

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

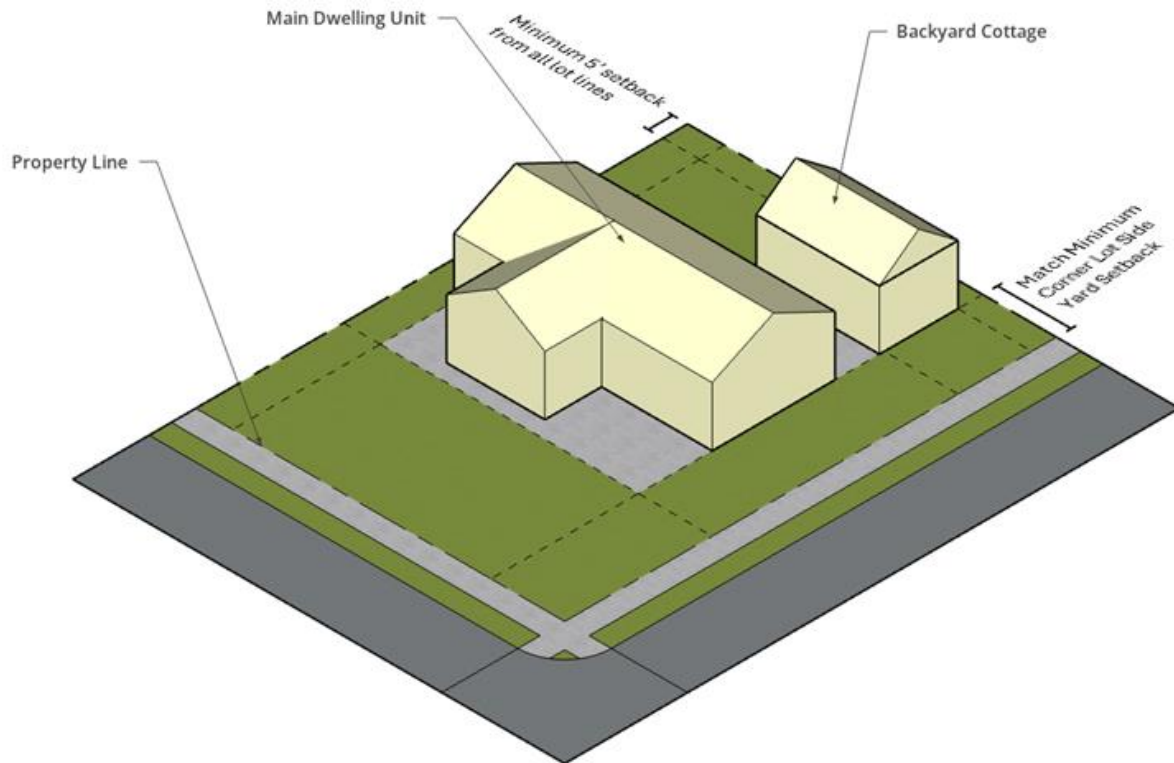
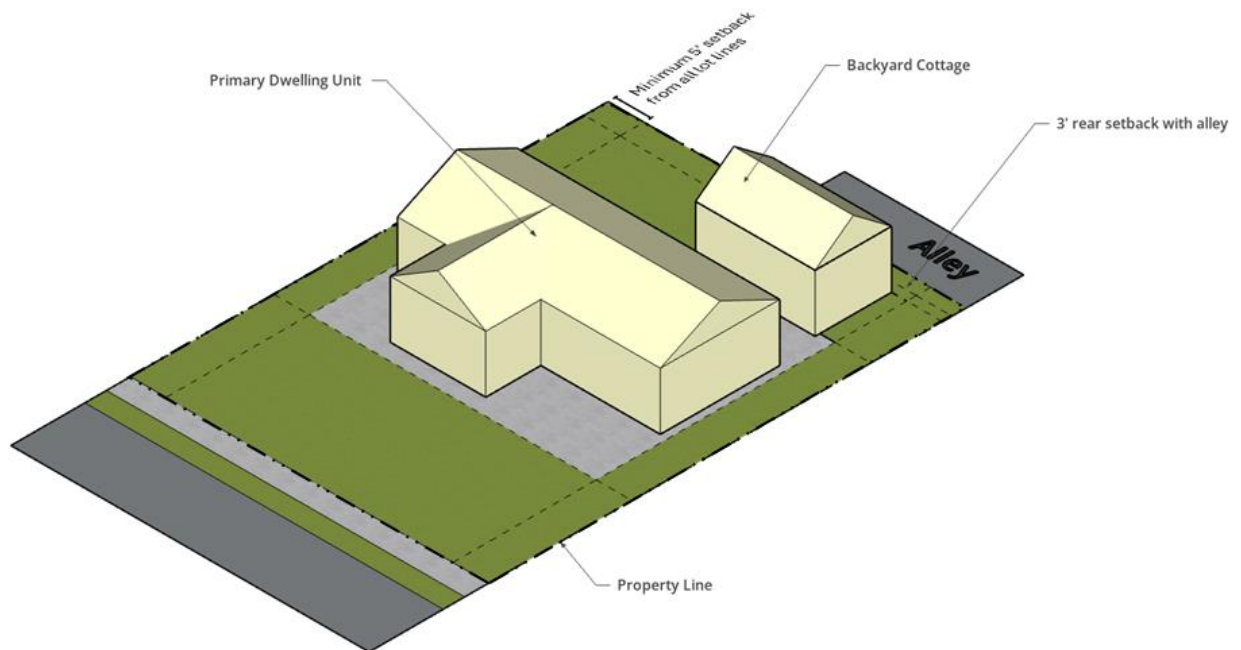


