
Section 8.14 NS - Neighborhood Service

1. *General Purpose and Description.* The NS, Neighborhood Service District is established as a limited retail category intended for the use of nearby neighborhood areas for the purpose of supplying day-to-day needs and personal services. The maximum floor area for a use within a multi-use building or a free-standing building for one use shall not exceed six thousand (6,000) square feet unless approved by a Specific Use Permit (SUP) or a Planned Development (PD). The architectural character within this district shall be compatible with the adjacent residential neighborhoods.
2. *Permitted Uses.*
 - a. Those uses specified in this Section.
 - b. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).
3. *Height Regulations.*
 - a. **Maximum Height** - Two (2) stories, thirty-five feet (35'); if additional height over thirty-five feet (35') is desired, then an additional setback is required. One (1) story and twenty-five feet (25') maximum height if within one hundred feet (100') of a developed SF-zoning district/lot. Architectural features may exceed twenty-five feet (25').
 - b. **Roof** - Buildings shall have pitched or mansard roofs. Other roof types may be considered by the City Council at the time of site plan approval.
4. *Area Regulations.*
 - a. *Size of Lots.*
 - 1) **Minimum Lot Size** - Thirty-three thousand (33,000) square feet.
 - 2) **Minimum Lot Width** - One hundred fifty feet (150').
 - b. *Size of Yards.*
 - 1) **Minimum Front Yard** - Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
 - 2) **Minimum Side Yard** - Exterior, fifteen feet (15'); interior, none; thoroughfare, thirty feet (30').
 - 3) **Minimum Rear Yard** - Twenty feet (20').
 - 4) **Adjacent to a Single-Family District** - The side or rear setback, whichever is adjacent to the single-family zoning district shall observe a thirty-foot (30') setback.
 - 5) **Additional setback for structures over thirty-five feet (35')** - One (1) additional foot setback for each additional two feet (2') in height above thirty-five feet (35').
5. *Other Regulations.*
 - a. As established in Article Eight.
 - b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.
 - c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
 - d. Site Plan submittal is required.
 - e. No outside storage or display is permitted unless approved by a Specific Use Permit (SUP).

NS Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(l)

- = Not Permitted

Use	SUP or P
Administrative, professional or corporate office	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Appliance Rental	SUP
Athletic stadium or field operated by the city or school district	P
Automobile electric charging station	P
Automobile parts retail sales wholly enclosed in a building	SUP
Automobile renting	SUP
Automobile service station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	P
Bar	SUP
Barber shop or beauty salon stand alone	P
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary)	Permit
Bed and Breakfast/Tourist Home	SUP
Building material and hardware	P
Child Care (Center)	P
Community center	P
Convenience store with gas pumps	SUP
Copy shop or printing shop	P
Dance studio or aerobics center	P
Driving School	SUP
Dry cleaning (small shop) in a multi-use building	P
Dry cleaning free-standing building	SUP
Fitness Center/Health Club	P
Fraternal clubs, lodges, sororities, and fraternities, etc.	SUP
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Kennels, Grooming Only	P
Kennels (Indoor Pens Only)	SUP
Kennels (Outdoor Pens, could include Indoor Pens)	SUP
Laundromat (self service)	SUP
Medical/Dental clinic or office	P
Minor medical emergency clinic	SUP
<u>Medical Spa</u>	<u>SUP</u>
Mixed-Use Residential	SUP
Museum or art gallery	P
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P

Pet grooming, no outdoor kennels	P
Pharmacist or drug store	P
Private club	SUP
Private park	P
Private school	P
Radio broadcasting without tower	SUP
Religious institution	P
Restaurant, café, cafeteria	P
Restaurant with Drive-thru/Drive-in	SUP
Retail uses and services wholly enclosed within a building	P
School, Private	P
School, Public	P
School, Business or Trade	SUP
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP
Studio, art or photographic (within multi-use retail)	P
Studio, art or photography (stand alone)	P
Temporary field construction office	P
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Veterinarian Clinic with Outdoor Pens	SUP
Veterinarian Clinic with Supplemental Services	SUP
Wind Turbines	SUP

(Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22; Ord. No. 2118 , § 2, 4-4-23)

Section 8.15 O - Office

1. *General Purpose and Description.* The O, Office District is established to create a flexible District for low intensity office and professional uses generally in buildings two (2) stories or less. Permitted uses should be compatible with adjacent residential areas by limiting heights to one (1) story and utilizing buffers and landscape requirements established by the District. Adaptive reuse of existing structures is encouraged. Sites zoned "O" may be built over two (2) stories in height if located away from any properties zoned for single family residential. Buildings in this District should be compatible and in similar scale with residential uses and adjacent property.
2. *Permitted Uses.*
 - a. Those uses specified in this Section.
 - b. Accessory uses to the main use.
 - c. Professional, administrative, and general office uses. d. Uses permitted by Specific Use Permit (SUP).
3. *Height Regulations.*
 - a. **Maximum Height** - Two (2) stories, thirty-five feet (35'); if additional height over thirty-five feet (35') is desired, then an additional setback is required. One (1) story and twenty-five feet (25') maximum

height if within one hundred feet (100') of a developed SF-zoning district/lot. Architectural features may exceed twenty-five feet (25').

- b. **Roof Pitch** - Buildings shall have pitched or mansard roof design. Other roof type may be considered on a case-by-case basis, by the City Council.

