

**CITY OF LAVON**  
**ORDINANCE NO. 2026-03-01**

Zoning Amendment – Parking, Definitions, Res CUP Notification

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ARTICLE 9.03 ZONING ORDINANCE DIVISION 2 “DISTRICTS AND ZONING DISTRICT MAP” SECTION 9.03.032 “PERMITTED USE TABLE” AND DIVISION 8 “OFF-STREET PARKING AND LOADING REGULATIONS” SECTION 9.03.173 “OFF-STREET PARKING REQUIREMENTS” GENERALLY TO AMEND MINIMUM PARKING REQUIREMENTS AND ADD THE PARKING REQUIREMENTS TO THE PERMITTED USE TABLE; AN AMENDMENT TO DIVISION 2 “DISTRICTS AND ZONING DISTRICT MAP” SECTION 9.03.034 “AMENDMENTS TO THE OFFICIAL ZONING ORDINANCE AND ZONING DISTRICT MAP” GENERALLY TO AMEND SUBJECT PROPERTY NOTIFICATION SIGN REQUIREMENTS; AND AN AMENDMENT TO DIVISION 3 “DEFINITIONS” SECTION 9.03.061 “GENERAL” GENERALLY TO ADD AND AMEND USE DEFINITIONS; PROVIDING A PENALTY; SAVING AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lavon, Texas (hereinafter referred to as “City”) is a Home Rule Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

**WHEREAS**, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “Zoning Ordinance”); and

**WHEREAS**, this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

**WHEREAS**, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lavon, Texas, as follows:

**SECTION 1. Incorporation of Premises.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**SECTION 2. Zoning Amendment.** The Zoning Ordinance is hereby amended as provided in Exhibit “A” attached hereto and incorporated herein.

**SECTION 3. Compliance Required.** The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

**SECTION 4. Severability Clause.** Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

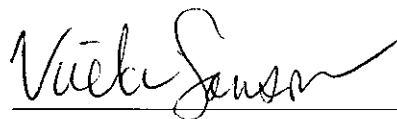
**SECTION 5. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 6. Penalty.** It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

**SECTION 7. Open Meeting.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

**SECTION 8. Publication and Effective Date.** That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on this 3<sup>rd</sup> day of March 2026.



Vicki Sanson, Mayor

**ATTEST:**



Rae Norton, City Secretary



**ORDINANCE NO. 2026-03-01**

**EXHIBIT "A"**

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use		C = Conditional Use				-- = Not Permitted			
RETAIL, COMMERCIAL, PERSONAL SERVICE USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>	
	A	SF-1	SF-2	SF-4	R	M	B		
Hospital or medical/health care facility	--	--	--	--	--	--	--	One parking space for every two patient beds plus One parking space for every <u>430 square feet of floor area</u> <u>1.5 employees.</u>	
Hotel	--	--	--	--	C	--	--	One parking space for each <u>guest sleeping</u> room plus One parking space for every 300 square feet of meeting or commercial assembly floor area.	
Insurance	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	<u>One parking space for every 300 square feet of floor space.</u>	
Medical and state licensed health services	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	<u>One parking space for every 200 square feet of floor area.</u>	
Medical office or clinic	--	--	--	--	--	--	--	One parking space for every 200 square feet of floor area.	
Merchandise rental	--	--	--	--	C	--	--	<u>One parking space for every 200 square feet of floor area.</u>	
Nursery, garden, landscape material sales	--	--	--	--	C	--	--	<u>One parking space for every 200 square feet of building floor area.</u>	
Retail Office/showroom/warehouse	--	--	--	--	--	--	--	One parking space per employee <u>and plus</u> One space for each <u>500-300</u> square feet of showroom space.	
Outdoor, drive-in or drive-thru sales or service activity, including rear yard patios	--	--	--	--	C	C <sup>6</sup>	--	<u>One space per 200 square feet, plus Six stacking spaces from the point where the order is placed, plus Three stacking spaces for mobile order windows</u>	
Personal services	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	C	One parking space for every 200 square feet of floor area.	
Pet grooming and care services	--	--	--	--	C	C	--	<u>One parking space for every 300 square feet of building floor area.</u>	
Pharmacy	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	<u>One parking space for every 200 square feet of building floor area.</u>	

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

RETAIL, COMMERCIAL, PERSONAL SERVICE USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Private clubs and organizations (indoor)	--	--	--	--	C	--	--	One space per 200 square feet of building floor area.
Professional service and sales	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	One parking space for every 300 square feet of floor area.
Recreational vehicle park of two or more vehicles	C	--	--	--	--	--	--	One parking space per vehicle, plus additional spaces based on accessory uses
Real estate	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	One parking space for every 300 square feet of floor space.
Restaurant	--	--	--	--	P	P	--	One parking space for every 100 square feet of building floor area <del>three (3) seats with a minimum of eight (8) parking spaces provided and one and one-half (1-1/2) parking spaces per employee.</del>
Retail sales	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	One parking space for every 2500 square feet of building floor area.
Second-hand/used goods/pawn shop	--	--	--	--	C <sup>5</sup>	--	--	One parking space for every 200 square feet of building floor area.
Smoke/tobacco/CBD store	--	--	--	--	C	C	--	One parking space for every 200 square feet of building floor area.
Storage, self-service	--	--	--	--	C	--	P <sup>1</sup>	One parking space per employee, <del>and plus</del> One parking space for each 300 square feet of office and showroom space.
Tattoo service and similar body artwork	--	--	--	--	C <sup>5</sup>	--	--	One parking space for every 200 square feet of building floor area.
Technical service and sales	--	--	--	--	P <sup>1</sup>	P <sup>1</sup>	--	One parking space for every 300 square feet of building floor area.
Theater	--	--	--	--	C	C	--	One space per every four seats
Vapor smoking services	--	--	--	--	C	C	--	One parking space for every 200 square feet of building floor area.

Figure 9.1.2.2

**PERMITTED AND PARKING USE TABLE**

P = Permitted Use

C = Conditional Use

-- = Not Permitted

RETAIL, COMMERCIAL, PERSONAL SERVICE USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Vehicle display and sales	--	--	--	--	--	--	--	<u>One parking space for every 200 square feet of building floor area</u>
Vehicle parking garage	--	--	--	--	--	--	--	<u>Parking ratio equivalent to the sum of the uses associated with the parking garage. If standalone, not associated with use, zero spaces required.</u>
Vertically mixed-use and residential	--	--	--	--	P	P	--	<u>(A) Residential uses: One space per dwelling unit, of which, a minimum 75% of the spaces shall be covered. Enclosed parking may be provided in lieu of covered spaces. (B) Non-residential uses: Spaces as required by proposed land use</u>
Veterinarian service, animal clinic	C	--	--	--	C	C	--	<u>One parking space for every 300 square feet of building floor area.</u>

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INSTITUTIONAL & CIVIC USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Cemetery or mausoleum	P	P	P	--	--	--	--	<del>cemetery parking requirement at a rate of 2.5 percent of the cemetery site shall be dedicated to off-street parking.</del> <del>For a cemetery gathering building, room or public structure the parking requirement shall be a minimum of plus</del> <del>One parking space for each 300 square feet of cemetery gathering building, room or public structure space. The interior roadways (non-public streets and roadways) of the cemetery may act to meet the cemetery parking requirement except for the building parking space requirement which shall be at a rate of 300 per square feet. Reference additional off-street parking requirements in Section 9.03.173.</del> One parking space for every 300 square feet of floor area, <del>except that for assembly areas plus</del> one space shall be provided for every four seats in an assembly area.
Church or place of worship	P	P	P	P	P	P	P	One parking space for every 300 square feet of floor area, <del>except that for assembly areas plus</del> one space shall be provided for every four seats in an assembly area.
<u>Civic Center</u>	--	--	--	--	--	--	--	One parking space for every 300 square feet of floor area, <del>except that for assembly areas plus</del> one space shall be provided for every four seats in an assembly area.

