

## Article 1 – General Provisions

### Sec. 12-1.10. Transitional Provisions.

#### B. Zoning Districts.

##### 1. Retained Districts.

The following zoning districts and district names in effect prior to the effective date of this UDO and represented on the official zoning map of the City of College Station shall remain in effect. Those districts are shown on the following table:

<u>District</u>	<u>Name</u>	<u>Effective Date</u>
<u>WPC</u>	<u>Wolf Pen Creek Dev. Corridor</u>	<u>June 13, 2003</u>
<u>NG-1</u>	<u>Core Northgate</u>	<u>June 13, 2003</u>
<u>NG-3</u>	<u>Residential Northgate</u>	<u>June 13, 2003</u>
<u>CU</u>	<u>College and University</u>	<u>June 13, 2003</u>
<u>PDD</u>	<u>Planned Development</u>	<u>June 13, 2003</u>
<u>OV</u>	<u>Corridor Overlay</u>	<u>June 13, 2003</u>

##### 2. Renamed Districts.

The following district, M-1, known as Planned Industrial prior to the adoption of this UDO, shall henceforth be renamed M-1, Light Industrial.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>M-1</u>	<u>Light Industrial</u>	<u>June 13, 2003</u>

The following district, R-6, known as Apartment High Density prior to the adoption of this UDO, shall hence forth be designated R-6, High Density Multi-Family.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>R-6</u>	<u>High Density Multi-Family</u>	<u>June 13, 2003</u>

The following district, NG-2, known as NG-2, Commercial Northgate prior to this amendment of this UDO, shall henceforth be renamed NG-2, Transitional Northgate.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>NG-2</u>	<u>Transitional Northgate</u>	<u>April 2, 2006</u>

The following district, O, known as A-P Administrative Professional prior to this amendment of this UDO, shall henceforth be renamed O, Office.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>O</u>	<u>Office</u>	<u>October 7, 2012</u>

The following district, GC, known as C-1 General Commercial prior to this amendment of this UDO, shall henceforth be renamed GC, General Commercial.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>GC</u>	<u>General Commercial</u>	<u>October 7, 2012</u>

The following district, CI, known as C-2 Commercial Industrial prior to this amendment of this UDO, shall henceforth be renamed CI, Commercial Industrial.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>CI</u>	<u>Commercial Industrial</u>	<u>October 7, 2012</u>

The following district, R, known as A-O Agricultural Open prior to the amendment of this UDO, shall henceforth be renamed R, Rural.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>R</u>	<u>Rural</u>	<u>September 22, 2013</u>

The following district, E, known as A-OR Rural Residential Subdivision prior to the amendment of this UDO, shall henceforth be designated E, Estate.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>E</u>	<u>Estate</u>	<u>September 22, 2013</u>

The following district, GS, known as R-1 Single-Family Residential prior to this amendment of this UDO, shall henceforth be renamed GS, General Suburban.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>GS</u>	<u>General Suburban</u>	<u>September 22, 2013</u>

The following district, D, known as R-2 Duplex Residential prior to this amendment of this UDO, shall henceforth be renamed D, Duplex.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>D</u>	<u>Duplex</u>	<u>September 22, 2013</u>

The following district, T, known as R-3 Townhouse prior to this amendment of this UDO, shall henceforth be renamed T, Townhouse.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>T</u>	<u>Townhouse</u>	<u>September 22, 2013</u>

The following district, MHP, known as R-7 Manufactured Home Park prior to this amendment of this UDO, shall henceforth be renamed MHP, Manufactured Home Park.

<u>District</u>	<u>New name</u>	<u>Effective Date</u>
<u>MHP</u>	<u>Manufactured Home Park</u>	<u>September 22, 2013</u>

### 3. Combined Districts.

The districts listed below are hereby combined into the single zoning district hereafter designated as R-4, Multi-Family.

<u>Combined Districts</u>	<u>Name</u>	<u>Effective Date</u>
<u>R-4</u>	<u>Apartment/Low Density</u>	<u>June 13, 2003</u>
<u>R-5</u>	<u>Apartment/Medium Density</u>	

The districts listed below are hereby combined into the single zoning district hereafter designated as GC, General Commercial.

<u>Combined Districts</u>	<u>Name</u>	<u>Effective Date</u>
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<u>C-B</u>	<u>Business Commercial</u>	<u>June 13, 2003</u>
<u>C-1</u>	<u>General Commercial</u>	

The districts listed below are hereby combined into the single zoning district hereafter designated as C-3, Light Commercial.

<u><b>Combined Districts</b></u>	<u><b>Name</b></u>	<u><b>Effective Date</b></u>
<u>C-3</u>	<u>Planned Commercial</u>	<u>June 13, 2003</u>
<u>C-N</u>	<u>Neighborhood Business</u>	

**4. Retired Districts.**

The following districts are no longer eligible for Zoning Map Amendment requests. Properties with the following designations at the time of this amendment retain all uses, regulations, and requirements associated with these districts.

<u><b>Retired District</b></u>	<u><b>Name</b></u>	<u><b>Effective Date</b></u>
<u>R-1B</u>	<u>Single-Family Residential</u>	<u>September 22, 2013</u>
<u>C-3</u>	<u>Light Commercial</u>	<u>October 7, 2012</u>
<u>R&amp;D</u>	<u>Research &amp; Development</u>	<u>October 7, 2012</u>
<u>M-1</u>	<u>Light Industrial</u>	<u>October 7, 2012</u>
<u>M-2</u>	<u>Heavy Industrial</u>	<u>October 7, 2012</u>

**5. New Districts.**

The following districts are hereby created and added to those in effect at the time of adoption of this UDO.

<u><b>New District</b></u>	<u><b>Name</b></u>	<u><b>Effective Date</b></u>
<u>RDD</u>	<u>Redevelopment District</u>	<u>June 13, 2003</u>

<u>P-MUD</u>	<u>Planned Mixed Use Development</u>	<u>June 13, 2003</u>
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The following districts are hereby created and added to those in effect at the time of this amendment of the UDO.

<u>New District</u>	<u>Name</u>	<u>Effective Date</u>
<u>NAP</u>	<u>Natural Areas Protected</u>	<u>October 7, 2012</u>
<u>SC</u>	<u>Suburban Commercial</u>	<u>October 7, 2012</u>
<u>BP</u>	<u>Business Park</u>	<u>October 7, 2012</u>
<u>BPI</u>	<u>Business Park Industrial</u>	<u>October 7, 2012</u>

The following districts are hereby created and added to those in effect at the time of this amendment of the UDO.

<u>New District</u>	<u>Name</u>	<u>Effective Date</u>
<u>RS</u>	<u>Restricted Suburban</u>	<u>October 6, 2013</u>

6. **Redesignated District.**

Henceforth all areas designated Existing Rural Residential (A-OX) shall be redesignated A-O Agricultural-Open.

<u>Previous District</u>	<u>Name</u>	<u>Effective Date</u>
<u>A-OX</u>	<u>Existing Rural Residential</u>	<u>June 13, 2003</u>
<u>Redesignated District</u>	<u>Name</u>	
<u>A-O</u>	<u>Agricultural-Open</u>	

Henceforth all areas designated Planned Unit Development (PUD) shall be redesignated Planned Development Districts (PDD). The individual ordinances that created the PUDs shall remain in effect, along with all provisions and conditions listed therein. Any modification of a former PUD shall follow the provisions for PDDs listed herein.

<u>Previous District</u>	<u>Name</u>	<u>Effective Date</u>
<u>PUD</u>	<u>Planned Unit Development</u>	<u>June 13, 2003</u>
<u>Redesignated District</u>	<u>Name</u>	
<u>PDD</u>	<u>Planned Development Districts</u>	

Henceforth all areas designated R-1A shall be redesignated R-1, Single-Family Residential.