4. *Area Regulations.*

a. *Size of Lots.*

- 1) **Minimum Lot Size** - Thirty-three thousand (33,000) square feet.
- 2) **Minimum Lot Width** - One hundred fifty feet (150').

b. *Size of Yards.*

- 1) **Minimum Front Yard** - Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
- 2) **Minimum Side Yard** - Exterior, fifteen feet (15'); interior, none; thoroughfare, thirty feet (30').
- 3) **Minimum Rear Yard** - Twenty feet (20').
- 4) **Adjacent to a Single-Family District** - The side or rear setback, whichever is adjacent to the single-family zoning district shall observe a thirty-foot (30') setback.
- 5) **Additional setback for structures over thirty-five feet (35')** - One (1) additional foot setback for each additional two feet (2') in height above thirty-five feet (35').

5. *Other Regulations.*

- a. As established in Article Eight.
- b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.
- c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
- d. Site Plan submittal is required.
- e. No outside storage or display is permitted unless approved by a Specific Use Permit (SUP).

O Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(l)

- = Not Permitted

Use	SUP or P
Administrative, professional or corporate office	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Bank, saving, loan, and credit unions, including automated teller	SUP
Batching plant (temporary)	Permit
Child Care (Center)	SUP
College, university or private boarding school	SUP
Community center	P
Copy shop or printing shop	SUP

Medical/Dental clinic or office	P
<u>Medical Spa</u>	<u>SUP</u>
Minor medical emergency clinic	SUP
Museum or art gallery	P
Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P
Pharmacist or drug store	P
Private park	P
Public Park or Playground	P
Public Parking Garage associated with a building	SUP
Radio broadcasting without tower	SUP
Religious institution	P
Research and Scientific Laboratories	SUP
School, Private	P
School, Public	P
School, Business or Trade	SUP
Temporary field construction office	P
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Wind Turbines	SUP

(Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22)

Section 8.16 R - Retail

1. *General Purpose and Description.* The R, Retail District is established to provide locations for various types of general retail trade, business, and service uses. The District allows shopping areas or uses with a gross leasable floor area which exceeds six thousand (6,000) square feet (those not permitted in the NS District). These shopping areas should utilize established landscape and buffering requirements.
2. *Permitted Uses.*
 - a. Those uses specified in this Section.
 - b. Such uses as may be permitted under the provisions of Specific Use Permits.
3. *Height Regulations.*

Maximum Height - Two (2) stories, thirty-five feet (35'); if additional height over thirty-five feet (35') is desired, then additional setback is required. One (1) story, twenty-five feet (25') if within one hundred feet (100') of a developed SF-zoning district/lot. Architectural features may exceed twenty-five feet (25').
4. *Area Regulations.*
 - a. *Size of Lots.*
 - 1) **Minimum Lot Size** - Thirty-three thousand (33,000) square feet.
 - 2) **Minimum Lot Width** - One hundred fifty feet (150').
 - b. *Size of Yards.*

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(Supp. No. 35, Update 2)

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- 1) **Minimum Front Yard** - Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
 - 2) **Minimum Side Yard** - Exterior, fifteen feet (15'); interior, none; thoroughfare, thirty feet (30').
 - 3) **Minimum Rear Yard** - Twenty feet (20').
 - 4) **Adjacent to a Single-Family District** - The side or rear yard setback, whichever is adjacent to the single-family zoning district shall observe a sixty-foot (60') building setback.
 - 5) **Additional setback for structures over thirty-five feet (35')** - One (1) additional foot setback for each additional two feet (2') in height above thirty-five feet (35').
5. *Supplemental Regulations for Fuel Pumps/Sales.*
- a) Fuel pumps/sales shall only be allowed as an accessory use with a grocery or food store, fifty thousand (50,000) square-feet or larger in size, and may be approved by Specific Use Permit (SUP).
 - b) Convenience stores shall not be allowed as part of the fuel pumps. Kiosks may be used in lieu of convenience stores and shall not exceed three hundred fifty (350) square feet in building area. Kiosks larger than three hundred fifty (350) square feet may be considered as part of the site plan variance process.
 - c) The design elements of the kiosk and fuel pumps columns and canopy shall be aesthetically compatible with its associated grocery or food store and surroundings. Fuel pump canopies shall not exceed twenty-five feet (25') in height.
 - d) The use of lighted stripes, exposed neon tubular lights or similar material on kiosks or fuel pump canopies shall not be permitted.
 - e) Fuel pumps/sales shall consist of no fewer than four (4) fueling dispensers and no more than six (6) fueling dispensers as a condition of their Specific Use Permit application.
 - f) All fuel pump station amenities such as lighting fixtures, trash receptacles, and other features shall be coordinated in design with the building and fuel pump canopy and compatible with the surroundings.
 - g) The outside placement of vending machines, ice machines, merchandise, and other outside storage or displays are prohibited.
 - h) Fuel pump station canopies are allowed no more than two (2) attached signs or two (2) logos not to exceed twenty-four inches (24") in height. Kiosks shall be limited to one (1) attached sign, not to exceed twenty (20) square feet in total area and thirty-six inches (36") in height.
 - i) Fuel pump stations in the Retail zoning district may utilize electronic signage for advertisement of gas prices only. The placement of electronic signage shall be limited to monument signs. Electronic signage shall be static.
6. *Other Regulations.*
- a. As established in Article Eight.
 - b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.
 - c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
 - d. Site Plan submittal is required.
 - e. No outside storage or display is permitted unless approved by a Specific Use Permit (SUP).

R Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(l)

- = Not Permitted

Use	SUP or P
Administrative, professional or corporate office	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Appliance Rental	SUP
Athletic stadium or field operated by the city or school district	P
Automobile electric charging station	P
Automobile parts retail sales wholly enclosed in a building	SUP
Automobile sales	SUP
Automobile renting	SUP
Automobile service station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	P
Bar/Tavern	SUP
Barber shop or beauty salon stand alone	P
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary)	Permit
Bed and Breakfast/Tourist Home	SUP
Brewery with retail sales on and off premise	P
Brewery with entertainment inside or outside	SUP
Building material and hardware	P
Child Care (Center)	P
College, university or private boarding school	P
Community center	P
Copy shop or printing shop	P
Dance studio or aerobics center	P
Distillery	SUP
Distillery with 1,500 square-foot tasting room	P
Driving School	SUP
Dry cleaning (small shop) in a multi-use building	P
Dry cleaning free-standing building	SUP
Entertainment Facility (Indoor)	SUP
Fitness Center/Health Club	P
Fraternal clubs, lodges, sororities, and fraternities, etc.	P
Fuel Pumps/Sales*	SUP*
Greenhouses and nurseries (commercial retail)	SUP
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hospital	SUP
Hotel/Motel	SUP
Indoor Gun Range	SUP
Kennels, Grooming Only	P

Kennels (Indoor Pens Only)	SUP
Kennels (Outdoor Pens, could include Indoor Pens)	SUP
Light Manufacturing wholly enclosed within a building	SUP
Liquor Store (10,000 sf or greater)	SUP
Motorcycle sales	SUP
Medical/Dental clinic or office	P
<u>Medical Spa</u>	<u>SUP</u>
Minor medical emergency clinic	SUP
Museum or art gallery	P
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P
Outpatient Substance Use Treatment Program for Adolescents	SUP
Pharmacist or drug store	P
Private club	SUP
Private park	P
Public Parking Garage associated with a building	SUP
Radio broadcasting without tower	SUP
Religious institution	P
Restaurant, café, cafeteria	P
Restaurant with Drive-thru/Drive-in	SUP
Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products	SUP
Retail uses and services wholly enclosed within a building	P
Sales of used goods and merchandise	SUP
School, Private	P
School, Public	P
School, Business or Trade	P
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP
Studio, art or photographic (within multi-use retail)	P
Studio, art or photography (stand alone)	P
Temporary field construction office	P
Tool and machinery rental shop	SUP
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Veterinarian Clinic with Outdoor Pens	SUP
Veterinarian Clinic with Supplemental Services	SUP
Wind Turbines	SUP
Winery with retail sales (either on or off premise)	P
* See supplemental regulations for Fuel Pumps/Sales (above). Fuel Pumps/Sales and the related supplemental regulations are only permitted in and applicable in the Retail Zoning District; they are prohibited in other zoning districts that incorporate the Retail Use Chart.	

(Ord. No. 1959 , § 2(Exh. B), 12-3-19; Ord. No. 2061 , § 2, 5-3-22; Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2096 , § 2(Exh. A), 10-18-22; Ord. No. 2104 , § 2, 12-6-22; Ord. No. 2117 , § 2, 4-4-23; ; Ord. No. 2118 , § 2, 4-4-23)

Section 8.17 TC - Town Center

1. General Purpose and Description.

- a. The Town Center district is intended to serve as a mixed use community retail center. Mutually supportive office, civic, cultural, entertainment, and residential uses are planned to enhance the viability of this mixed use community retail center. Multiple, complementary uses may be mixed vertically within the same building and/or may be mixed horizontally in multiple buildings. The form of development is compact with tightly grouped buildings arranged around a connected street and sidewalk network that serves vehicle, pedestrian, and bicycle transportation. Building architecture reflects a distinct look and identity. Open space, street trees, street lighting, benches, and other amenities create a human scale environment. The standards of this district are unique to the Town Center district.
- b. The Master Plan for Town Center is a conceptual layout of buildings, streets, buffers, landscaping, and open space within the Town Center district (see Figure 1 within this section.) Building locations, sizes, orientations, and other features as shown on the Master Plan are intended to be illustrative rather than a mandatory development plan. The exact location and precise boundaries for various developments are established by the standards of this district and identified through the site plan review process required as part of this district.
- c. All requirements of this Code are applicable to Town Center district unless otherwise specifically noted in this section.

2. Permitted Uses in Town Center.

- a. The following use charts specify those uses permitted in the Town Center district.
- b. Uses in Town Center district shall be generally pedestrian oriented and encourage pedestrian traffic. Uses with drive-through lanes are discouraged in Town Center, are permitted only by Specific Use Permit. If such uses are allowed by City Council approval, the use must be mitigated with special design features during site plan review.