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INSTITUTIONAL & CIVIC USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Community recreational use	--	C	C	C	--	--	--	(A) One parking space for every two hundred square feet of building floor area. (B) Two parking spaces for every outside or inside game court. (C) One parking space for each four seats of outdoor assembly bleachers or indoor seating. (D) Seventy spaces for every playing field used for league play. (E) Two parking spaces for every golf course green or driving range tee. (F) Five parking spaces for every bowling alley.
Community swimming pool	--	C	C	C	--	--	--	<b>10 parking spaces</b>
Country club	--	C	C	C	--	--	--	(A) One parking space for every two hundred square feet of building floor area. (B) Two parking spaces for every outside or inside game court. (C) One parking space for each four seats of outdoor assembly bleachers or indoor seating. (D) Seventy spaces for every playing field used for league play. (E) Two parking spaces for every golf course green or driving range tee. (F) Five parking spaces for every bowling alley.

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INSTITUTIONAL & CIVIC USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Day care and educational facility - privately-owned	C	C	C	C	P	P	--	One parking space for every 250 square feet of building floor area, plus Three stacking spaces per drive through/pick-up lane if provided
Educational facility - public	P	P	P	P	--	--	--	One parking space per each employee, plus one parking space for every four classrooms for elementary levels, plus one parking space for every four students for secondary and higher levels of education.
Federal, state or city owned or controlled facilities or utilities	P	P	P	P	P	P	P	One parking space for every 300 square feet of building floor area
Franchise-holding facilities and utilities holding a franchise under the authorization of the city	C	C	C	C	C	C	P	One parking space per employee
Golf course	--	C	C	C	--	--	--	Two parking spaces for every golf course green or driving range tee.
Library	--	--	--	--	--	--	--	One parking space for every 400 square feet of floor area.
Municipal uses	P	P	P	P	P	P	P	One parking space for every 300 square feet of floor area.
Nursing home or assisted living facility	--	--	--	--	C	C	C	One space for every five beds
Open Space Preserves	P	P	P	P	P	P	P	Zero spaces required

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INSTITUTIONAL & CIVIC USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Public parks and playgrounds	--	P	P	P	P	P	P	(A) One parking space for every two hundred square feet of building floor area. (B) Two parking spaces for every outside or inside game court. (C) One parking space for each four seats of outdoor assembly bleachers or indoor seating. (D) Seventy spaces for every playing field used for league play. (E) Two parking spaces for every golf course green or driving range tee. (F) Five parking space per playground or dog park.
Public recreational facilities	--	P	P	P	P	P	P	(A) One parking space for every two hundred square feet of building floor area. (B) Two parking spaces for every outside or inside game court. (C) One parking space for each four seats of outdoor assembly bleachers or indoor seating. (D) Seventy spaces for every playing field used for league play. (E) Two parking spaces for every golf course green or driving range tee. (F) Five parking spaces for every bowling alley. (G) One parking space per acre.
Wind energy, utility or telecommunication tower	C	C	C	C	--	--	P	Zero spaces required

Figure 9.1.2.2

**PERMITTED AND PARKING USE TABLE**

P = Permitted Use

C = Conditional Use

-- = Not Permitted

AGRICULTURAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Animal husbandry, livestock	P	P	--	--	--	--	--	<u>Zero spaces required</u>
Crop cultivation, forestry, farming	P	P	--	--	--	--	--	<u>Zero spaces required</u>
Uses related to animal husbandry and raising of crops on unplotted land	P	P	--	--	--	--	--	<u>Zero spaces required</u>
Dairy farm	P	--	--	--	--	--	--	<u>Zero spaces required</u>
Wholesale plant nursery	P	--	--	--	--	--	--	<u>Zero spaces required</u>
Horse stables, riding academies and equestrian boarding	P	C	--	--	--	--	--	<u>One parking space per 500 square feet</u>

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INDUSTRIAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Alcohol: brewpub (on- and/or off-premises consumption)	--	--	--	--	C <sup>4</sup>	--	C <sup>4</sup>	One parking space for every 200 square feet of retail or event area for businesses including on-premises consumption, <u>plus</u> one parking space per employee on the largest shift.
Alcohol: manufacturing and distribution (on- and/or off-premises consumption)	--	--	--	--	--	--	C <sup>1,4</sup>	(A) For businesses including on-premises consumption, one parking space for every 200 square feet of retail or event area <u>plus</u> one parking space per employee on the largest shift. (B) For <u>bB</u> businesses within this use without on-premises consumption, one parking space per employee and one <u>parking</u> space for each 500 square feet of showroom space.
Auto, tool or equipment rental	--	--	--	--	--	--	--	<u>One parking space for every 200 square feet of building floor area</u>
Automobile and truck repairs and service	--	--	--	--	--	--	P <sup>1</sup>	<u>One parking space for every 300 square feet of building floor area.</u>
Commercial cleaning or laundry plant	--	--	--	--	--	--	--	<u>One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.</u>

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INDUSTRIAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Data center and software design	--	--	--	--	--	--	--	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Information assembly, broadcasting, carriers	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Information data processing	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Information distribution, publication, production	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Information telecommunication, sellers	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Machinery, heavy equipment, truck sales and service	--	--	--	--	--	--	--	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INDUSTRIAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Manufacturing - appliance, instrument, controller	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Manufacturing - device, parts, vehicle	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Manufacturing - die, tooling, equipment, machinery	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Manufacturing - other	--	--	--	--	--	--	C <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Materials bending, cutting, machining, molding, welding	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Medical or scientific laboratory	--	--	--	--	--	--	--	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INDUSTRIAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Open storage and open processing operations	--	--	--	--	--	--	C <sup>1,7</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Outside sales and storage	--	--	--	--	--	--	--	One parking space for every 200 square feet of building floor area.
Packaging of parts and materials prev manufactured	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Parts assembly, materials sorting prev manufactured	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet. one and one half (1-1/2) parking spaces for every one (1) employee for businesses with two (2) or more work shifts; one (1) parking space per employee for businesses with one (1) work shift.
Professional, scientific and technical services	--	--	--	--	--	--	P <sup>1</sup>	One parking space for every 300 square feet of floor space.
Storage of flammable liquids and materials	--	--	--	--	--	--	C <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Temporary concrete batch plant	--	C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>	--	--	--	None required
Trade contractor office and dispatch	--	--	--	--	--	--	--	One parking space for every 300 square feet of floor space.

Figure 9.1.2.2

PERMITTED AND PARKING USE TABLE

P = Permitted Use

C = Conditional Use

-- = Not Permitted

INDUSTRIAL USES	RESIDENTIAL DISTRICTS				NONRESIDENTIAL & SPECIAL DISTRICTS			PARKING <sup>9</sup>
	A	SF-1	SF-2	SF-4	R	M	B	
Warehousing and distribution facilities	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.
Wholesale enterprises w/o materials storage and distrib	--	--	--	--	--	--	P <sup>1</sup>	One space per 1,000 square feet of lot area up to 20,000 square feet, plus One space for each 2,000 square feet of lot area over 20,000 square feet.

<sup>1</sup> Conducted entirely within the interior of a building.

<sup>2</sup> Two accessory uses customarily associated with a single family detached dwelling and limited to parking garage, swimming pool, unlit tennis court, unlit sports court, and hobby shed.

<sup>3</sup> One accessory use customarily associated with a single family detached and limited to parking garage, swimming pool, unlit tennis court, unlit sports court, and hobby shed.

<sup>4</sup> Selling, storing, dispensing, or otherwise handling of alcoholic beverages for on-premises consumption shall be incidental and secondary to a use on the same premises (ex. hotel, restaurant, winery, etc.), which shall be construed to mean that at least 40 percent of the gross receipts of such business shall be from non-alcohol, food sales, or off-premises consumption. Alcohol-related uses shall meet all requirements for distance as specified in division 10 (use regulations).

<sup>5</sup> Provided the lot on which a similar establishment is located is more than one thousand feet from the location of the proposed use; the one thousand foot distance shall be measured between the lots and along the public street.

<sup>6</sup> Any outdoor, drive-in or drive-through sales or service activity including rear yard patios requires limited service hours and limited noise/entertainment levels and limited hours.