<u>Previous District</u>	<u>Name</u>	<u>Effective Date</u>
<u>R-1A</u>	<u>Single-Family Residential</u>	<u>June 13, 2003</u>
<u>Redesignated District</u>	<u>Name</u>	
<u>R-1</u>	<u>Single-Family Residential</u>	

**7. Deleted Districts.**

The following districts not existing on the official zoning map on the effective date of this UDO are hereby deleted:

<u>Deleted District</u>	<u>Name</u>	<u>Effective Date</u>
<u>C-PUD</u>	<u>Commercial Planned Unit Dev.</u>	<u>June 13, 2003</u>
<u>C-NG</u>	<u>Commercial Northgate</u>	<u>June 13, 2003</u>

## Article 3. Development Review Procedures

### Sec. 12-3.4. Plat Review.

#### C. Application Requirements.

3. When required to submit the following, the applications shall comply with and/or show the following information:

- a. **Preliminary Plans.**

When submitting preliminary plans, the following information is required:

- 1) The preliminary plan shall conform to the general requirements of this UDO and minimum standards of design and improvements as set forth in [Chapter 12, Article 8](#) Subdivision Design and Improvements;
- 2) Provide the preliminary plan on sheets twenty-four (24) inches by thirty-six (36) inches to a scale of one hundred (100) feet per inch or larger. Smaller scales may be allowed at the discretion of the Administrator. If more than one (1) sheet, provide an index sheet at a scale of five hundred (500) feet per inch or larger;
- 3) The words "PRELIMINARY PLAN - NOT FOR RECORD" shall appear on the plan in letters one-half (½) inch high;
- 4) The date the preliminary plan was submitted and the dates of any revisions shall legibly appear on the plan;
- 5) The proposed name of the subdivision or development, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the county it is located;
- 6) The name and address of all property owners, developers and subdividers, engineers, and surveyors;
- 7) The legal description by metes and bounds of the subdivision or development which shall close within accepted land survey standards. An accurate location of the subdivision or development shall be provided by reference to an established survey or league corner, City of College Station horizontal control monument, subdivision corner, or other known point. Primary control points or descriptions and ties to such control point, to which, later, all dimensions, angles, bearings, block numbers, and similar data shall be referred. The preliminary plan shall be located with respect to a corner of the survey or tract, or an original corner of the original survey of which it is a part;
- 8) Subdivision boundary lines shall be indicated by heavy lines and the computed acreage of the subdivision or development shown;
- 9) The name of contiguous subdivisions and names of owners of contiguous parcels, and an indication whether or not contiguous properties are platted;
- 10) The following existing features shall be shown:
  - (a) The location, dimension, name and description of all recorded streets, alleys, reservations, easements, or other public or private rights-of-way within the subdivision or development, intersecting or contiguous with its boundaries or forming such boundaries. In the case of pipelines carrying flammable gas or fuel,

the approximate location, size of line, design pressure and product transported through the line shall be shown;

- (b) The location, dimension, description and name of all existing or recorded lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision or development;
- (c) The location, dimensions, description, and flow line of existing watercourses and drainage structures within the subdivision, development or contiguous thereto;
- (d) The location of the one hundred-year floodplain according to the most recent best available data;

- 11) Date of preparation, scale in feet, and north arrow;
- 12) Topographic information, including contours at two-foot intervals, flow line elevation of streams, and wooded areas;
- 13) The location, approximate dimensions, description and name of all proposed streets, alleys, drainage structures, parks, or other public areas, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision or development. Proposed channel cross sections, if any. Existing and/or proposed well site locations;
- 14) A number or letter to identify each lot and each block. Lots and blocks shown on a preliminary plan should be numbered sequentially;
- 15) Location of current City limits line, and current zoning district boundaries;
- 16) Vicinity map which shows general location of subject property to existing streets in College Station and to its City limits. No scale is required but a north arrow is to be included;
- 17) Show number of residential lots and average lot size when applicable;
- 18) Provide a note to identify a Cluster Subdivision when applicable;
- ~~4819)~~ Provide any oversize participation requests that will be sought;
- ~~4920)~~ Provide title report for property that is current within ninety (90) days and includes applicable information such as ownership, liens, encumbrances, etc;
- ~~2021)~~ Written requests for waivers of subdivision standards, if any, shall be submitted in accordance with the applicable Sections of this UDO; and
- ~~2422)~~ Eleven-inch by seventeen-inch copies of the preliminary plan (not necessarily to scale) will be requested by the Administrator when the preliminary plan has been reviewed and has the potential to be scheduled for a Planning and Zoning Commission meeting for consideration.

b. **Final Plats and Other Plats to be Recorded.**

When submitting Final Plats, Replats, Minor Plats, Amending Plats, Vacating Plats, and Development Plats, the following shall be required:

- 1) The plat shall conform to the general requirements of this UDO and minimum standards of design and improvements as set forth in Chapter 12, Article 8 Subdivision Design and Improvements unless expressly provided for otherwise;
- 2) Provide current certified tax certificates from all taxing agencies showing payment of all ad valorem taxes on the land within the subdivision;
- 3) Provide title report for property that is current within ninety (90) days and includes applicable information such as ownership, liens, encumbrances, etc;



- 4) Provide the plat on sheets twenty-four (24) inches by thirty-six (36) inches to a scale of one hundred (100) feet per inch or larger. Smaller scales may be allowed at the discretion of the Administrator. If more than one (1) sheet, provide an index sheet at a scale of five hundred (500) feet per inch or larger;
- 5) Vicinity map which shows general location of subject property to existing streets in College Station and to its City limits. No scale is required but a north arrow is to be included;
- 6) The proposed name of the subdivision or development, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the county it is located;
- 7) Date of preparation, scale in feet, and north arrow;
- 8) The name and address of all property owners, developers, subdividers, engineers, and surveyors responsible for the plat;
- 9) Subdivision boundary lines shall be indicated by heavy lines and the computed acreage of the subdivision or development shown;
- 10) For a replat where there are existing improvements, provide a survey of the subject property showing the improvements to ensure that no setback encroachments are created;
- 11) The name of contiguous subdivisions and names of owners of contiguous parcels, and an indication whether or not contiguous properties are platted;
- 12) The location of the one hundred-year floodplain and floodway according to the most recent best available data;
- 13) A number or letter to identify each lot and each block. Lots and blocks shown on a plat should be numbered sequentially;
- 14) Provide the number of lots and average lot size when applicable;
- 15) Provide a note to identify a Cluster Subdivision when applicable;
- ~~4516)~~ Written requests for waivers of subdivision standards, if any, shall be submitted in accordance with the applicable Sections of this UDO;
- ~~4617)~~ The Plat shall also include the following, based on field survey and marked by monuments and markers:
  - (a) The exact location, dimensions, name, and legal description of all existing or recorded streets, alleys, easements, or other rights-of-way within the subdivision or development, intersecting or contiguous with the boundary or forming such a boundary with accurate dimensions, bearings or deflection angles and radii, area, center angle, degree of curvature, tangent distance, and length of all curves, where applicable;
  - (b) The exact location, dimensions, description, and name of all proposed streets, alleys, drainage structures, parks, and other public areas, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision or development, with accurate dimensions, bearings, or deflection angles and radii, areas, center angle, degree of curvature, tangent distance, and length of curves, where applicable;
  - (c) Lot corner markers and survey monuments shall be shown clearly by symbol, and clearly tied to City of College Station horizontal control monuments;
  - (d) The following, when applicable, shall appear on the face of the plat: (See examples in [Chapter 12, Article 8](#) Subdivision Design and Improvements.)

- i. Certificate of Ownership and Dedication;
- ii. Certificate of Surveyor and/or Engineer;
- iii. Certificate of City Engineer;
- iv. Certificate of Planning and Zoning Commission;
- v. Certificate of the County Clerk;
- vi. Certificate of City Planner; and
- vii. Certificate of Approval.