TC Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved As Specific Use Permit

- = Not Permitted

Use	SUP or P
Administrative, professional or corporate office	P
Automobile electric charging station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	SUP
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary)	Permit
Bar	SUP
Brewery with retail sales on and off premise	SUP
Brewery with entertainment inside or outside	SUP
Child Care (Center) as an accessory use only	SUP

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Copy shop or printing shop	P
Dance studio or aerobics center (<u>up to 3,500 square-feet</u>)	P
<u>Dance studio or aerobics center (greater than 3,500 square-feet)</u>	<u>SUP</u>
Distillery with 1,500 square-foot tasting room	SUP
Dry cleaning (small shop) in a multi-use building	P
Dry cleaning <u>free-standing building</u>	SUP
Entertainment Facility (Indoor <u>or Outdoor</u>)	SUP
<u>Commercial Wedding/Corporate Event Venue</u>	<u>SUP</u>
Fitness Center/Health Club (<u>up to 3,500 square-feet</u>)	P
<u>Fitness Center/Health Club (greater than 3,500 square-feet)</u>	<u>SUP</u>
Fuel Pumps/Sales*	SUP*
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hotel	SUP
Kennels, Grooming Only	P
Kennels (Indoor Pens Only)	SUP
Liquor Store (10,000 sf or greater)	SUP
<u>Medical/Dental Clinic or Office</u>	<u>SUP</u>
<u>Medical Spa</u>	<u>SUP</u>
Minor medical emergency clinic	SUP
Mixed-Use Residential	SUP
Museum or art gallery	P
Offices, City, County, State, and Other Governmental	SUP
Optical store, optician or optometrist	P-SUP
Pharmacist or drug store	SUP
Private club	SUP
Private park	P
Public parking garage (associated with building)	P
Religious institution	P
Residential Single Family Dwelling: Townhome/Patio Home	PD
Restaurant, café, cafeteria	P
Restaurant with Drive-thru/Drive-in	SUP
Retail uses and services wholly enclosed within a building	P
<u>Sale of Used Goods</u>	<u>SUP</u>
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP
Studio, art or photographic (within multi-use retail)	P
Studio, art or photography (stand-alone)	P
Temporary field construction office	P
<u>Tutoring Center</u>	<u>P</u>
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Winery with retail sales (either on or off premise)	SUP
* See supplemental regulations for Fuel Pumps/Sales in this district (below)	

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3. *Design Review Required for Town Center.* All development within the Town Center district shall be subject to design review as part of the site plan review process. A site plan as outlined in this Code shall be submitted for each use in Town Center. The Development Review Committee may also require any other reasonable and pertinent information necessary for design review. Design review is required in this district to ensure that development within the district is in conformance with design guidelines for the Town Center and that:
- a. The proposed development is architecturally compatible with other development in the surrounding areas.
 - b. The proposed development is within the character of the Town Center concept as a community focal point with quality development having a pedestrian orientation, suitable amenities, and an overall design theme.
4. *Design Standards for Town Center.*
- a. *Street Network, Building Siting and Massing.* The layout of public streets and private drives, and building location, design, and orientation, should generally conform to the approved Master Plan. The following standards shall be used to evaluate the conformance of site development to the intent of the Master Plan:
 - 1) Town Center Lane shall be extended north of Keller Parkway and shall terminate in a circle, loop, or some other monumental configuration and design similar to the southern terminus of Town Center Lane at Bear Creek Parkway. A public street or private drive aisle shall connect the northern terminus of Town Center Lane to Rufe Snow Drive.
 - 2) Public streets, private drives, and sidewalks shall be designed to form an interconnected street system that serves pedestrians and cyclists as well as vehicular transportation.
 - 3) Site layout shall reinforce street edges and create pedestrian scaled open spaces.
 - 4) Buildings shall be sited perpendicular and parallel to streets.
 - 5) Building fronts and entries shall be articulated and be oriented toward streets, and shall be arranged to create courtyards and other human scale spaces.
 - 6) Where possible, buildings shall be arranged to provide views and access to open spaces.
 - 7) Off-street surface parking should be located behind or to the sides of buildings where possible. Large parking lots in front of buildings, along the street frontage, are prohibited. Buildings fronting streets are allowed to have only two rows of parking and one driving lane.
 - b. *Building Height, Building Area, and Setback Requirements.*
 - 1) Unless otherwise stated, the building height in the Town Center district shall be two (2) stories, not to exceed thirty-five (35) feet. Restaurant uses, kiosks and fuel pump canopies may be single-story in height by right. Hotel uses in the Town Center South sub-district only may be five (5) stories in height by right. Single-story building heights and three (3) to five (5) story building heights may be approved by Specific Use Permit. Maximum height shall be five (5) stories or sixty feet (60'). If a single story building is proposed the building façade shall either be a minimum height of twenty feet (20') or shall reflect a two-story design to provide for compatibility with other buildings in the area. Single-Family Attached Dwelling (Townhouse) and Patio Home uses shall meet the maximum heights as per the Design Standards within this section.
 - 2) Building footprints and locations should generally follow the arrangement of the Master Plan. No building footprint in Town Center shall be less than six thousand (6,000) square feet of air-conditioned space. Building footprints less than six thousand (6,000) square feet may be approved by Specific Use Permit.