<sup>7</sup> Open storage and open processing operations, including on-site sand and gravel processing and storage, sand blasting or similar uses provided said particulate matter shall not leave the property nor be transported across the boundary property line of the tract on which the use is located.

<sup>8</sup> Temporary concrete batch plants shall be limited to no more than six months, however the limit on the temporary permit may be extended for one additional six month period, by the building official as necessary to complete construction for the project under which the temporary permit was granted; the location of the batch plant is subject to the approval of the building official.

<sup>9</sup> [Reference additional off-street parking requirements in Section 9.03.173.](#)

The table does not supersede the zoning ordinance. There may be restrictions for permitted and conditional uses.

Uses not identified as permitted or conditional are prohibited.

### § 9.03.034 Amendments to the official zoning ordinance and zoning district map.

...

(e) Notices and notifications. Zoning and rezoning requests shall be scheduled for public hearings before the planning and zoning commission and the city council and noticed in accordance with this section as follows:

...

(2) Subject property notification signs. Notification signs shall meet the following requirements:

(A) The city manager or their designee shall have the authority to determine if the notice posting on the subject property met the intent of the requirements contained herein.

(B) The applicant shall post the required number of notification signs, on the subject property, at least seven days prior to the date of the public hearing before the planning and zoning commission as follows:

(i) Sign requirements: A minimum of one (1) sign shall be posted on the subject property, along each of its public road frontages, at a minimum spacing of one (1) sign per five hundred (500) linear feet of frontage or portion thereof.

(ii) The sign shall contain legible information and specifications as detailed in the city's notification sign requirements.

(iii) The applicant shall provide time-stamped photos of the required notification signs, as posted on the subject property, between 8:00 a.m. on Monday and 12:00 p.m. (noon) on Wednesday, the week before the scheduled planning and zoning commission meeting. The applicant shall provide the following photos:

a. One legible photo of a sign showing the required information meeting the standards as provided on the signs;

b. One photo of each public road frontage showing that the signs are facing the right-of-way; and

c. An informal exhibit showing the location of the signs along the rights-of-way.

[\(C\) Notification signs for residential Conditional Use Permits are not required.](#)

## DIVISION 3 DEFINITIONS

### § 9.03.061 General.

*Abutting or adjacent property lines.* Property lines adjacent and in common for a minimum distance of twenty-four (24) feet or district lines.

*Accessory structure with restrictions.* See *Accessory use, unit, structure, or building.*

*Accessory uses within residential districts (parking garage, swimming pool, hobby shed, tennis court, unlit sports court).* See *Accessory use, unit, structure, or building.*

*Accessory use, unit, structure, or building.*

(1) A building, structure, or use which is subordinate to and serves a primary use or principal structure;

(2) A building, structure, or use which is subordinate in footprint on the lot, subordinate in area, extent, use or purpose to the primary use, building or structure served;

(3) A building, structure, or use which contributes to the comfort, convenience, or necessity of occupants of the primary use served;

(4) A building, structure, or use which is located within the same zoning district as the primary use; or

(5) A building, structure, or use which in residential districts is not used for commercial purposes other than legitimate home occupations/home based business, and is not rented to or utilized by other than bona fide servants employed on the premises or members of the family of the occupant(s) of the principal structure. Examples of accessory buildings, structures, or uses include, but are not limited to private garages, greenhouses, servant's quarters, tool sheds, hobby shed, storage buildings, greenhouses, or bathhouses adjoining a swimming pool, swimming pool, sports court and tennis court. Persons are related within the meaning of this provision if they are related within the first or second degree of consanguinity or affinity.

(A) Attached accessory structure - a structure that shares an attached or common roof with the primary structure.

(B) Detached accessory structure - a structure that does not share an attached or common roof with the primary structure.

*Agricultural uses.* Agricultural uses include activities that raise, produce or keep plants or animals. Examples include but are not limited to breeding or raising of fowl or other livestock animals; dairy farms; stables; riding academies; equestrian boarding facilities; farming, truck gardening, forestry, tree farming; and wholesale plant nurseries.

*Alcohol: brewpub (on- and/or off-premises consumption).* A business to brew, bottle, can, package, and/or label malt beverages with potential sale of the malt beverages it produces to ultimate consumers at the business for on- or off-premises consumption.

*Alcohol: manufacturing and distribution (on- and/or off-premises consumption).* A business relating to the manufacturing and/or distribution of alcohol beverages, also including storing, importing, transferring, selling, and/or distributing of malt beverages, wine, and/or distilled spirits for on- and/or off-premises consumption.

*Alcohol: mixed beverage package store/retailer (on- and/or off-premises consumption).* A business selling distilled spirits, wine, and/or malt beverages to consumers for on- and/or off-premises consumption, including the

possible transportation of its inventory between its other licensed locations within the same county, transportation/delivery of alcoholic beverage orders to its end-consumer customers, conducting product tastings on the package store premises, and/or other related sales activity.

*Alcohol: mixed beverage sales (on-premises consumption).* A business including the incidental or secondary sale of malt beverages, wine, and/or distilled spirits for on-premises consumption.

*Alcohol: wine and malt beverage package store/retailer (on- and/or off-premises consumption).* A business selling wine and/or malt beverages (no distilled spirits) to consumers for on- and/or off-premises consumption, including the possible transportation of its inventory between its other licensed locations within the same county, transportation/delivery of alcoholic beverage orders to its end-consumer customers, conducting product tastings on the package store premises, and/or other related sales activity.

*Alcohol: wine and malt beverage sales (on-premises consumption).* A business including the incidental or secondary sale of malt beverages and/or wine (no distilled spirits) for on-premises consumption.

*Alley.* An “alley” is a public right-of-way or thoroughfare which is not less than Eighteen Feet (18') wide and affords only a secondary means of access to abutting property.

*Alter.* To change the size, shape or physical outline, copy, nature of message, intent or type of an entity including signs and buildings.

*Amusement establishment.* An indoor or outdoor amusement or recreation enterprise offering entertainment or games of skill. Amusement establishment facilities include indoor or outdoor recreation areas, bowling alley, skating rink, trampoline park, and performance venue.

*Animal boarding.* See kennel.

*Animal husbandry, livestock.* See agricultural uses.

*Apartment.* An “apartment” is a room or group of rooms used as a dwelling for one family or household being one (1) dwelling unit, said unit being equipped for the preparation of food.

*Apartment building.* A building or portion of a building used or intended to be used as a dwelling for three (3) or more families or households, each household living independently of each other, with each unit equipped for preparation of food.

*Auditorium or similar gathering assembly.* A location in which concerts, rodeos, sports events, or other large-scale gatherings can be housed.

*Auto, tool or equipment rental.* Establishments engaged in the rental of automobiles, tools, tractors, construction equipment, agricultural implements, and similar industrial equipment.

*Automobile and truck repairs and service.* The use of a site for the repair of automobiles, non-commercial trucks, motorcycles, motorhomes, recreational vehicles, boats, or other similar uses, including the sale, installation, and servicing of equipment and parts.

*Automobile fueling and gasoline filling station.* A facility for the retail dispensing and sale of vehicle fuels, including gasoline, gas/oil mixtures, diesel fuel, ethanol, or electricity through fixed dispensing equipment, operated by customers or employees.

Automobile service establishment. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tuneups; emergency road service; replacement of starters, alternators, hoses, brake parts, automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air conditioning systems; and other similar minor services for motor vehicles except heavy load vehicles.

Bakery/confectionery retail establishment. An establishment primarily engaged in the retail sale of baked products for consumption offsite.

*Barn, commercial or private.* See stable, commercial or private.

*Basement.* A story (or portion of a story) partly or totally below ground level, with less than one-half of its height (measured from floor to ceiling) above ground level.

*Bed and breakfast inn.*

**(1) Traditional.** A residential structure where three (3) or fewer rooms are rented to transient paying guests on an overnight basis with no more than one meal served daily, where no cooking facilities are provided in the rooms and where the total number of permanent and transient occupants does not exceed six (6) at any one time. The owner-operator of a traditional bed and breakfast resides at that place. This is classified as a normal home occupation.