~~47~~18) The plat shall be accompanied by the construction documents and reports as prescribed below and bearing the seal and signature of a registered professional engineer. All shall be in accordance with the Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications and shall include the following:

- (a) Construction plans shall be provided on twenty-four-inch by thirty-six-inch sheets;
- (b) Street, alley, and sidewalk plans, profiles, and sections, with specifications and detail cost estimates;
- (c) Sanitary sewer plan with contours, plan and profile lines, showing depth and grades, with sewer report and detailed cost estimates;
- (d) Water line plan showing fire hydrants, valves, etc., with specifications and water report and a detailed cost estimate. This may be combined with related information supplied for preliminary plan submissions;
- (e) Storm drainage system plan with contours, street lines, inlets, storm sewer and drainage channels with profiles and sections. Detail drainage structure design and channel lining design if used, with specifications, drainage report, and detailed cost estimate;
- (f) Street lighting plan showing location of lights, design, and with specifications and detailed cost estimates; and
- (g) Any associated necessary items, including but not limited to off-site public utility easements, permits or approval of governmental agencies.

~~48~~19) Eleven-inch by seventeen-inch copies of the plat (not necessarily to scale) will be requested by the Administrator when the plat has been reviewed and has the potential to be scheduled for a Planning and Zoning Commission meeting for consideration.

## Article 4. Zoning Districts

### Sec. 12-4.1. Establishment of Districts.

Residential Zoning Districts	
<del>A-OR</del>	<del>Agricultural-Open</del> <del>Rural</del>
<del>A-ORE</del>	<del>Rural Residential Subdivision</del> <del>Estate</del>
<del>RS</del>	<del>Restricted Suburban</del>
<del>R-1GS</del>	<del>Single-Family Residential</del> <del>General Suburban</del>
<del>R-1B</del>	<del>Single-Family Residential</del>
<del>R-2D</del>	<del>Duplex Residential</del>
R-3 <del>I</del>	Townhouse
R-4	Multi-Family
R-6	High Density Multi-Family
<del>R-7MHP</del>	Manufactured Home Park

Non-Residential Zoning Districts		
NAP	Natural Areas Protected	
O	Office	
SC	Suburban Commercial	
GC	General Commercial	
CI	Commercial Industrial	
BP	Business Park	
BPI	Business Park Industrial	
CU	College and University	
Planned Districts		
P-MUD	Planned Mixed-Use District	
PDD	Planned Development District	
Design Districts		
WPC	Wolf Pen Creek Development Corridor	
Northgate	NG-1	Core Northgate
	NG-2	Transitional Northgate
	NG-3	Residential Northgate

Overlay Districts	
OV	Corridor Overlay
RDD	Redevelopment District
KO	Krenek Tap Overlay
NPO	Neighborhood Prevailing Overlay
NCO	Neighborhood Conservation Overlay
HP	Historic Preservation Overlay
Retired Districts	
<u>R-1B</u>	<u>Single-Family Residential</u>
C-3	Light Commercial
R&D	Research & Development
M-1	Light Industrial
M-2	Heavy Industrial

For the purpose of this UDO, portions of the City, as specified on the Official Zoning Map of the City, are hereby divided into the zoning, design, and overlay districts enumerated below. The intensity regulations applicable for such zoning districts are designated in [Chapter 12, Article 5](#) and the use regulations are designated in [Chapter 12, Article 6](#) of this UDO.

(Ord. No. 2012-3450, Pt. 1(Exh. B), 9-27-2012)

#### **Sec. 12-4.5. - Application of District Regulations.**

##### **B. Newly Annexed Territory.**

The administration of this UDO to newly annexed territory shall consider the following provisions:

1. Any territory hereafter annexed to the City of College Station, not otherwise classified at the time of annexation, shall be classified by applying the ~~A-O, Agricultural Open~~ R Rural District.
2. Upon annexation, no person shall initiate any development or construction activity, including site preparation, foundation forming, sign erection, construction, improvement, repair or demolition

within a newly annexed area without first applying for and obtaining the appropriate permits or other approvals required by this UDO.

3. No person relying on a claim of vested rights shall continue any development activity within a newly annexed area without first applying for and obtaining a building permit; however, persons are not precluded from the following activities:
  - a. Continuing to use land in the area in the manner in which the land was being used on the date the annexation proceedings were instituted if the land use was legal at that time; or
  - b. Beginning to use land in the area in the manner that was planned for the land before the ninetieth (90th) day before the effective date of the annexation if:
    - 1) One (1) or more licenses, certificates, permits, approvals, or other forms of authorization by a governmental entity were required by law for the planned land use; and
    - 2) A completed application for the initial authorization was filed with the governmental entity before the date the annexation proceedings were instituted. For purposes of this section, a completed application is filed if the application includes all documents and other information designated as required by the governmental entity in a written notice to the applicant.
4. In accordance with § 43.002. Continuation of Land Use, of the Texas Local Government Code, the City may apply the following regulations within newly annexed territory:
  - a. A regulation relating to the location of sexually-oriented businesses;
  - b. A regulation relating to preventing imminent destruction of property or injury to persons;
  - c. A regulation relating to public nuisances;
  - d. A regulation relating to flood control;
  - e. A regulation relating to the storage and use of hazardous substances;
  - f. A regulation relating to the sale and use of fireworks; or
  - g. A regulation relating to the discharge of firearms.
5. Any person with an interest in property within a newly annexed area may apply to the Administrator for a determination of the vested rights such person has, if any, to continue development activities initiated prior to annexation. Such determinations shall be based upon all pertinent facts and upon the relevant decisions of State and Federal courts. The applicant may submit any written evidence to the Administrator for consideration. The Administrator's written determination shall be final unless duly appealed to the Zoning Board of Adjustment.

## Article 5. District Purpose Statements and Supplemental Standards

### Sec. 12-5.1. Residential Zoning Districts.

Occupancy of any dwelling in the following districts shall be limited to "family" as defined by this UDO.

#### A. Rural (R).

This district includes lands that, due to public service limitations, inadequate public infrastructure, or a prevailing rural or agricultural character, are planned for very limited development activities. This district is designed to provide land for a mix of large acreages and large-lot residential developments. Open space is a dominant feature of these areas. This district may also serve as a reserved area in which the future growth of the City can occur.

#### ~~A. Agricultural-Open (A-O).~~

~~This district includes lands within the corporate limits of the City, which are not subdivided and are relatively undeveloped. This district is intended to be applied to land which is used for agricultural, very low-intensity residential, or open space uses, but which is projected in the Comprehensive Plan for conversion to more intensive urban uses at such time as community services are available and community needs for such uses are present. As such, it is a reserved area in which the future growth of the City can occur.~~

#### B. Estate (E).

This district is designed to provide land for low-density single-family lots. These areas shall consist of residential lots averaging twenty thousand (20,000) square feet when clustered around open space or large lots with a minimum of one acre. Subdivisions within this district may contain rural infrastructure.

#### ~~B. Rural Residential Subdivision (A-OR).~~

~~This district allows different infrastructure standards from the more urbanized developments within the City, and is intended for developments of a minimum of fifty (50) acres that are to be subdivided into single-family tracts no smaller than one (1) acre each. Generally, locations are intended to be at the periphery of the City where infrastructure may not yet be available and not within the urbanized core. In the developed area of the City, where infrastructure is available for extension, there may be locations where a rural subdivision would be appropriate depending on surrounding land uses and the existing road system.~~

#### C. Restricted Suburban (RS).

This district is designed to provide land for detached medium-density, single-family residential development. These areas shall consist of residential lots averaging eight thousand (8,000) square feet when clustered around open space or larger lots with a minimum of ten thousand (10,000) square feet.