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- 3) Restaurants in Town Center may be one story and incorporate their own special design features in keeping with the design guidelines and spirit of Town Center.
 - 4) The setbacks for non-single family residential uses in the Town Center district shall be determined based on the building and site design at the time of site plan review provided that all building and fire code requirements are met at the time of construction and proposed setbacks compliment the surrounding area .
 - 5) In Town Center, the minimum setback from an adjacent single-family residential district shall be sixty feet (60'). For structures over thirty-five feet (35'), the minimum sixty-foot (60') setback shall be increased one foot (1') for each additional two feet (2') in building height above thirty-five feet.
 - 6) Mixed-use Residential uses shall comply with the building height, building area, and setback requirements as non-residential uses.
 - 7) Supplemental Regulations for Fuel Pumps/Sales.
 - a) Fuel pumps/sales shall only be allowed as an accessory use with a grocery or food store, fifty thousand (50,000) square-feet or larger in size, and may be approved by Specific Use Permit (SUP).
 - b) Convenience stores shall not be allowed as part of the fuel pumps. Kiosks may be used in lieu of convenience stores and shall not exceed 350 square feet in building area. Kiosks larger than three hundred fifty (350) square feet may be considered as part of the site plan variance process. Kiosks shall not be required to meet the minimum building footprint of Town Center.
 - c) The design elements of the kiosk and fuel pumps columns and canopy shall be aesthetically compatible with its associated grocery or food store and the Town Center surroundings. Fuel pump canopies shall not exceed twenty-five feet (25') in height. Fuel pump canopies and kiosks shall comply with the Town Center zoning district's building material requirements (see Section 8.17 (4.d)).
 - d) The use of lighted stripes, exposed neon tubular lights or similar material on kiosks or fuel pump canopies shall not be permitted.
 - e) Fuel pumps/sales shall not exceed four (4) fueling dispensers or eight (8) fueling pumps.
 - f) All fuel pump station amenities such as lighting fixtures, trash receptacles, and other features shall be coordinated in design with the building and fuel pump canopy and compatible with the Town Center surroundings.
 - g) The outside placement of vending machines, ice machines, merchandise, and other outside storage or displays are prohibited.
 - h) Fuel pump station canopies are allowed no more than two (2) attached signs or two (2) logos not to exceed twenty-four inches (24") in height. Kiosks shall be limited to one (1) attached sign, not to exceed twenty (20) square feet in total area and thirty-six inches (36") in height.
 - i) Fuel pump stations in Town Center may utilize electronic signage for advertisement of gas prices only. The placement of electronic signage shall be limited to monument signs. Electronic signage shall be static.
 - 8) Single-family residential uses may be allowed through PD.
- c. *Architectural Character.*

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- 1) The architectural styles of buildings in the Town Center District shall be compatible with the buildings constructed within the district. Compatibility can be achieved through coordinated and complementary attributes such as building materials, colors, building forms, architectural detailing and amenities. This provision does not require that all developments be the same and diversity is encouraged in Town Center.
 - 2) All buildings shall have horizontal and vertical facade articulations.
 - 3) Buildings with facades longer than fifty feet (50') shall have their facades broken up into smaller areas through the use of varying facade setbacks, arcades, awnings, canopies, architectural features such as plazas, columns, or other means.
 - 4) Non-single family residential buildings shall have an expression of a masonry pier or column effect at least twenty-five feet (25') on center. On the ground floor, the facade in between piers or columns shall have as much storefront glass as possible so as to enliven the facade and open it up to pedestrian involvement. Windows shall not be located higher than three feet (3') from the ground. For large uses with expansive facade areas without windows, an expression of windows with elements such as display windows or opaque windows with canopies and awnings shall be considered.
 - 5) Rooflines shall be interrupted with gables or other architectural elements to break up the building profile.
 - 6) Windows along streets shall be equally spaced with a specific rhythm and not create long areas of flat, solid spaces along streets. Varying window size and height based on the interior functions is discouraged. Windows shall be designed to reinforce a vertical appearance, not a horizontal appearance.
 - 7) If a building sides or backs to a street, public open space, or adjacent developments, the side or rear facade shall be treated in the same architectural style and material as the front facade. This includes but is not limited to the same roof treatment, building material, and window treatment. All buildings shall carry the roof treatment and facade articulation around the entire building, including the rear side.
 - 8) Sloping roof forms as a complete sloping form (pitched roof) or mansard roof shall be utilized on all buildings in Town Center. Flat roofs are allowed only based on building design as approved during the site plan review by the Development Review Committee. Roof pitch shall not be less than 4:12, but if the pitch is less than 6:12 but more than 4:12, the roof must have a projecting eave of no less than two feet (2') horizontally from the vertical wall plane. Mansard roofs shall have a pitch of not less than 1:1.
 - 9) At the intersection of the facade and roof planes, there shall be a projecting cornice element of brick or cast stone. Fibrous Cement may be allowed only with approval of the City Council.
 - 10) All non-residential buildings are required to have window head and sill details, which utilize either projecting elements or materials of a contrasting color and texture, which will highlight the window treatment.
- d. *Building Material Requirements.*
- 1) The wall surface for all buildings other than glass shall be of one hundred percent (100%) masonry material compatible with the Town Center district. Seventy percent (75%) of overall wall surfaces other than glass shall be of brick, stone, or cast stone. The remaining twenty-five percent (25%) may be stucco, fibrous cement, split-face block, or other masonry material. The use of any other wall surface material may be approved by the City Council at the time of site plan review. Stucco may be used on wall surfaces of a minimum ten feet (10') above grade level.

- 2) Building colors shall be compatible with one another. Building colors shall generally be variations of red or earth tones with white or off-white accents and generally compatible with the character of Town Center.
- 3) Roof material shall be standing-seam metal, stone, clay, or concrete roofing tile. Adjacent buildings shall have similar roof material to provide for compatibility among individual developments.
- 4) The use of reflective glass is prohibited in Town Center. The use of florescent paint, florescent colors, or exterior neon tubular lights shall be prohibited. The use of lighted color bands and back-lighted plastic awnings are prohibited.
- 5) Other building material requirements of this Code shall apply to Town Center if not specifically noted otherwise.

e. *Landscape Easements/Setbacks.* The following minimum landscape easement/setback (measured from R.O.W.) shall be required and shown on the final plat:

FM 1709/Keller Parkway	
South Side	40 feet
North Side	30 feet
Rufe Snow Drive	
South of Keller Parkway/FM 1709	30 feet
North of Keller Parkway/FM 1709	30 feet
Bear Creek Parkway	
Building	15 feet
Parking/driving Lane	30 feet
Country Brook Lane	15 feet
Keller Smithfield Road	
South of Keller Parkway (Commercial)	50 feet
South of Keller Parkway (Residential)	20 feet
North of Keller Parkway	30 feet
Town Center Lane	11 to 17 feet based on design

f. *Landscaping Requirements Adjacent to Rights-of-Way and Within Landscaping/Sidewalk Easements.* The streetscape within Town Center District is one of the key components that establishes a basic framework for development and establish connections among different uses. Proposed improvements are located in either the right-of-way (R.O.W.) or landscape easements on either side of the road. Easements are measured from the edge of right of way. Location of trees and shrubs further than five feet from utility lines shall remain and/or comply with UDC landscaping requirements.

- 1) FM 1709/Keller Parkway shall have a single row of matched Texas Red Oaks, minimum four-inch (4") caliper, thirty feet (30') on center, planted within the landscaping easement on each side, in accordance with specifications provided by the City (see Figure 5 within this section). A single row of tree form Yaupon Hollies shall be planted adjacent to the street in addition to the single row of Oaks. A five-foot (5') concrete sidewalk shall be constructed centered between Oaks and Hollies. Pedestrian scaled light fixtures, consistent in color and design with the City approved specifications, shall be provided at a one hundred twenty-foot (120') spacing on center.
- 2) Rufe Snow Drive and Keller-Smithfield Road shall have a single row of Red Oaks, minimum four-inch (4") caliper, thirty feet (30') on center planted within the landscaping easement on each side in accordance with specifications provided by the City (see Figure 6 within this section). Brick

columns and evergreen shrubs (required along all off-street parking areas adjacent to streets) shall not be required along Rufe Snow Drive south of tributary BB12 of Big Bear Creek. A five-foot (5') concrete sidewalk shall be constructed in a location approved by the City. Pedestrian scaled light fixtures, consistent in color and design with the City approved specifications, shall be provided at a one hundred twenty-foot (120') spacing on center.

- 3) Country Brook Lane shall have a single row of matched Elms, minimum four-inch (4") caliper, thirty feet (30') on center planted within the right of way along both sides (see Figure 7 within this section). A five-foot (5') concrete sidewalk shall be constructed in a location approved by the City. Pedestrian scaled light fixtures, consistent in color and design with the City approved specifications, shall be provided at a one hundred twenty-foot (120') spacing on center.
- 4) Bear Creek Parkway shall have a single row of matched Elms, minimum four-inch (4") caliper, thirty feet (30') on center planted within the right-of-way along both sides and the center medians (see Figure 8 within this section). A five-foot (5') concrete sidewalk shall be constructed in a location approved by the City. Pedestrian scaled light fixtures, consistent in color and design with the City approved specifications, shall be provided at a one hundred twenty-foot (120') spacing on center.
- 5) Town Center Lane shall have a single row of Cedar Elms, minimum four-inch (4") caliper, thirty feet (30') on center planted within the landscape easement on each side in accordance with specifications provided by the City (see Figure 9 within this section). Any future extension of Town Center Lane shall be consistent in design, landscaping, and special features with the existing Town Center Lane.

g. Parking Lot Lay Out, Landscaping, and Lighting.

- 1) Parking for all uses shall be provided in accordance with this Code, however, smaller parking ratios may be considered at the time of site plan approval. The sharing of parking for two (2) or more uses is encouraged and may be utilized. The minimum number of parking spaces shall be determined by a study following the procedures of the Urban Land Institute or Institute of Transportation Engineers parking guidelines.
- 2) All parking lots and drives shall be constructed of reinforced concrete. Concrete pavers, consistent with the Town Center specifications, shall be utilized at select locations such as building entry or parking lot islands.
- 3) Concrete curbs shall be provided at the edge of all surface parking areas and around all islands.
- 4) Twenty-five (25) square feet of landscaped area shall be provided for each surface parking space and one (1) tree shall be provided for every twelve (12) surface parking spaces. A maximum of twelve (12) surface parking spaces is permitted between trees. Large, shade providing canopy trees with a minimum three-inch (3") caliper, shall be used to meet this requirement. Required trees shall be in accordance with the list of Large Trees, provided in Section 10.02.
- 5) Parking lot trees shall be planted in islands a minimum of ten feet (10') wide or in curbed five feet-by-five feet (5'X5') diamond cut-outs in pavement. Islands or diamond cut-outs shall be placed to offer shaded parking from the western sun whenever practicable. Additional landscaping in these islands or diamond cut-outs shall be heat tolerant and low maintenance varieties accordance with the list of Large Trees, provided in Section 10.02.
- 6) If the proposed number of surface parking spaces for a development exceed the Code requirement by ten percent (10%), fifty (50) square feet of landscaping per each additional parking space shall be provided.