**(2) Non-traditional.** A residential structure where more than two (2) rooms are rented to transient paying guests on an overnight basis with no more than one (1) meal served daily, where no cooking facilities are provided in the rooms and where the total number of permanent and transient occupants does not exceed four (4) at any one time. The owner-operator may or may not reside there.

*Block.* A tract of land bounded by streets (or street rights-of-way) or a combination of streets and public parks.

*Brick.* Includes kiln fired clay or shale brick manufactured to ASTM C216 or C652, Grade SW, can include concrete brick if the coloration is integral, shall not be painted, and it is manufactured to ASTM C1634; minimum thickness of two and one quarter inches when applied as a veneer, and shall not include unfired clay or shale brick.

*Buffer zone.* An unimproved area required between adjacent property lines or adjacent structures.

*Building.* Any structure which is affixed to the land, has one (1) or more floors and a roof, and is bounded by either open area or the lot lines, and is designed for human use or habitation, shelter for animals, chattels, records or other moveable property[.] A building shall not include such structures as billboards, fences or communication towers or structures with interior surfaces not normally accessible for human use, such as tanks, smoke stacks, grain elevators, and oil cracking towers or similar structures.

*Building line.* The line established by the required yard.

Building material sales. Facilities for the wholesale or retail sale of building materials, tools and hardware customarily used in the construction of buildings and other structures.

*Building official.* Is the officer or other designated authority charged with the administration and enforcement of the city's building codes. Subtitle, [sic] or the duly authorized representative.

*Building setback line.* The line defining an area on the lot between the street right-of-way and all other property lines and the building line within which no building or structure shall be constructed, encroach or project except:

- (1) Sidewalks;
- (2) Fences that conform to the fence ordinance regulations;
- (3) Driveways;
- (4) Retaining walls;
- (5) Fountains and other landscaping elements;
- (6) Light poles if fed from underground utilities;
- (7) Flag poles;
- (8) Mail boxes; and
- (9) Signs that conform to the sign ordinance regulations.

*Building front setback line.* A line parallel to the street right-of-way line, which the building faces and from which it takes its primary access.

*Building rear setback line.* A line parallel to an adjacent lot, alley or street in the case of double frontage lots, which the building backs up to and from which it has its rear or secondary access.

*Business service and sales.* An establishment providing services to business establishments on a fee or contract basis, including but not limited to advertising services, business equipment and furniture sales or rental, or protective services.

*Building side setback line.* A line parallel to an adjacent lot or street right-of-way on a corner lot, up to which the building sides.

*Carwash.* A self-service or full-service facility for washing, cleaning and drying vehicles including automobiles, motorcycles, buses, or recreational vehicles. This definition excludes facilities that serve semi-trailer trucks with at least 3 axles that are designed to tow trailers.

*Cash and retail lending service establishment.* An establishment providing loans to individuals in exchange for personal checks as collateral.

*CBD.* Cannabidiol in the form of a consumable hemp product, as that term is defined in section 443.001 of the Texas Health and Safety Code, that may be lawfully sold in accordance with state and federal laws.

*Cemetery or mausoleum.* A use, structure or place designated for burial of the dead.

*Civic center.* A use, building or structure that is owned, managed or operated in whole or in part by a public governmental agency for governmental, cultural, recreational, athletic, convention or entertainment uses and activities.

*Commercial cleaning or laundry plant.* A facility equipped for commercial laundry and dry cleaning operations. Solvents and cleaning compounds may be stored on the premises.

Commercial greenhouse or nursery (wholesale and retail). An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or outside an enclosed building.

Commercial stable. See agricultural uses.

*Common area or common property.* A parcel or parcels of land, together with the improvements to the land, the use and enjoyment of which are shared by the owners and occupants of the individual building sites in a subdivision[.]

*Community home.* A building, structure or use providing food and shelter, personal guidance, care, rehabilitation services or supervision for not more than 6 disabled persons, regardless of their legal relationship to one another and 2 supervisory personnel. A group home is a community-based residential home operated in accordance with the Texas Human Resource Code chapter 123 and the Texas Department of Mental Health and Mental Retardation Act. A group home is a use by right that is authorized in any district zoned residential.

Community recreational use. Any establishment or area with the purpose of providing the public opportunity for recreation or leisure.

Community swimming pool. Any swimming pool other than a private swimming pool, including publicly and privately owned pools open to the public.

*Conditional use.* A use, building and structure allowed upon issuance of a permit after additional review and regulation to ensure compatibility between uses and for developing conditions which allow for compatibility with adjacent uses.

Country club. A privately owned club, with restricted membership. Such a club may include a golf course, swimming pool, cabanas, tennis courts and facilities for dining, entertainment, and other recreational uses.

*Court (for building purposes).* An open, unoccupied space bounded on more than two (2) sides by the walls of a building.

*Church.* A use, building or structure used for religious activities, education and worship.

Crop cultivation, forestry, farming. See agricultural uses.

Dairy farm. See agricultural uses.

Data center and software design. A facility whose primary service is data processing or storage and is used to house computer systems and associated components such as telecommunications and storage systems.

*Day care - commercial.* Any facility or premises where a total of seven (7) or more children under fourteen (14) years of age, and/or elderly adults, regularly attend for all or a portion [of] the twenty-four (24) hour day for purposes of custody, care, or instruction; and which children or elderly adults are not members of the immediate nuclear family of any natural person actually operating the facility or premises.

*Day care - in-home.* Any occupied private residence utilized for purposes of custody, care, or instruction; and which persons are not members of the immediate nuclear family living in the residence, pursuant to and as further defined by chapter 42 of the Texas Human Resources Code.

*Decorative concrete block.* Includes highly textured finish, such as split faced, indented, hammered, fluted, ribbed or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted; minimum thickness of two and five-eighths inches (2-5/8") when applied as a veneer; shall include light weight and featherweight concrete block or cinder block units.

*Distilled spirits.* A liquor or similar alcoholic beverage distilled from grains, fruits, or other fermentable ingredients. Much stronger than beer and wine, distilled spirits (ex. brandy, gin, rum, tequila, whiskey, vodka, bourbon, etc.) and various flavored liqueurs.

*District.* Any section or area of the city for which the city council has adopted zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the intensity of use, and other land use matters.

*Dry-cleaning retail establishment with no processing on site.* A facility used for picking up individual consumer's laundry and/or dry cleaning without dry cleaning equipment located on the premises.

*Drive-in or drive-through service or sales.* A retail transaction or the serving of a patron while in a motor vehicle or the permitting of consumption of food or drink while in a motor vehicle parked on the premises.

*Duplex dwelling unit.* A residential structure providing complete, independent living facilities for two (2) separate families, including permanent provisions for living, sleeping, cooking, eating, and sanitation in each unit.

*Dwelling.* Any building or portion of a building constructed for use by or occupied exclusively by one (1) family with culinary and sanitary conveniences provided for their use.

*Dwelling unit (DUs).* A structure, constructed on the site of its location, designed for a person or family to live in, in an individual or private state, and to be occupied as a home for an occupant, or the occupant and the family, if any, and not designed to be occupied by more than one (1) family.

*E-cigarette.* The term as defined in Tex. Health & Safety Code § 161.081(1-a).

*Educational facility - public.* An educational institution regulated by the state and operated by an independent school district. Curriculum includes kindergarten, elementary, and secondary education, but does not include private, business, commercial, trade, or craft schools.

*Erect.* To build, construct, attach, hand, [hang] place, suspend or affix, and when used in reference to signs, such term shall also include the painting of signs on the exterior surface of a building or structure, and shall also include the painting or affixing of signs to the exterior or interior surface of windows and shall include signs located interior to a building but readily visible from the exterior.

*Exercise and sports establishment.* Any facility where members or nonmembers use equipment or space or receive instruction for the purpose of physical exercise, fitness, flexibility, and/or weight control. Facilities may include amenities such as whirlpools, saunas, swimming pools, massage rooms, and sports courts, as well as locker rooms, and showers.

*Exterior architectural feature.* Any building or portion of a building that, due to its design, adornment, decoration or unique features, is of interest to the general public as an important asset to the community.