#### ~~CD. Single-Family Residential (R-1). General Suburban (GS).~~

~~This district includes lands planned for single-family residential purposes and accessory uses. This district is designed to accommodate sufficient, suitable residential neighborhoods, protected and/or buffered from incompatible uses, and provided with necessary and adequate facilities and services.~~

#### ~~D. Single-Family Residential (R-1B).~~

~~This district is designed to provide land for detached single-family residential suburban development. This district contains lots that are larger than the minimum R-1 lot, but smaller than the minimum A-OR.~~

E. **Duplex Residential (R-2D).**

This district contains land that has been planned for duplex residential purposes and associated uses. Characterized by moderate density, it may be utilized as a transitional zone.

The following supplemental standards shall apply to this district:

1. Single-family dwellings shall conform to ~~R-1, Single-Family Residential~~ GS General Suburban Standards.
2. Where parking is provided in the front yard of a duplex, an eight-foot setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must contain a three-foot screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot setback shall be required between the dwelling unit and the nearest side of the parking pad.

F. **Townhouse (R-3T).**

This district contains land, which is to be used for a unique type of dwelling, typically designed for individual ownership, or ownership in-groups of single-family attached residences constructed on individually-platted lots.

The following supplemental standard shall apply to this district:

Single-family dwellings shall conform to ~~R-1, Single-Family Residential~~ GS General Suburban standards.

G. **Multi-Family (R-4).**

This district provides land for development of apartment and condominium units at low to medium densities. This district may serve as a transitional zone between lower density residential areas and other residential or non-residential areas.

The following supplemental standards shall apply to this district:

1. Duplex dwelling units shall conform to ~~R-2D~~, Duplex ~~Residential~~ standards.
2. Townhouse dwelling units shall conform to ~~R-3T~~ Townhouse standards.

H. **High Density Multi-Family (R-6).**

This district contains land used for a variety of housing types, but primarily multiple family dwellings. This district is designed to provide the highest density in the community for developments in close proximity to the University.

The following supplemental standards shall apply to this district:

1. Duplex dwelling units shall conform to ~~R-2D~~ Duplex ~~Residential~~ standards.
2. Townhouse dwelling units shall conform to ~~R-3T~~ Townhouse standards.

I. **Manufactured Home Park (R-7MHP).**

This district contains land that is located, designed and operated as a site for residential uses consisting of manufactured homes in accordance with the permitted uses. The following supplemental standards shall apply to this district:



1. The construction, reconstruction, alteration, or enlargement of a manufactured home park must be pursuant to an approved site plan.
2. Minimum manufactured home park area is two (2) contiguous acres.
3. Maximum gross density shall be ten (10) dwelling units per acre.
4. Minimum setback for a manufactured home from a public street shall be fifteen (15) feet.
5. Minimum setback for a manufactured home from a lot line shall be fifteen (15) feet.
6. Minimum setback for a manufactured home from a private street, parking, or other common area shall be fifteen (15) feet.
7. Minimum setback between two (2) manufactured homes shall be fifteen (15) feet; except that private accessory storage structures located on an individual manufactured home lot need not maintain a separation from the manufactured home that occupies the same lot.
8. Parking areas may be located within common parking areas or on individual manufactured home lots, provided that the parking required for each manufactured home is located within two hundred (200) feet of each lot.
9. Each manufactured home park lot shall have access to public utilities, and it shall have vehicular access to/from either a public right-of-way or private drive.

The following table establishes dimensional standards that shall be applied within the Residential Zoning Districts, unless otherwise identified in this UDO.

Residential Zoning Districts										
	R	E (N)	RS (J)	GS (J)	T	D	MHP	R-4	R-6	Accessory Structures
Non-Clustered Residential Zoning Districts										
Average Lot Area per Dwelling Unit (DU)	3 Acres Average	1 Acre	10,000 SF Average	5,000 SF	2,000 SF	3,500 SF	(L)	None	None	Refer to Section 12-6.5, Accessory Uses (L)
Absolute Min. Lot Area per Dwelling Unit (DU)	2 Acres	1 Acre	6,500 SF	5,000 SF	2,000 SF	3,500 SF		None	None	
Min. Lot Width	None	100'(L)	70'	50'	None	35'/DU(E)		None	None	
Min. Lot Depth	None	None	None	100'	None	100'		None	None	
Min. Front Setback (H)	50'	30'	25'	25'(D)	25'(D)	25'(D)		25'(D)	25'(D)	
Min. Side Setback	20'	10'	7.5'	7.5'	(A)	7.5'(C)		(A)(B)	(A)(B)	
Min. Side Street Setback	15'	15'	15'	15'	15'	15'		15'	15'	
Min. Side Setback between Structures (B)	N/A	15'	15'	15'	7.5'	15'		7.5'	7.5'	
Min. Rear Setback (I)	50'	20'	20'	20'	20'	20'(F)		20'	20'	
Max. Height	35' (G)(K)(L)	35' (G)(K)(L)	35' (G)(K)(L)	2.5 Stories/ 35' (G)(K)(L)	35' (G)(K)(L)	2.5 Stories/ 35' (G)(K)(L)	(G)(L)	(G)(L)		
Max. Dwelling Units/Acre (Subdivision Gross)	0.33	1.0	4.00	8.0	14.0	12.0	10.0	20.0	30.0	N/A
Clustered Residential Zoning Districts										
Average Lot Area per Dwelling Unit (DU)	N/A	20,000 SF Average	8,000 SF Average	3,750 SF	N/A	N/A	N/A	N/A	N/A	N/A
Absolute Min. Lot Area per Dwelling Unit (DU)		10,000 SF	6,500 SF	3,750 SF						
Min. Lot Width		100' (M)	None	None						
Min. Lot Depth		None	None	None						
Min. Front Setback (H)		Refer to Section 12.8.3.H.4, Cluster Development, Specific District Standards								
Min. Side Setback										
Min. Street Side Setback										
Min. Side Setback between Structures (B)										
Min. Rear Setback (I)										
Max. Height		35' (G) (K)	35' (G) (K)	2.5 Stories/ 35' (G) (K)						
Max. Dwelling Units/Acre (Subdivision Gross)	1.0	4.00	8.0							

[illegible]

	A-O	A-OR	R-1(J)	R-1B	R-2	R-3	R-4	R-6	R-7	Accessory Structures
Min. Side Setback between Structures (B)			15'	15'	15'	7.5'	7.5'	7.5'		
Min. Rear Setback (I)	50'	50'	20'	20'	20'(F)	20'	20'	20'		
Max. Height	35' (G) (K) (L)	35' (G) (K) (L)	2.5' Stories/ 35' (G)-(K) (L)	2.5' Stories/ 35' (G)-(K) (L)	2.5' Stories/ 35' (G)-(K) (L)	35' (G) (K) (L)	(G) (L)	(G) (L)		
Max. Dwelling Units/Acre	0.2	1.0	8.0	6.0	12.0	14.0	20.0	30.0	10.0	N/A

-

## Notes:

- (A) A minimum side setback of seven and one-half (7.5) feet is required for each building or group of contiguous buildings.
- (B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or by dedicated right-of-way or easement.
- (C) Zero lot line construction of a residence is allowed where property on both sides of a lot line is owned and/or developed simultaneously by single party. Development under lot line construction requires prior approval by the Zoning Official. In no case shall a single-family residence or duplex be built within fifteen (15) feet of another primary structure. See [Chapter 12, Article 8](#), Subdivision Design and Improvements, for more information.
- (D) Minimum front setback may be reduced to fifteen (15) feet when approved rear access is provided, or when side yard or rear yard parking is provided.
- (E) The minimum lot width for a duplex dwelling may be reduced to thirty (30) feet per dwelling unit when all required off-street parking is provided in the rear or side yard.
- (F) Minimum rear setback may be reduced to fifteen (15) feet when parking is provided in the front yard or side yard.
- (G) Shall abide by Section 12-7.2.H, Height.
- (H) Reference Section 12-7.1.D.1.e for lots created by plat prior to July 15, 1970 and designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use and Character Map.
- (I) Reference Section 12-7.2.D.1.b for lots with approved rear access.
- (J) For areas within a Single-Family Overlay District, reference the Neighborhood Prevailing Standards Overlay Districts Section in [Article 5](#) or the Ordinance authorizing the rezoning for Neighborhood Conservation Overlay Districts.