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- 7) All off-street parking areas adjacent to streets shall be screened by a solid row of evergreen shrubs, to create a three-foot (3') evergreen hedge, and brick column with stone caps, thirty feet (30') on center, in accordance with specifications provided by the City (See Figures 18 and 19 within this Section)
 - 8) A minimum five-foot (5') foundation planting shall be provided along the front and sides of all buildings and parking structures. Potted plantings may be considered around patio dining areas in lieu of foundation plantings adjacent to the patio area. Foundation planting and landscape islands with trees may also be required at the rear of the building if visible from streets, other buildings, or open spaces within Town Center.
 - 9) In the Town Center district, landscaping shall comply with the Landscaping section of this Code except that the required canopy trees for side and rear lot buffers shall be in accordance with the list of Large Trees, provided at the end of this article. For the Town Center district, the following landscape plant materials are required in side and rear buffers that abut single-family residential zoning districts:
 - a) Five (5) gallon dwarf Yaupon Holly evergreen shrubs shall be planted at five feet (5') on-center spacing adjacent to the required screening wall.
 - 10) Required screening walls shall comply with Section 9.09 of this Code except as noted below. In Town Center, required screening walls must comply with all of the following:
 - a) Screening walls shall be a minimum of eight feet (8') in height.
 - b) Screening walls shall be made of pre-cast concrete with panels and columns. Panels shall be monolithic - no more than one panel between posts - with a running bond, brick pattern stamped or cast into the panel on both sides of the panel. The material and color of the panel shall be complimentary and compatible to existing screening walls.
 - 11) All landscaping and parking lot islands shall be irrigated in accordance with an approved automatic drip irrigation system. Landscaping shall be maintained in good condition.
 - 12) Landscape lighting may be used to highlight landscape elements, building entries, and other important architectural features and accent elements such as fountains and sculptures.
 - 13) Parking lot lighting fixtures shall be provided in accordance with the approved specifications for Town Center (see Figure 16 within this section). A lighting plan shall be required, illustrating proposed light fixtures and respective candle footprints to determine number of required fixtures for maximum safety and pleasant appearance. Ornamental light fixtures are required within the front yard/front parking lot. Large parking lots may utilize another type of fixture as approved by the City. The total height for parking lot lights shall not exceed twenty feet (20') unless approved at the time of site plan review. A maximum height of thirty inches (30") is allowed for light pedestals within parking lots.
 - 14) Building lighting shall be limited to decorative lighting. Standard wall pack lights shall not be used are in the Town Center district.
- h. *Driveway Locations and Turning Lanes.*
- 1) Parking lots and driveways shall connect to provide internal circulation for the development.
 - 2) A ten-foot (10') band of pavers, consistent in color and design with the approved specifications, shall be provided in crosswalks and entry drives. Pavers shall be antique red Uni-Décor pavers in a herringbone pattern with Holland Stone Soldier Course, as manufactured by or equal to Pavestone Co., Grapevine, Texas.
 - 3) Turning lanes shall comply with the general requirements contained in this Code.

i. *Sidewalk Patios.*

- 1) *Sidewalk Patio.* The design of the interior and immediate surroundings of a sidewalk patio should adhere to the following guidelines.
 - a) The clear height from grade level to any obstruction such as an overhead canopy should be a minimum of seven feet (7').
 - b) The surface area of an outdoor patio may not exceed the interior floor area of the primary licensed establishment.
 - c) The path to the door of the primary licensed establishment shall be maintained at three feet (3').
 - d) The patio shall extend to the building line when located between the primary licensed establishment and the street.
- 2) *Patio Fencing.* Fences or railings are used to delineate and contain the patio.
 - a) A fence or other vertical barrier must be used to delineate the perimeter of the patio area.
 - b) The width of any opening in a fence should be no greater than six and a half feet (6.5') and no less than three feet (3').
 - c) The required height of a fence facing the street is three and a half feet (3.5'). Side screens may be up to seven feet (7') high above the grade. Such screens should not be entirely opaque but may be formed by structures with lattice or grillwork and climbing vines.
 - d) Fences and screens should be easily removable at all times.
 - e) The design, materials and colors used in the development of the patio restaurant should be of high quality finish and compatible with the streetscape.
 - f) All finishes should be clean and free of any exposed screws or other fasteners. g) Perimeter fences shall not obstruct the line of sight for pedestrians and drivers.
- 3) *Awning.* Awnings can be used to provide shade and weather protection for the patio as well as visual screening from adjacent uses.
 - a) Materials should be securely fastened to a frame, which is either retractable or demountable.
 - b) Sheltering material should be fabricated and finished to fit the supporting structure with no loose or unsecured edges.
 - c) Materials and colors should coordinate with the surrounding buildings and streetscape elements. They should generally contribute to the design theme of the street.
 - d) The awning should not extend into the public sidewalk adjacent to the patio.
 - e) The awning should attach to the building below the signage identifying the restaurant with a minimum height of seven feet (7').
 - f) Lighting and other attachments to the awning should be securely fixed and integrated to the supporting structure.
 - g) A building permit is required for awnings.
 - h) Awnings shall be maintained in excellent condition at all times.
- 4) *Enclosures.* Enclosures may be used for more extensive weather protection and to extend the patio season.