*Family.* Any number of individuals occupying a dwelling unit and living together as a single housekeeping unit, in which not more than three (3) individuals are unrelated by blood, marriage, adoption, or guardianship; the term includes a single individual.

*Farm animals.* Domestic animals generally used or raised on a farm for profit, including but not limited to cattle, horses, cows, sheep, bulls, stallions, jacks, swine, goats and all domesticated fowl used for eggs or food.

*Federal, state, or city owned or controlled facilities or utilities.* Any facility, including but not limited to, buildings, property, recreation areas, and utilities, which are leased or otherwise operated or funded by a governmental body or public entity.

*Financial institution.* An establishment that provides retail banking services, mortgage lending, or similar financial services to individuals and businesses. This classification includes credit unions, savings institutions, and Automated Teller Machines (ATMs).

*Floodplain.* Property that has a history of inundation or is determined to be subject to flood hazard, specifically identified by the Federal Emergency Management Agency on its flood hazard boundary maps (FHBM) for the city. Within the floodplain, no development or alteration of the floodplain due to dumping, excavation, storage, filling or mining operations shall be conducted without a development permit approved by the city. Note that the fact that land may not be classified as floodplain shall not be interpreted as assurance that such land or area is not subject to periodic local flooding.

*Floor Area Ratio.* The ratio of the gross floor area of a building or buildings in relations to the required lot area. The floor area ratio (FAR) may be expressed as a percent of the lot area.

*Franchise-holding facilities and utilities holding a franchise under the authorization of the city.* An establishment or organization that has a formal agreement with the city to use public property for installations, service delivery, or other related purposes.

*Frontage.* All of the property on one side of a street between two intersecting streets (crossing or terminating) measured parallel along the line of the street, or if the street is a dead-end, then such term shall mean all of the property abutting on one side between an intersecting street and the dead-end of the street; additionally, “frontage” shall mean all of the property on one side of a street between two lot lines.

*Garage, private.* An accessory building designed or used for the storage of not more than four (4) motor-driven vehicles owned by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle of not more than a two (2) ton capacity.

*Garage, public.* A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles.

*General office.* Administrative, executive, professional, or managerial premises providing direct services to consumers.

*Golf course.* A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities but excluding miniature golf.

*Guest house, caretaker or security quarters for SF dwelling.* An attached or detached accessory building used to house guests, a caretaker, or security personnel for the occupants of the principal building, and which is not rented or leased.

*Height.* The vertical distance of a building, structure or portion thereof, measured from the mean level of the ground surrounding the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs.

*Hobby shed.* An accessory use and structure not used for commercial purposes nor rented to others as defined under accessory use item (5) [sic]

*Home based business.* A home occupation or use for profit or non-profit involving business, art or hobby activities including the selling to, production of, and provision of services to others not part of the on-site single family residential use.

*Home occupation.* Any occupation or activity carried on or occurring in a dwelling unit by a member of the immediate family, residing on the premises, in connection with which there is used no sign other than a name plate as allowed by the city's sign ordinance attached to the building, and no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; and, no mechanical equipment is used except that which is of a type similar in character to that normally used for purely domestic or household purposes. Retail sales from the home to walk up or drive up customers, cafes, or diners and barber or beauty shops are not considered a home occupation. Examples of home occupations include crafts; woodworking; dressmaking; custom cakes or other small scale catering that uses no commercial type or size equipment; professional services such as bookkeeping, handling of telephone orders, technology or electronic communication; traditional bed and breakfasts limited to three (3) rooms for rent, and day care for six (6) or fewer persons.

*Horse stables, riding academies and equestrian boarding.* See agricultural uses.

*Hospital or medical/health care facility.* An institution or place where sick or injured patients are provided medical or surgical care.

*Hotel.* A structure or building or group of structures or buildings whose principal function or use is to provide rooms for temporary lodging where entrance to reach room is from a completely enclosed area and which structure may also contain a restaurant, conference rooms and retail uses or personal service uses.

*Information assembly, broadcasting, carriers.* Establishments primarily engaged in the provision of broadcasting and other information relaying services accomplished through the use of electronic and telephonic mechanisms.

*Information data processing.* An establishment primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form.

*Information distribution, publication, production.* The creation or development of informational content and the dissemination of the content to the public through print, electronic, digital, broadcast, or other media formats.

*Information telecommunication, sellers.* Any facility, and its accessory uses or structures, utilized for the broadcast or reception of electro-magnetically transmitted information.

*Insurance.* A financial institution that provides risk management services by offering insurance policies to individuals, businesses, and organizations.

*Kennel.* Any location where four (4) or more dogs or cats aged six (6) months or older and other household pets are groomed, bred, boarded, trained or sold. Pet retail stores where animals are offered for sale as a secondary use, and where grooming, small animal medicine, surgery and/or training is conducted as secondary to the retail selling of pet goods and supplies are not included within the definition of kennel.

*Library.* A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

*Loading space.* A paved all weather impervious surface area, enclosed or unenclosed, sufficient in size to store a one (1) ton truck or larger truck and a passenger bus, with a paved surface driveway connecting the loading space with the public street or alley and permitting ingress and egress.

*Lot.* A lot is the smallest physical and undivided tract or portion of land as shown on a duly recorded plat, having frontage on a public street.

*Lot, corner.* A lot that has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents of the curbs at the points of intersection of the side lot lines intersect at an interior angle of less than one hundred and thirty-five (135) degrees.

*Lot coverage.* The percent of the lot covered with structures as compared to open space. Structures include all buildings, parking lots and driveways. See definition of open space.

*Lot, double frontage.* A lot having a frontage on two (2) parallel streets.

*Lot, interior.* A building lot other than a corner lot.

*Lot area.* The area of a lot between lines, including any portion of an easement that may exist within such lot lines.

*Lot of record.* A lot which is part of a subdivision, the map or plat of which has been recorded in the office of the County Clerk of Collin County; or a parcel of land, the deed of which was recorded in the office of the County Clerk of Collin County.

*Machinery, heavy equipment, truck sales and service.* Establishment primarily engaged in the sale or service of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment.

*Manufactured home.* A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, and which is built on a permanent chassis and designed to be used as a dwelling and shall have a permanent concrete foundation, connected to public water and sanitary sewer utilities, and includes plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 Code of Federal Regulations, section 3282.8(g). The manufactured home is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame.

*Manufactured home lot.* A parcel of land in a manufactured home park for the placement of a single HUD-code manufactured home and the exclusive use of its single family occupants.

*Manufactured home park.* A parcel of land designed as an area for manufactured homes to be installed as residences containing individual lots of record for the permanent placement of a manufactured home on an individual lot of record with roads, utilities, and drainage in accordance with all applicable provisions of the City's Code of Ordinances and other regulations governing a manufactured home park.

*Manufacturing – appliance, instrument, controller.* Establishments primarily engaged in manufacturing appliances, instruments, controllers, and/or related materials.

*Manufacturing – device, parts, vehicle.* Establishments primarily engaged in manufacturing devices, parts, vehicles, and/or related materials.

Manufacturing – die, tooling, equipment, machinery. Establishments primarily engaged in manufacturing dies, tools, equipment, machinery, and/or related materials.

Manufacturing – other. The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials.

Materials bending, cutting, machining, molding, welding. An establishment conducting various methods of material fabrication and alteration.

Medical and state licensed health services. An establishment where patients receive consultation, diagnosis, and treatment by doctors, dentists, or similar practitioners, and is authorized to operate under state law. This use includes medical services offered exclusively on an outpatient basis, including emergency services such as urgent care centers, and licensed facilities offering substance abuse treatment, blood banks, and plasma centers.

Medical office or clinic. A facility, other than hospitals, where patients are admitted for examinations and treatment by one or more physicians, on either a "walk-in" or appointment basis. Patients are treated on an outpatient basis and are not admitted for overnight treatment or observation.

Medical or scientific laboratory. A facility that conducts research to promote the general base of knowledge or to create new or improved products.

Merchandise rental. An establishment where merchandise such as furniture, appliances, and electronic equipment may be rented for personal use.

*Minor.* A person under 21 years of age.

