) side of the lot to access a detached or attached garage behind the main dwelling unit;
 - 2. Located to access an attached garage which does not face the public street; or
 - 3. Located to access an attached garage which faces the public street if the garage:
 - a. Does not extend more than (5) feet from the front face of the main dwelling unit;
 - b. The garage doors are constructed of wood, have windows, or feature decorative exterior hardware; and
 - c. if the lot is 40 feet or less in width the garage doors shall either have windows, decorative hardware, or be limited to nine (9) feet in width.

Section VIII.1.5. Location of Parking Spaces

All parking spaces shall be located on the same lot as the use served, except as follows:

- A. For non-residential uses the required parking spaces may be located on a separate lot from the use served, but no such parking space may be located more than 500 feet from the use served.
- B. Where the required parking spaces are not located on the same lot with the use served, a written agreement assuring their retention for such purposes shall be submitted with the engineering site plan application, and if the engineering site plan is approved, the written agreement shall be filed with the appropriate county.