(K) Public, civic, and institutional structures shall have a maximum building height of fifty (50) feet in these districts.

(L) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.

(M) In subdivisions built to rural street standards, lots shall be a minimum of one hundred (100) feet in width. There is no minimum lot width in cluster subdivisions built to urban street standards.

(N) Estate lots that are part of a subdivision existing on or before September 12, 2013 are not permitted to use Cluster Development Standards without rezoning approval, which incorporates the entire subdivision.

(Ord. No. 2012-3449, Pt. 1(Exh. M), 9-27-2012; Ord. No. 2012-3458, Pt. 1(Exh. A), 11-8-2012; Ord. No. 2013-3471, Pt. 1(Exh. B), 1-10-2013)

### Sec. 12-5.5. Retired Districts.

Retired Districts include districts existing prior to the amendment of this UDO. Existing districts will continue to remain in effect but these districts are not available for any new Zoning Map Amendment proposals.

#### ~~D. Single~~ **A. Single-Family Residential (R-1B).**

~~This district is designed to provide land for detached single-family residential suburban development. This district contains lots that are larger than the minimum R-4-GS lot, but smaller than the minimum A-ORE.~~

#### **AB. Light Commercial (C-3).**

This district is designed to provide locations for commercial sites that are too small for many permitted uses in the GC, General Commercial District. These are moderately low traffic generators that have little impact on adjacent areas or on adjacent thoroughfares.

The following supplemental standard shall apply to this district:

No C-3 zoning district, including adjacent C-3 zoning districts, shall exceed a combined total of five (5) acres in area.

#### **BC. Research & Development (R&D).**

This district is designed for administrative and professional offices, and research and development oriented light industrial uses meeting the standards and performance criteria established in this section. These uses could be compatible with low intensity uses and all residential uses, thereby maintaining the character and integrity of neighborhoods. This district should be carefully located in areas where there is sufficient access to arterial level thoroughfares. The following supplemental standards shall apply to this district:

##### 1. **Performance Criteria for All Uses.**

- a. **Impervious Surface:** Impervious surface is limited to seventy (70) percent.
- b. **Floor Area Ratio (FAR):** The maximum FAR in this district shall not exceed fifty (50) percent.
- c. **Building Materials:** All main buildings shall have not less than ninety (90) percent of the total exterior walls, excluding doors, windows and window walls, constructed or faced with brick, stone, masonry, stucco or precast concrete panels.
- d. **Signs:** Any detached or freestanding signage shall meet the criteria for low-profile signs established in [Section 12-7.5](#), Signs. Materials shall match building façade materials.
- e. **Other District Regulations:** Uses should be designed to provide adequate access and internal circulation such that travel through residentially-zoned or developed areas is precluded. All processes are to be conducted inside buildings and there shall be no outside storage or business activity. Any business operations occurring during the hours between 7:00 p.m. and 6:00 a.m. must meet all the performance criteria established in this section, as well as limit vehicular access into the site through a designated access point that mitigates any adverse impacts of the traffic on surrounding residential areas.

##### 2. **Additional Standards.**

- a. This section may be applied to any conditional use proposed in this district when either the Administrator or Development Engineer believes that the existing performance standards contained in this UDO are insufficient to address the proposed use because of its

technology or processes and thus, will not effectively protect adjacent existing or future land uses. One (1) or both shall so advise the Planning and Zoning Commission in writing.

- b. In such cases, the Planning and Zoning Commission shall hold a hearing to determine whether a professional investigation or analysis should be performed to identify and establish additional reasonable standards. If so determined, based on the information presented at the hearing, the Planning and Zoning Commission will identify the areas to be investigated and analyzed and will direct the staff to conduct the appropriate research necessary to develop standards for successful management of the new project. Any and all costs incurred by the City to develop additional standards shall be charged to the applicant and included as an addition to the cost of either the building permit fee or zoning application fee.

**CD. Light Industrial (M-1).**

This district is provided for offices, research and development activities and high technological, light manufacturing, non-polluting industries that are self-contained. It is further intended that the Light Industrial District may be compatible with adjacent uses in any other district, depending upon the character of the operation and the conditions imposed.

**DE. Heavy Industrial (M-2).**

This district is designed to provide land for manufacturing and industrial activities with generation of nuisance characteristics greater than activities permitted in the CI and M-1 zoning districts. Permitted uses within this district are generally not compatible with residential uses of any density or lower intensity commercial uses.

(Ord. No. 2012-3450, Pt. 1(Exh. C), 9-27-2012; Ord. No. 2013-3471, Pt. 1(Exh. C), 1-10-2013)

**Sec. 12-5.6. Retired Dimensional Standards.**

**A. Retired Residential Zoning Districts**

The following table establishes dimensional standards that shall be applied within the Retired Residential Zoning Districts, unless otherwise identified in this UDO:

	<b><u>Retired Residential Zoning Districts</u></b>
	<b><u>R-1B</u></b>
<u>Min. Lot Area per Dwelling Unit (DU)</u>	<u>8,000 SF</u>
<u>Min. Lot Width</u>	<u>None</u>
<u>Min Lot Depth</u>	<u>None</u>
<u>Min. Front Setback (H)</u>	<u>25'(D)</u>
<u>Min. Side Setback</u>	<u>7.5' (C)</u>
<u>Min. Side Street Setback</u>	<u>15'</u>
<u>Min. Side Setback between Structures (B)</u>	<u>15'</u>
<u>Min. Rear Setback (I)</u>	<u>20'</u>
<u>Max. Height</u>	<u>2.5 Stories/35'(G)(K)(L)</u>
<u>Max. Dwelling Units/Acre</u>	<u>6.0</u>

**Notes:**

- (A) A minimum side setback of seven and one-half (7.5) feet is required for each building or group of contiguous buildings.
- (B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or by dedicated right-of-way or easement.
- (C) Zero lot line construction of a residence is allowed where property on both sides of a lot line is owned and/or developed simultaneously by single party. Development under lot line construction requires prior approval by the Zoning Official. In no case shall a single-family residence or duplex be built within fifteen (15) feet of another primary structure. See Chapter 12, Article 8, Subdivision Design and Improvements, for more information.
- (D) Minimum front setback may be reduced to fifteen (15) feet when approved rear access is provided, or when side yard or rear yard parking is provided.
- (E) The minimum lot width for a duplex dwelling may be reduced to thirty (30) feet per dwelling unit when all required off-street parking is provided in the rear or side yard.
- (F) Minimum rear setback may be reduced to fifteen (15) feet when parking is provided in the front yard or side yard.
- (G) Shall abide by Section 12-7.2.H, Height.