*Model home.* A dwelling unit within a residential development used for the purpose of display of amenities and marketing the sale of homes within the residential development and functioning as a sales office until sold to a third party buyer.

*Motel.* A structure or building or group of structures or buildings whose principal function or use is to provide rooms for temporary lodging in which the rooms are directly accessible from an outdoor parking area.

Multi-family dwelling. See multi-unit dwelling.

*Multi-unit dwelling.* A residential structure providing complete, independent living facilities for three (3) or more families or households living independently of each other and including permanent provisions for living, sleeping, cooking, eating, and sanitation in each unit. Condominiums are included in this definition.

Municipal uses. Any building, structure, or facility owned, leased, or operated by the City.

*Nonconforming use.* The use of land or a building, or portion thereof, which does not conform with the use regulations of the district in which it is situated and which use was legally in existence prior to the effective date of this division and any subsequent amendments.

Nursery, garden, landscape material sales. The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting, of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods, and related products in small quantities to the consumer.

*Nursing home.* A building, or portion thereof, used or designed for medical services for the housing of the aged, and/or mentally or physically challenged persons who are under daily medical, psychological, or therapeutic care; including assisted living centers; provided that this definition shall not include rooms in any residential dwelling, hotel, or apartment hotel not ordinarily intended to be occupied by said persons.

*Occupancy.* The use or intended use of land or buildings by owners, occupants, proprietors or tenants.

*Off-street parking.* An area for storage of an automobile that is entirely on private property.

*Office/showroom/warehouse.* A facility or portion of a facility used for administrative, professional, or clerical operations, the display and demonstration of products to customers or clients without on-site manufacturing, and/or for the storage, distribution, and handling of goods.

*Open space.* The part of a building lot, including courts or yards, which are open and unobstructed from its lowest level to the sky, which is accessible to all residents or users upon a building lot, which is not part of a roof, driveway, parking area, and which does not include any structures.

*Open space reserve.* Open space reserve shall mean an open area, a minimum size of five (5) acres, which is designed and intended to be used for outdoor recreation. An area of usable open space reserve shall include Texas native or natural landscaping, walks, water features and decorative objects such as artwork or fountains. Open space reserves shall not include recreational equipment or recreational sports fields, or buildings, except those buildings designed specifically for maintenance of the open space reserve. Open space reserves may include parking areas and driveways.

*Open space preserves.* See open space reserve.

*Open storage and open processing operations.* The storage of materials outside the principal or accessory buildings on a property as well as processing operations that are conducted outdoors.

*Outdoor, drive-in or drive-thru sales or service activity, including rear yard patios.* An establishment open to the public where food and beverages are prepared and served to customers in motor vehicles. Food or drink may also be served for off-premises consumption as carry-out orders at drive-in or drive-through points of service.

*Outdoor storage.* The keeping, in an unenclosed area, of any goods, items, material or merchandise in the same place for more than twenty-four (24) hours and not actively being sold.

*Outside sales and storage.* The placement of commodities, materials, goods, equipment, vehicles, merchandise, or other personal property that are immediately available for sale or rent outside of a building.

*Packaging of parts and materials prev manufactured.* The packaging of parts, previously manufactured, by means of fasteners, nuts and bolts, screws, glue, welding, or other similar technique.

*Parking space.* A paved all weather impervious surface area, enclosed or unenclosed, sufficient in size to store one (1) automobile, with a paved surface driveway connecting the parking space with the public street or alley and permitting ingress and egress of an automobile.

*Parts assembly, materials sorting prev manufactured.* The fitting or joining of parts of a mechanism, previously manufactured, by means of fasteners, nuts and bolts, screws, glue, welding, or other similar technique.

*Personal services.* Establishments primarily engaged in providing care and services for people's needs, such as barbershops, beauty salons, spas, businesses offering classes for small groups or individuals, and permanent

cosmetics. A beauty salon may offer permanent cosmetics services, as long as such services are in conjunction with the beauty salon and are limited to parts of the body above the neck and are generally for cosmetic or reconstructive purposes.

*Pet grooming and care services.* See kennel.

*Pharmacy.* An establishment where drugs and medicines are prepared and dispensed.

*Place of worship.* A building or structure, or group of buildings or structures that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

*Planned unit.* A land area, which (1) has individual building sites and common property such as a park and (2) is designed to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. The ownership of the common property may either be public or private.

*Planned unit development.* A single planned unit as initially designed; or such a unit as expanded by annexation of additional land areas; or a group of continuous planned units, whether as separate entities or merged into a single consolidated entity.

*Planning commission.* The planning and zoning commission of the City of Lavon, Texas.

*Private clubs and organizations (indoor).* A nonprofit membership organization that holds regular meetings and pursues a common interest, usually cultural, civic, religious, or social, and has formal written membership rules along with the requirement for members to pay dues. A "club or lodge" may, subject to other regulations controlling such uses, maintain dining facilities; engage professional entertainment for the enjoyment of members and their guests; or store, sell, possess, or serve any alcoholic beverage permitted by the law of the State of Texas. This definition does not include any form of sleeping accommodation.

*Professional, scientific and technical services.* Work done for others, predominately on the premises of the office, by someone trained and engaged in such work for a career; e.g., doctors, lawyers, accountants.

*Professional service and sales.* A business that offers any type of personal service to the public which requires as a condition of such service the obtaining of a license or other legal authorization. By way of example, and without limiting the generality of this definition, professional services include services rendered by certified public accountants, engineers, architects, and attorneys at law.

*Public parks and playgrounds.* Open space owned and operated by a public agency that is available to the public for active play and recreation. May contain sports courts and/or a play apparatus.

*Public recreational facilities.* A recreation facility or park owned and operated by a public agency and available to the public.

*Real estate.* Administrative, executive, professional, or managerial premises providing real estate and related services.

*Real estate model home.* A dwelling unit temporarily used for the purpose of display and marketing for the sale of residential development.

*Recreation vehicle.* A vehicle designed for human habitation for recreational purposes and capable of being used on a highway. Recreational vehicles shall include a motor home, travel trailer, and camping trailer, but shall not include a mobile home or manufactured home.

*Recreational vehicle park.* Any area or tract of land where two or more recreational vehicle lots or spaces are rented or held for rent.

*Repair.* The reconstruction or renewal of any part of an existing building for the purposes of maintenance. The word repair shall not apply to structural alterations.

*Restaurant.* An eating/drinking establishment that is open to the public, where food and beverages are prepared, served, and primarily consumed within the primary building, or sold for off premises consumption. Outdoor patios ancillary to an indoor restaurant use may be permitted.

*Retail sales.* Establishments engaged in selling goods, commodities, or merchandise to the public.

*Right-of-way.* The area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the city has an interest.

*Roof line.* The height which is defined by the intersection of the roof of the building and the wall of the building. For mansard-type roofs, the roof line shall be defined as the top of the lower slope of the roof. Roofs with parapet walls completely around the building and not exceeding four (4) feet in height may be considered as the roof line.

*Second-hand/used goods/pawn shop.* A retail establishment engaged in selling used merchandise, such as clothing, furniture, books, shoes, or household appliances, on consignment. Merchandise is brought to the establishment and processed by marking, cleaning, sorting, and storing as a major part of the principal use. Such stores do not include those selling vehicles, auto parts, scrap, or waste.

*Servants quarters.* Living spaces for domestic servants, gardeners or childcare, adult /elder care or health specialists that have the same utility connections as the main house.

*Setback or building line.* A line, which marks the setback distance from the property line and establishes the minimum required front, side, or rear yard space of a lot.

*Single dwelling unit including a manufactured home.* Any building or portion of a building constructed for use by or occupied exclusively by one family with culinary and sanitary conveniences provided for their use. This structure may be designed and built in a factory in compliance with the standards of the United States Department of Housing and Urban Development.

*Single family attached - townhomes use.* A single-family dwelling unit constructed in a series or a group of attached units with property lines separating such units, usually with the dividing wall between units falling on the property line.

*Single family (SF) detached dwelling.* A dwelling unit designed and constructed for occupancy by one family and located on a single lot or tract that has no physical connection to a building located on any other lot or tract.