EXHIBIT VII.3.1-2 BACKYARD COTTAGE NOT ON CORNER LOT



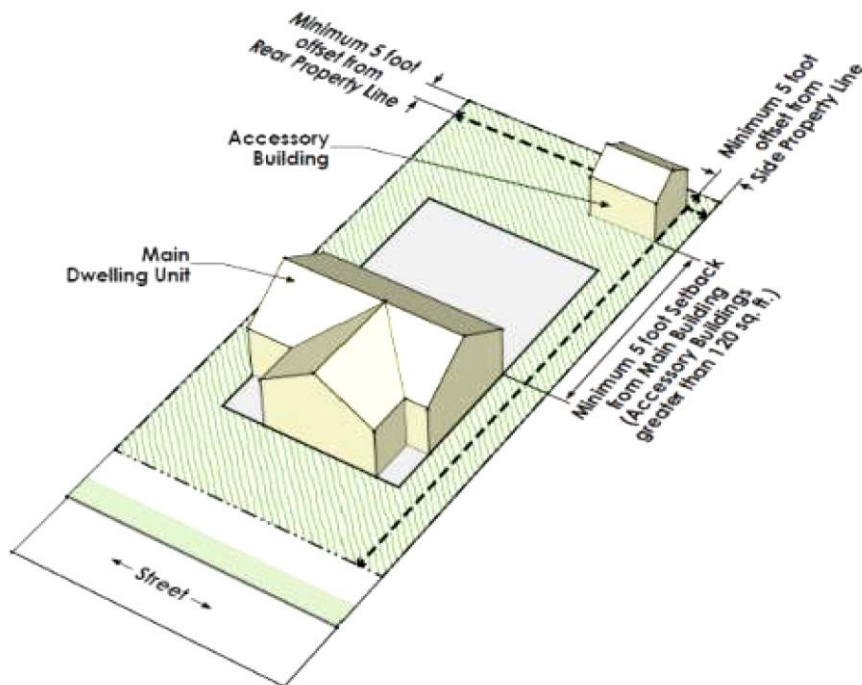
9. Attached backyard cottages must comply with all minimum yard or height requirements of the principal building.

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

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..