- (H) Reference Section 12-7.1.D.1.e for lots created by plat prior to July 15, 1970 and designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use and Character Map.
- (I) Reference Section 12-7.2.D.1.b for lots with approved rear access.
- (J) Reference Section 12-5.12 for areas in Neighborhood Prevailing Standards Overlay Districts and reference Ordinance authorizing the rezoning for Neighborhood Conservation Overlay Districts.
- (K) Public, civic, and institutional structures shall have a maximum building height of fifty (50) feet in these districts.
- (L) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.
- (Ord. No. 2012-3449, Pt. 1(Exh. M), 9-27-2012; Ord. No. 2012-3458, Pt. 1(Exh. A), 11-8-2012; Ord. No. 2013-3471, Pt. 1(Exh. B), 1-10-2013)

**A.B. Retired Non-Residential Zoning Districts**

The following table establishes dimensional standards that shall be applied within the Retired Non-Residential Zoning Districts, unless otherwise identified in this UDO:

	Retired Non-Residential Zoning Districts			
	C-3	R&D	M-1	M-2
Min Lot Area	None	20,000 SF	None	None
Min. Lot Width	24'	100'	100'	None
Min. Lot Depth	100'	200'	200'	None
Min. Front Setback	25'	30'	25'	25'
Min. Side Setback	(A)(B)	30'(B)	(A)(B)	(A)(B)
Min. St. Side Setback	15'	30'	15'	25'
Min. Rear Setback	15'	30'(D)	15'	15'
Max. Height	(C)	(C)	(C)	(C)

**Notes:**

- (A) A minimum side setback of seven and one-half (7.5) feet shall be required for each building or group of contiguous buildings.
- (B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or separated by a dedicated public right-of-way or easement of at least fifteen (15) feet in width.
- (C) See Section 12-7.2.H, Height.
- (D) When abutting non-residentially zoned or used land, the rear setback may be reduced to twenty (20) feet.
- (E) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations. (Ord. No. 2012-3450, Pt. 1(Exh. C), 9-27-2012; Ord. No. 2013-3471, Pt. 1(Exh. B), (Exh. C), 1-10-2013)
- (Ord. No. 2012-3450, Pt. 1(Exh. C), 9-27-2012; Ord. No. 2013-3471, Pt. 1(Exh. B), (Exh. C), 1-10-

## **Article 6. Use Regulations**

### **Sec. 12-6.3. Types of Use.**

#### **C. Use Table.**

Except where otherwise specifically provided herein, regulations governing the use of land and structures with the various zoning districts and classifications of planned developments are hereby established as shown in the following Use Table.

##### **1. Permitted Uses.**

A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

##### **2. Permitted Uses Subject to Specific Standards.**

A "P\*" indicates a use that will be permitted, provided that the use meets the provisions in [Section 12-6.4](#), Specific Use Standards. Such uses are also subject to all other applicable regulations of this UDO.

##### **3. Conditional Uses.**

A "C" indicates a use that is allowed only where a conditional use permit is approved by the City Council. The Council may require that the use meet the additional standards enumerated in [Section 12-6.4](#), Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

[illegible]

USE TABLE	Residential Districts										Non-Residential Districts							Retired Districts					Design Districts					
Specific Uses	R	E	RS	GS	T**	D**	R-4**	R-6**	MHP**	P-MUD**	O	SC	GC	CI	BP	BPI	CU	NAP	R-1B	C-3**	M-1	M-2	R&D**	WPC**	NG-1**	NG-2**	NG-3**	
COMMERCIAL, OFFICE AND RETAIL (continued)																												
Art Studio/Gallery										P	P	P								P				P	P	P	P	
Car Wash													P*															
Commercial Garden/Greenhouse/Landscape Maint.	P*												P*	P*	P*	P*						P*						
Commercial Amusements										P		C	P*	P*						C				P	P	P		
Conference/Convention Center										P			P	P										P	P	P		
Country Club	P	P	P	P						P			P	P					P									
Day Care, Commercial							C	C	C	P	P	P	P							P					P	P	P	
Drive-in/thru window												P*	P											C		P*		
Dry Cleaners & Laundry										P*	P*	P	P	P						P*				P*	P*	P*	P*	
Fraternal Lodge										P			P	P											P	P	P	
Fuel Sales										P*		P*	P*							P*		P						
Funeral Homes													P	P	P							P						
Golf Course or Driving Range	P*									P*			P*	P*														
Health Club/Sports Facility, Indoor										P		P	P							P				P	P	P	P	
Health Club/Sports Facility, Outdoor										P			P											P	P*	P		
Hotels	C²									P			P											P	P	P		
Night Club, Bar, or Tavern										C			C											C	P	P		
Offices										P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	
Parking as a Primary Use										P	C		P	P										P		P*		
Personal Service Shop										P	P	P	P							P				P	P	P	P	
Printing/Copy Shop										P	P	P	P	P	P	P				P				P	P	P		
Radio/TV Station/Studios										P	P		P	P	P	P				P	P	P				P*		
Recreational Vehicle (RV) Park	C³												C³															
Restaurants										P		P*	P							P*				P	P	P	P*	
Retail Sales - Single Tenant over 50,000 SF													P													P		
Retail Sales and Service										P		P*	P*	P*						P				P	P	P	P	
Retail Sales and Service - Alcohol										P			P*	P*						P				C	P	P		
Sexually Oriented Business (SOB)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P*		P*	P*	P*	P*	P*	P*	P*	P*	P*	
Shooting Range, Indoor										P			P	P		P								P				

USE TABLE	Residential Districts										Non-Residential Districts								Retired Districts					Design Districts			
Specific Uses	R	E	RS	GS	T**	D**	R-4**	R-6**	MHP**	P-MUD**	O	SC	GC	CI	BP	BPI	CU	NAP	R-1B	C-3**	M-1	M-2	R&D**	W/PC**	NG-1**	NG-2**	NG-3**
COMMERCIAL, OFFICE AND RETAIL (continued)																											
Theater										P			P											P	P	P	P
Retail Sales, Manufactured Homes																P						P*					
Storage, Self Service												P*	P	P		P				P*		P					
Vehicular Sales, Rental, Repair, and Service													P*	P*		P						P*					
Wholesales/Services													P*	P*	P	P					P	P					
INDUSTRIAL AND MANUFACTURING																											
Bulk Storage Tanks/Cold Storage Plant														P		P						P					
Micro-Industrial													P*	P*		P											
Industrial, Light														P	P	P					P	P	P				
Industrial, Heavy																P						P					
Recycling Facility - Large														P*		P						P					
Salvage Yard																P*						P*					
Scientific Testing/Research Laboratory														P	P	P					P		P				
Storage, Outdoor - Equipment or Materials														P	P*	P					P	P					
Truck Stop/Freight or Trucking Terminal																P						P					
Utility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Warehousing/Distribution														P	C	P						P	P				
Waste Services																P						P					
Wireless Telecommunication Facilities - Intermediate	P*									P*	P*		P*	P*	P*	P		P*		P*	P*	P*	P*	P*	P*	P*	P*
Wireless Telecommunication Facilities - Major	C										C		C	C	C	P		C		C	C	P*	C				
Wireless Telecommunication Facilities - Unregulated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P		P	P	P

\*\* District with Supplemental Standards (Refer to [Article 5](#)).

<sup>1</sup> Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

<sup>2</sup> Hotels only allowed when accessory to a Country Club development and are limited to a maximum of fifteen (15) rooms.

<sup>3</sup> Refer to Section 12-6.4.Z "Recreational Vehicles Park Standards (RV Parks)" for Specific Use Standards.

Per Ordinance No. 3243 (April 22, 2010)

Per Ordinance No. 3271 (August 26, 2010)

Per Ordinance No. 3280 (September 9, 2010)

Per Ordinance No. 2011-3312 (January 27, 2011)

(Ord. No. 2012-3449, Pt. 1(Exh. G), 9-27-2012; Ord. No. 2012-3450, Pt. 1(Exh. D), 9-27-2012)

#### **Sec. 12-6.4. - Specific Use Standards.**

The following specific use standards shall apply to those uses listed below and identified in the Use Table in [Section 12-6.3](#), Types of Use, with a "P\*." A site plan review, as required by [Section 12-3.6](#), Site Plan Review, is required for all specific uses identified herein. For the purposes of this section, buffers shall comply with [Section 12-7.7](#), Buffer Requirements unless specified herein. For the purposes of this section, residential areas or uses shall mean existing developed or developing (platted) residential uses including single-family and multi-family housing, townhomes, and duplexes.