*Single family – zero lot line.* A dwelling unit designed and constructed for occupancy by one family and located on a single lot or tract, with one side of the unit built along the property line, and has no physical connection to a building located on any other lot or tract

*Site plan.* A Plan showing use of the land, to include locations of buildings, drives, sidewalks, parking areas, drainage facilities, and other structures to be constructed.

~~*Servants quarters.* Living spaces for domestic servants, gardeners or childcare, adult/elder care or health specialists that have the same utility connections as the main house.~~

~~*Setback or building line.* A line, which marks the setback distance from the property line and establishes the minimum required front, side, or rear yard space of a lot.~~

*Smoke/tobacco/CBD store.* Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, tobacco paraphernalia, or CBD or hemp-derived products, except:

(1) A pharmacy selling FDA approved cannabis and cannabis-derived products; and

(2) Any grocery store, supermarket, convenience store or similar retail use that sells conventional cigars, cigarettes, tobacco, or CBD or hemp-derived products as an ancillary sale, meaning the store uses for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, tobacco or CBD or hemp product:

(A) No more than two percent (2%) or 200 square feet of its gross floor area (whichever is less); or

(B) For a retail store consisting of 250 square feet or less, no more than five (5) square feet.

*Stable, commercial or private.* Commercial barn or stable shall mean a boarding facility used for the rental of stall space or for the sale or rental of horses, mules or similar large animals. Private barn or stable shall mean a facility used solely for the owner's private purposes for the boarding, sale or keeping of horses, mules or ponies, and not kept for remuneration, hire or sale.

*Stone.* Includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all weather stone that is customarily used in exterior building construction; may also include cast or manufactured stone product, provided that such product yields a highly textured stone-like appearance, its coloration is integral to the masonry material and shall not be painted, and it is demonstrated to be highly durable and maintenance free; natural or manmade stone shall have a minimum thickness of two and five-eighths (2-5/8) inches when applied as a veneer.

~~*Storage of flammable liquids and materials.* A structure storing any liquid or material which has a flash point of 70 degrees Fahrenheit.~~

*Storage, self-service.* A structure containing separate, individual, and private storage spaces of varying sizes.

*Storage garage.* A "storage garage" is any premises and structure used exclusively for storage of more than five (5) automobiles.

*Story.* That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, the space between the floor and the ceiling next above it.

*Street.* A way for vehicular traffic or parking, whether designated as a highway or as any of the following types:

(1) Residential street: serves a residential neighborhood and may be a cul-de-sac, loop or short street.

(2) Collector street: serves to collect traffic from multiple residential streets.

(3) Arterial street: a through traffic street, generally aligned in the direction of major traffic movement carrying such traffic into or out of the city.

(4) Parkways and boulevards: across-city traffic thoroughfares, for movement of great amounts of traffic.

(5) Commercial streets: serve both business and industrial areas.

*Structural alterations.* Any change which would tend to modify the life of a supporting member of a structure such as bearing walls, columns, beams, or girders.

*Structure.* Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

*Stucco.* Stucco shall be defined as traditional three (3) step hard coat stucco applied over a masonry or concrete backing.

*Tattoo service and similar body artwork.* Establishments producing an indelible mark or figure on the human body by scarring or inserting pigments under the skin using needles, scalpels or other related equipment to license with the Department of State Health Services, not to include permanent cosmetics services. Also includes establishments creating an opening in a person's body, other than the earlobe, to insert jewelry or another decoration to license with the Department of State Health Services, including studios that perform implants.

*Technical service and sales.* A business that offers any type of personal service to the public which require technical expertise and skills, often related to technology or engineering. By way of example, and without limiting the generality of this definition, technical services include software development, engineering design, and technical consultancy.

*Temporary concrete batch plant.* An on-site manufacturing plant utilized for a limited period of time as allowed in this division where concrete is mixed before being transported to a construction site ready to be poured.

*Theater.* A structure providing live or taped entertainment with fixed seating.

*Tobacco.* Any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

*Tobacco paraphernalia.* Any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in the Tex. Health and Safety Code. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

*Tobacco product.* Any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

*Townhouse.* A single-family dwelling unit constructed in a series or a group of attached units with property lines separating such units, usually with the dividing wall between units falling on the property line.

*Trade contractor office and dispatch.* A mobile trailer or any other temporary structure used by a construction contractor for office/headquarters purposes at the site of and for the duration of the construction of a structure or building project. This use also includes equipment storage, portable lavatories permitted on or adjacent to the construction site, or on lots or parcels owned or controlled by the owner of the lot or parcel on which the construction is taking place.

*Transmission tower.* A wireless telecommunications support structure designed primarily of the support and attachment of a wireless telecommunications facility. Transmission towers include:

- (1) *Monopole tower* -A self-supporting structure composed of a single spire used to support telecommunications antenna and/or related equipment.
- (2) *Lattice tower* -A self-supporting three (3) or four (4) sided, open, steel frame structure used to support telecommunications antenna and/or related equipment;
- (3) *Guyed tower* -An open, steel frame structure that requires wires and anchor bolts for support.
- (4) *Stealth tower* - A manmade tree, clock tower, church steeple, bell tower, utility pole, light standard, identification pylon, flagpole, or similar structure, that is camouflaged to be unrecognizable as a telecommunications facility, designed to support or conceal the presence of telecommunication antennas and blends into the surrounding environment.

*Use.* The purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner or performance of such activity with respect to the performance standards of this division.

*Use permits.* Permits authorized by the city council upon recommendation of the planning and zoning commission allowing certain uses in zoning districts.

- (1) *Conditional uses* are uses which are generally compatible with those uses permitted by right in a zoning district, but which require individual review of their location, design, configuration, density and intensity. These are granted to the land and will continue to be valid with sale or transfer of property.
- (2) *Specific uses* are uses which are not generally compatible with those uses permitted by right in the zoning district, but by the unusual circumstances (existing uses and historic uses) in the area, consideration of the use is advisable. These are granted to a person and do not transfer with change of ownership of the property unless such change is by inheritance.

*Uses related to animal husbandry and raising of crops on unplotted land. See agricultural uses.*

*Utility facility.* Infrastructure services and structures necessary to deliver basic utilities essential to the public health, safety, and welfare. This includes all lines and facilities provided by a public or private agency and related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, information, telephone cable, electricity and other services provided by the utility. This does not include wireless telecommunication facilities.

*Vapor smoking services.* A retail use that provides vapor smoking services on-site.

*Variance.* A legal modification in the application of specific zoning district regulations such as yard, lot width and yard depth, signs, set back and off-street parking, and loading regulations granted due to the special conditions or circumstances peculiar to a particular parcel of property.

*Vehicle display and sales.* Any establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles or other similar motorized transportation vehicles. May maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased.

*Vehicle parking garage.* A structure composed of one or more levels for the parking or storage of motor vehicles.

*Vertically mixed use commercial and residential.* A building or connected buildings that contain both residential and commercial uses.

*Veterinarian service, animal clinic.* See Kennel.

*Warehousing and distribution facilities.* An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials to retailers, wholesalers, agents, brokers, or to industrial, commercial, institutional, or professional business users and may include an office incidental to the primary use.

*Wholesale enterprises w/o materials storage and distrib.* An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

*Wholesale plant nursery.* See agricultural uses.

*Wind energy, utility or telecommunication tower.* Facilities that provide for the transmission, transfer, and distribution of telephone service and related activities that are not part of a commercial utility facility. Also includes a machine by which energy supplied by the wind is changed to electric energy.

*Wireless telecommunication facility.* An unstaffed facility operating for the transmission and reception of low-power radio signals consisting of an equipment shelter or cabinet, a support structure, antennas, and related equipment.

*Yard.* An open space open from its lowest point to the sky unobstructed at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except for the ordinary projection of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves and as otherwise provided herein.

*Yard, front.* A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street line and the main building including any projections of the usual uncovered steps, uncovered balconies, or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

*Yard, rear.* A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building including any projections thereof other than the projections of uncovered steps, unenclosed balconies, or unenclosed porches. On all lots, the rear yard shall be in the rear of the front yard.

*Yard, side.* A yard between the main building and side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof.

Definitions not expressly described herein are to be construed in accordance with customary usage in municipal planning and engineering practices. Words used in the masculine or feminine shall also be construed to mean the other.

(Ordinance 2018-03-02, ch. 3, adopted 3/20/18; Ordinance 2022-07-02 adopted 7/19/22; Ordinance 2023-03-03 adopted 3/7/2023; Ordinance 2023-10-03 adopted 10/17/2023)

## DIVISION 8 OFF-STREET PARKING AND LOADING REGULATIONS

### § 9.03.173 Off-street parking requirements.

...

#### (b) Parking requirements:

- ~~(1) Alcohol: brewpub (on- and/or off-premises consumption) - one (1) parking space for every two hundred (200) square feet of retail or event area for businesses including on-premises consumption, plus one (1) parking space per employee on the largest shift.~~
- ~~(2) Alcohol: manufacturing and distribution (on- and/or off-premises consumption) - one (1) parking space for every two hundred (200) square feet of retail or event area for businesses including on-premises consumption, plus one (1) parking space per employee on the largest shift. Businesses within this use without on-premises consumption, one (1) parking space per employee and one (1) space for each five hundred (500) square feet of showroom space.~~
- ~~(3) Alcohol: mixed beverage package store/retailer (on- and/or off-premises consumption) - one (1) parking space for every two hundred (200) square feet of building floor area.~~
- ~~(4) Alcohol: mixed beverage sales (on-premises consumption) - one (1) parking space for every two hundred (200) square feet of building floor area.~~
- ~~(5) Alcohol: wine and malt beverage package store/retailer (on- and/or off-premises consumption) - one (1) parking space for every two hundred (200) square feet of building floor area.~~
- ~~(6) Alcohol: wine and malt beverage sales (on-premises consumption) - one (1) parking space for every two hundred (200) square feet of building floor area.~~
- ~~(7) Auditorium or similar gathering assembly - one (1) parking space for every four (4) seats.~~
- ~~(8) Bank or financial institution - one (1) parking space for every three hundred (300) square feet of floor area.~~
- ~~(9) Cemetery or mausoleum - cemetery parking requirement at a rate of 2.5 percent of the cemetery site dedicated to off street parking. For a cemetery gathering building, room or public structure the parking requirement shall be a minimum of one (1) parking space for each 300 (three hundred) square feet of building or structure space. The interior roadways (non-public streets and roadways) of the cemetery may act to meet the cemetery parking requirement except for the building parking space requirement which shall be at a rate of 300 per square feet.~~
- ~~(10) Church - one (1) parking space for every three hundred (300) square feet of floor area, except that for assembly areas one (1) space shall be provided for every four (4) seats in an assembly area.~~
- ~~(11) Civic center - one (1) parking space for every three hundred (300) square feet of floor area, except that for assembly areas one (1) space shall be provided for every four (4) seats in an assembly area.~~
- ~~(12) Educational facility - one (1) parking space per each employee plus one (1) parking space for every four (4) classrooms for elementary levels, plus one (1) parking space for every four (4) students for secondary and higher levels of education.~~
- ~~(13) General office - one (1) parking space for every three hundred (300) square feet of floor space.~~
- ~~(14) Group home - four (4) parking spaces.~~

~~(15) Home-based bed and breakfast business – one (1) parking space for each sleeping room.~~

~~(16) Hospital or medical/health care facility – one (1) parking [space] for every two (2) patient beds plus one (1) parking space for every one and one-half (1-1/2) employees.~~

~~(17) Hotels and motels: one (1) parking space for each sleeping room plus one (1) parking space for every three hundred (300) square feet of meeting or commercial assembly floor area.~~

~~(18) Library – one (1) parking space for every four hundred (400) square feet of floor area.~~

~~(19) Manufacturer home park development – two (2) parking spaces per single residential unit and one (1) community parking space within a community parking area for every two (2) residential units.~~

~~(20) Manufacturing and assembly – one and one-half (1-1/2) parking spaces for every one (1) employee for businesses with two (2) or more work shifts, one (1) parking space per employee for businesses with one (1) work shift.~~

~~(21) Medical office or clinic – one (1) parking space for every two hundred (200) square feet of floor area.~~

~~(22) Multifamily dwellings.~~

~~(A) Two (2) parking spaces for each dwelling unit.~~

~~(B) A minimum thirty (30) percent of required off-street parking spaces shall be enclosed in a garage. As part of the site plan approval process, enclosed parking space requirement for multifamily dwelling uses may be reduced from thirty (30) percent of the units having an enclosed parking space to no less than twenty (20) percent of the units having an enclosed parking space, if the proposed project satisfies the following:~~

~~(i) Provide trees at a ratio of one tree per twenty (20) feet in the street and adjacency buffers; and~~

~~(ii) Provide usable public open space (minimum 3,000 contiguous square feet, not encumbered by floodplain, and with pedestrian/recreation amenities such as benches, water fountains, playground, etc.).~~

~~(C) No garage doors shall face a public street.~~

~~(D) No covered parking spaces and/or detached garages may be placed between a multifamily building and a public street.~~

~~(E) Detached garages shall be a minimum of twenty (20) feet from any residential building.~~

~~(F) Stacking spaces (tandem spaces between the garage door and fire lane) shall not be counted towards required parking spaces.~~

~~(G) A minimum twenty (20) percent of required off-street parking spaces shall be covered using a canopy structure(s).~~

~~(H) Covered parking shall be designed to have decorative posts and masonry accents, so they are architecturally compatible with the home architecture.~~

~~(I) Areas dedicated for parking of boats, trailers, and RVs shall be separated from vehicle parking and shall be located in a designated area which is screened from the street and adjacent residential property. Boats, trailers, and RVs may not be parked in required parking spaces, and areas dedicated for these vehicles may not be counted toward required off-street parking.~~

~~(23) Personal services including spas, beauty and barber shops, one (1) parking space for every two hundred (200) square feet of floor area.~~

~~(24) Recreational, amusement, health club, country clubs, and similar membership uses -- public or private:~~

- ~~(A) One (1) parking space for every two hundred (200) square feet of building floor area.~~
- ~~(B) Two (2) parking spaces for every outside or inside game court.~~
- ~~(C) One (1) parking space for each four (4) seats of outdoor assembly bleachers or indoor seating.~~
- ~~(D) Seventy (70) spaces for every playing field used for league play.~~
- ~~(E) Two (2) parking spaces for every golf course green or driving range tee.~~
- ~~(F) Five (5) parking spaces for every bowling alley.~~

~~(25) Retail sales uses, including general merchandise and/or grocery store -- one (1) parking space for every two hundred and fifty (250) square feet of building floor area:~~

~~(26) Restaurants -- one (1) parking space for every three (3) seats with a minimum of eight (8) parking spaces provided and one and one-half (1-1/2) parking spaces per employee:~~

~~(27) Service providers to the general public other than listed in this division -- one (1) parking space for every three hundred (300) square feet of building floor area:~~

~~(28) Single dwelling unit including a manufactured home -- two (2) covered parking spaces for each dwelling unit located behind the front yard building line and not within the side yard:~~

~~(29) Warehousing/distribution center -- one (1) parking space per each employee on one (1) shift and one and one-half (1-1/2) parking spaces per employee for two (2) or more work shifts:~~

~~(A) Mini-warehouses, self-storage -- one (1) parking space per employee and one (1) parking space for each three hundred (300) square feet of office and showroom space:~~

~~(B) Retail showroom/warehouse -- one (1) parking space per employee and one (1) space for each five hundred (500) square feet of showroom space:~~

~~(30) Unclassified use -- for uses not included above, one (1) parking space for each three hundred (300) square feet of floor area:~~

(c) Rules for computing number of parking spaces. In computing the number of parking spaces required for each of the above uses the following rules shall govern:

(1) The term "floor area" means the gross floor area of the specific use.

(2) Where fractional spaces result, the parking spaces required shall be constructed to be the next higher whole number.

(3) Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, to create a need for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever any building is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.

(4) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(5) In the case of potential conflicts between parking requirements in computation of requirements, the requirement resulting in the most required spaces shall apply.