##### **A. Animal Care Facilities.**

Any animal care facilities with defined outdoor uses and/or facilities shall be located a minimum of five hundred (500) feet from existing or developing residential areas; and facilities with outdoor facilities for large animals shall be permitted in ~~A-O Agricultural Open~~[R Rural](#), only.

##### **X. Wireless Telecommunication Facility (WTF).**

###### **3. Permitted Locations.**

- a. All Intermediate WTFs are permitted by right in the following zoning districts:

~~A-O Agricultural Open~~[R Rural](#)

M-1 Light Industrial  
M-2 Heavy Industrial  
GC General Commercial  
CI Commercial Industrial  
C-3 Light Commercial  
NG Northgate  
City-owned premises  
O Office  
R&D Research & Development  
WPC Wolf Pen Creek  
PDD Planned Development District (except PDD-H)  
BP Business Park  
BPI Business Park Industrial.

- b. Major WTFs are allowed in the following zoning districts with a Conditional Use Permit:

~~A-O Agricultural Open~~[R Rural](#)

M-1 Light Industrial  
M-2 Heavy Industrial  
BP Business Park  
BPI Business Park Industrial  
GC General Commercial  
CI Commercial Industrial  
C-3 Light Commercial  
O Office  
R&D Research & Development  
City-owned premises.

- c. WTFs may locate on City-owned premises without a conditional use permit with approval of the City Council and subject to the requirements of this UDO.

###### **6. Requirements for New Transmission Towers.**

- a. **Setbacks.**

The standard setbacks for each zoning district will apply to WTFs with additional setbacks or separation being required in the sections below. To protect citizens in their homes, transmission towers shall be placed a distance equal to the height of the tower away from any residential structure. And, non-stealth towers shall be set back a distance equal to the height of the tower away from any ~~R-1GS~~, R-1B, or ~~R-2D~~ zone boundary.

## Article 7 General Development Standards

### Sec. 12-7.5. - Signs.

#### C. Summary of Permitted Signs.

The following signs are permitted in the relevant zoning districts of the City:

	<del>A-OR</del>	<del>A-ORE</del>	R-1B	<del>R-1GS</del>	<del>R-2D</del>	<del>R-3T</del>	R-4	R-6	<del>R-7MHP</del>	O	SC	GC	CI	C-3	BP	BPI	R&D	M-1	M-2
Apartment/Condominium/ Manufactured Home Park Identification Signs							X	X	X										
Area Identification/ Subdivision Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Attached Signs							X	X	X	X	X	X	X	X	X	X	X	X	X
Campus Wayfinding Signs										X	X	X	X		X	X	X		
Commercial Banners							X	X		X	X	X	X	X	X	X	X	X	X
Development Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Directional Traffic Control Signs										X	X	X	X	X	X	X	X	X	X
Freestanding										*	**	X	X					X	X



Signs																			
Home Occupation Signs	X	X	X	X	X	X	X	X	X										
Low Profile Signs										X	X	X	X	X	X	X	X	X	X
Non-Commercial Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Real Estate, Finance, and Construction Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Roof Signs												X	X					X	X

Per Ordinance No. 2011-3348 (May 26, 2011)

\* One (1) Freestanding Sign shall be allowed in the O Office zone only when the premise has a minimum of two (2) acres.

\*\* Freestanding Signs are permitted for building plots with freeway frontage only. See 12-7.5.N "Freestanding Commercial Signs" for additional standards.

**X. Signs for Conditional Uses.**

- Signs for Conditional Uses shall comply with the regulations for the zoning district in which the Conditional Use is permitted.
- Signs for Conditional Uses in residential or ~~agricultural-rural~~ zoning districts shall comply with Section 12-7.5.F, Sign Standards, "Low Profile Signs."

**Y. Signs for Permitted Non-residential Uses in Residential or ~~Agricultural-Rural~~ Districts.**

Signs for non-residential permitted uses in residential or ~~agricultural-rural~~ zoning districts shall comply with Section 12-7.5.F, Sign Standards, "Low Profile Signs." Signs for government facilities in residential or ~~agricultural-rural~~ zoning districts shall comply with Section 12-7.5.I, Sign Standards, "Attached Signs."

**Sec. 12-7.7. Buffer Requirements.**

**F. Minimum Buffer Standards.**

The buffer requirements are designed to permit and encourage flexibility in the widths of buffer yards, the number of plants required in the buffer yard, and opaque screens. Standard buffer requirements are depicted in the table below. The numbers shown are the required buffer widths.

DEVELOPING USE (Classification)	ABUTTING PARCEL* (Use more restrictive of the zoning or the developed use.)		
	Single-Family Residential ■	Multi-Family Residential ✓	Non-Residential
Single-family ■	N/A	N/A	N/A
Multi-Family ✓	10' (1)	N/A	N/A
Office	10' (1)	N/A	N/A
Commercial	15' (2)	10' (1)	N/A
Industrial	25' (2)	15' (2)	5'
Suburban Commercial	20' (1)	N/A	N/A
DEVELOPING USE (Classification)	ABUTTING PARCEL* (Use more restrictive of the zoning or the developed use.)		
	Single-Family Residential ■	Multi-Family Residential ✓	Non-Residential
Business Park	50' (2)	15' (2)	5'
Business Park Industrial	50' (2)	30' (2)	10'***
SOB	50' (2)	50' (2)	50' (2)

✓ Includes duplexes.

■ Includes manufactured homes, mobile homes, manufactured home parks, and townhouses.

\* When an abutting parcel is vacant and zoned ~~A-O, Agricultural Open~~R Rural, the Administrator shall use the future land use of the property as designated on the Comprehensive Land Use Plan in lieu of the zoning category in determining the buffer requirement.

\*\* When an abutting parcel is zoned BP Business Park or BPI Business Park Industrial, the buffer width shall be reduced to five feet (5').

(1) Fence

(2) Wall

### Sec. 12-7.13. Traffic Impact Analyses.

#### B. Definitions.

##### 1. Trip Generation Rates.

Trip Generation Rates are used to estimate the amount of vehicular traffic generated by proposed rezoning or a proposed site plan. For Zoning TIAs, these rates are shown by zoning district in the table below. Site plan TIAs shall use rates set forth in the latest edition of the Trip Generation Report published by the Institute of Transportation Engineers (ITE), unless said Report does not adequately address the type or intensity of the proposed land use. In this event the applicant or his agent shall submit projected vehicle trips to the Administrator. For land uses adequately represented in said Report, alternate trip generation rates shall not be accepted.

Table 1 Trip Generation: Residential Land Uses				
Zoning Classification	Maximum Units/Acre	ITE Land Use Code	Trip Rate / Unit	Trip Rate / Acre
R-4	20.0	220	0.62	12.4
R-6	30.0	220	0.62	18.6
<del>R-7</del> <u>MHP</u>	Determined by Administrator			
P-MUD	Determined by Administrator			

#### C. Applicability.

##### 1. Zoning TIA.

Any zoning request, except for certain "redevelopment" areas, requests for ~~A-OR~~, ~~A-ORE~~, ~~R-4GS~~, R-1B, ~~R-2D~~, or ~~R-3I~~ zoning classifications which is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period requires a TIA. Where the

Comprehensive Plan designates a property as "Redevelopment" a TIA is required if the zoning request is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period more than those generated by the currently approved use(s) on the property. A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated for all the proposed districts. A TIA may be required for a zoning request that generates less than one hundred fifty (150) trips in the peak hour, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed rezoning request. In cases where a TIA is required, the rezoning application will be considered incomplete until the TIA is submitted.

## Article 8. Subdivision Design and Improvements

### Sec. 12-8.3. General Requirements and Minimum Standards of Design for Subdivisions within the City Limits.

#### H. Lots.

##### 4. Cluster Development.

###### a. General Purpose.

A cluster development is intended to provide open space, preserve unique environmental features, or protect the character of rural areas. It ~~A cluster development~~ is a residential subdivision in which the lots are allowed to be smaller (in area and width) than otherwise required for the underlying, base zoning district, but in which the overall density of all the lots collectively do not exceed the maximum density limit for the underlying zoning district. Through the cluster development option, a subdivision can contain no more lots than would otherwise be allowed for a conventional subdivision in the zoning district, though the individual lots within the development can be smaller than required in a conventional subdivision. The average lot size in a cluster development must be less than the minimum lot size of the base zoning district. Smaller lot sizes within a cluster development are required to be offset by the provision of open space as set forth below.

###### b. Conflict with Other Regulations.

If there is a conflict between the cluster development standards of this Section and any other requirement of this UDO, the standards of this Section control. Where no conflict exists, a cluster development is subject to all other applicable requirements of this UDO.

###### c. ~~1~~ Where Allowed.

Cluster developments are allowed in ~~all residential~~ residential E Estate, RS Restricted Suburban, and GS General Suburban zoning districts.

###### d. ~~2~~ Approval Procedure.

Cluster Developments are subject to the subdivision procedures set forth in this UDO. A note shall be provided on the plat that states the subdivision is a cluster development with additional descriptions as necessary.

###### e. Specific District Standards

###### 1. Estate –

a. **Lot Size.** The minimum average lot size is 20,000 square feet with an absolute minimum lot size of 10,000 square feet as long as individual lot sizes are adequate to meet all other required density, district, and development standards. There is no set minimum lot width or depth requirement within a cluster development, except as noted below. Subdivisions with all lots over 20,000 square feet and lot widths of 100 feet may use rural character roads. Subdivisions containing any lots below 20,000 square feet must use urban street standards.

b. **Setbacks and Building Separations.** The minimum setback standards of the base zoning district apply along the perimeter of a cluster development. All detached structures within a cluster development must be separated by a minimum distance of ten feet.

2. Restricted Suburban –

- a. **Lot Size.** The minimum average lot size is 8,000 square feet with an absolute minimum lot size of 6,500 square feet as long as individual lot sizes are adequate to meet all other required density, district, and development standards. There is no set minimum lot width or depth requirement within a cluster development.
- b. **Setbacks and Building Separations.** The minimum setback standards of the base zoning district apply along the perimeter of a cluster development. All detached structures within a cluster development must be separated by a minimum distance of ten feet.

3. General Suburban –

- a. **Lot Size.** The minimum lot size is 3,750 square feet as long as individual lot sizes are adequate to meet all other required density, district, and development standards. There is no set minimum lot width or depth requirement within a cluster development.

b. ~~3) Lot Size.~~

~~There is no set minimum lot width or depth requirement within a cluster development; however, the lot size may be reduced by up to twenty-five (25) percent as long as individual lot sizes are adequate to meet all other required density, district, and development standards.~~

4) **Setbacks and Building Separations.**

The minimum setback standards of the base zoning district apply along the perimeter of a cluster development. All detached structures within a cluster development must be separated by a minimum distance of ten (10) feet.

f. **Open Space.**

1. **Description of Open Space.**

~~Any parcel or parcels of land or an area of water, or a combination of land and water within a development site provided and made legally available for the use and enjoyment of all residents of a proposed project. Open space may include amenities such as private outdoor recreation facilities, natural areas, trails, agricultural lands, or stormwater management facilities designed as a neighborhood amenity. Areas encumbered by right-of-way, easements, or utilized as parking may not be counted towards the Open space requirements. Open spaces must be privately owned and maintained by a Home Owners Association (HOA).~~

~~Common open space must be set aside and designated as an area where no development will occur, other than project-related recreational amenities or passive open space areas. The Commission may require that up to fifty (50) percent of required common open space be useable recreational space, if deemed necessary by the Commission to ensure adequate recreational amenities for residents of the development.~~

2. ~~5) Open Space.~~

(a) ~~Amount of Open Space.~~

~~Cluster developments shall be subject to the minimum lot coverage and on-site open space standards of the base zoning district, if applicable.~~

**(b) Common Open Space Required for Cluster Developments.**

**a. i. Minimum Requirement.**

1. Common open space is required within a cluster development to ensure that the overall density within the development does not exceed the maximum density allowed by the underlying zoning district.
2. Common open space must be provided in an amount of at least ten (10) percent of the gross area of the development, or fifteen (15) percent of the gross area if the development is located in a Growth Area.
3. All proposed lots shall have direct access to the common open space, via access easement, sidewalk, or street. Common open space may be located at the rear of lots only when the space is designed for active recreation or a design concept is submitted to staff for approval. Examples of active recreation areas may include amenities such as sports fields, hike or bike trails, parks, amenity centers, and golf courses.
4. All open space areas shall be part of a larger continuous and integrated open space system within the parcel being developed. The required common open space must be arranged to provide at least 30 percent of the space in at least one contiguous area. The minimum dimensions of such space must be 25 feet by 25 feet. The remaining required common usable open space may be distributed throughout the building site and need not be in one such area; provided, however, no area containing less than 1000 square feet will be considered common usable open space.
5. massed together in areas to benefit the majority of property owners as well as protecting natural amenities. The minimum common open space area must be at least equal to the difference between:
  - a. The actual, average lot area per dwelling unit within the cluster development; and
  - b. The required lot area per dwelling unit for conventional development within the underlying base zoning district.

**6. ii. Use of Common Open Space.**

~~Common open space must be set aside and designated as an area where no development will occur, other than project-related recreational amenities or passive open space areas. The Commission may require that up to fifty (50) percent of required common open space be useable recreational space, if deemed necessary by the Commission to ensure adequate recreational amenities for residents of the development.~~

The common open space requirement shall not be credited toward the parkland dedication requirements specified in the City subdivision ordinance.

**K. Sidewalks.**

**3. Sidewalk Exceptions.**

Sidewalks are not required:

- d. Along new or existing streets within a ~~rural~~ Rural residential ~~Residential~~ subdivision constructed to the rural section; or

- e. Along existing local/residential streets unless sidewalks have been identified in the Bicycle, Pedestrian, and Greenways Master Plan or in the applicable neighborhood, district, or corridor plan.



## Article 9. - Nonconformities

### Sec. 12-9.4. - Nonconforming Lots of Record.

#### C. Regulations for Certain Nonconforming Lots Zoned ~~A-O (Agricultural Open)~~R Rural.

1. A single-family dwelling and accessory structure(s) in areas zoned ~~A-O, Agricultural Open~~R Rural, may be erected or structurally altered on a nonconforming lot of record, that is not less than five thousand (5,000) square feet in area and not more than one (1) acre in area, so long as the structure or the addition to the structure complies with the setbacks established by the ~~Single-Family Residential (R-1)~~GS General Suburban zoning district.
2. A single-family dwelling or accessory structure located on property within the area annexed by Ordinance No. 3331, adopted by the City Council on April 14, 2011, may be erected or structurally altered on a nonconforming lot of record provided the proposed construction complies with the setback requirements established by the ~~Single-Family (R-1)~~GS General Suburban zoning district.

(Ord. No. 2011-3355, § 1(Exh. B), 6-23-2011; Ord. No. 2012-3449, Pt. 1(Exh. M), 9-27-2012)

## **Article 11. Definitions**

### **Sec. 12-11.2. Defined Terms.**

For the purpose of this UDO, certain words as used herein are defined as follows:

**Density:** The number of dwelling units per ~~net~~gross acre.

(Ord. No. 2012-3450, Pt. 1(Exh. F), 9-27-2012)