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- a) Enclosures must include a minimum of one continuous opening (from ground to canopy) to the outside (ie. no roll-down walls of any kind, however slide up/down doors are acceptable) that comprises at least 25% of the total perimeter of all of the patio walls.
 - b) The enclosure area should be well ventilated to provide for dispersion of smoke and exchange of air.
 - c) Ventilation should be directly to the exterior and may be achieved by passive means through vents in the awning and/or active fans.
 - d) Cash machines should not be located within the patio area, except where enclosed within a freestanding building or kiosk.
 - e) A building permit is required for the construction of an enclosure.
- 5) *Lighting.* Lighting is important to the function and appearance of a patio as well as the safety and security of the public environment.
- a) Exterior lighting should not spill into abutting private property or interfere with the public thoroughfare.
 - b) Lighting should be demountable with no exposed cables or energized fixtures.
 - c) Lighting design should coordinate with patio furnishings and streetscape design.
 - d) Lighting should not be attached to trees or shrubs on City property; however string lighting to highlight deciduous trees within the patio area is permitted.
 - e) Lighting should be used to identify the entrance to a patio.
 - f) Pathways through a patio should be illuminated to ensure the safety of patrons and staff.
- 6) *Plant Materials.* Plant materials contribute to our general comfort and enjoyment of the patio experience.
- a) Planting of annuals, vines and container-grown vegetation is encouraged but should be easily removable from the site.
 - b) Planters should be integral with fence and deck structures to maintain a compatible design relationship.
 - c) Deciduous shade trees enhance the quality of the patio space with shade and screening.
 - d) Planting should be used along with spatial separation and structures to screen a patio from adjacent vehicle parking and circulation.
 - e) Planters must not obstruct the public right of way.
- 7) *Surface Treatment.* The paving of a patio surface provides durable and attractive platform for the patio, which is distinct from the public right-of-way.
- a) Paving should be durable, skid-proof and easily maintained in a clean and unobstructed condition.
 - b) The minimum slope of pavement should be one percent (1%) and the maximum slope four percent (4%) within the seating area.
 - c) A change in elevation may be used to define the edge of a patio, but should not create an additional barrier to movement.
- j. *Utility Placement.* All new utilities shall be placed underground. A utility plan including the location of all existing and new utility boxes shall be provided with the site plan. Utility boxes shall be located

away from the rights-of-way lines and where possible at the rear of properties. All other provisions of the Private Utilities section of this Code shall be met.

- k. *Signage.* All signs or any changes, modifications, or alterations to a sign require a permit. All signs shall be externally illuminated unless noted otherwise.
- 1) *Monument Signs.*
 - a) Each platted parcel may have one monument sign. A corner lot with more than six hundred feet (600') of frontage on two streets may have one additional sign. Residential uses may have two signs per frontage located at either side of the primary entry drive.
 - b) The design of the monument sign, including sign shape, area, height, and length, shall be in accordance with Figure 17 within this section.
 - c) Sign materials shall be as follows:
 - i. Sign Frame and Base - The exterior finish for the sign base and frame shall be brick, natural or cultured stone, cementitious stucco, or integrally- colored split face block.
 - ii. Coping and Accents - Coping and accents shall be cast stone, brick, or natural or cultured stone, or cementitious stucco. Coping and accents materials shall not be the same materials as used for the sign frame and base.
 - iii. Sign Panel/Face - The sign panel/face can be cast stone, acrylic, painted or coated aluminum, or other material commonly used for sign panel/faces. Metallic and or other highly-reflective materials and wood materials are prohibited.
 - iv. Letters/Logos - Individual letters and logos shall be pin mounted to the sign panel/face. Letters and logos may be constructed of bronze, aluminum, acrylic, or other material commonly used for sign letters and logos. If cast stone is used for the sign panel/face, letters and logos may be carved (cast) into the cast stone panel/face.
 - d) Monument signs shall be externally illuminated only.
 - 2) *Attached Building Signage.*
 - a) All signs shall be placed in a uniform area on each building defined by architectural detailing. Permit drawings shall show all details associated with the sign including height, location, types of material, and method of lighting.
 - b) Attached signs shall be individually mounted letters. Internally illuminated channel letters and silhouette channel lighting are allowed.
 - c) Window signs are allowed in accordance with Section 9.05 of this Code. (Amended by Ord. No. 1799 on July 5, 2016)
 - d) Temporary signs are allowed in accordance with Section 9.05 of this Code. (Amended by Ord. No. 1799 on July 5, 2016)
 - 3) *Landmark Sign.*
 - a) A landmark sign is a special purpose, off-premise sign that advertises multiple businesses and tenants within the Town Center Zoning District. Businesses and tenants listed on the landmark sign cannot be on the same lot as the landmark sign.

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- b) With approval of a specific use permit, one (1) landmark sign is permitted for every five-hundred feet (500') of street frontage along both sides of Keller Parkway.
 - c) Landmark signs shall be architecturally compatible to the overall architecture of the Town Center Zoning District. Decorative roof and wall design features, such as parapets, ridges, and eaves, etc. shall be incorporated into the design to provide visual interest.
 - d) Landmark signs may be two- or four-sided, and shall comply with the following standards:
 - i. Maximum Height: Thirty-five feet (35').
 - ii. Maximum Base Dimensions: Fourteen feet (14') by fourteen feet (14').
 - iii. Maximum Sign Area Per Business/Tenant: Five feet tall (5') by ten feet (10') wide.
 - iv. The initial landmark sign shall establish the form, design, and materials for subsequent landmark signs. Subsequent landmark signs shall match the initial landmark sign.
- 4) *Sandwich Board Sign.*
- a) One (1) free-standing sandwich board sign (A-frame sign) shall be allowed per business.
 - b) The maximum width is twenty-four inches (24"), The maximum height is forty-eight inches (48").
- 5) No signage or other type of advertisement is permitted on park benches and trash receptacles.
- 6) All other signage requirements or any provisions not listed shall comply with the sign requirements (see Section 9.05 - Sign Regulations) of this Code.
- I. *Outside Storage* - Except as provided herein, all outside storage and display is prohibited in Town Center.
- 1) Orderly outside displays shall be approved, with a permit, only in association with special events in Town Center.
 - 2) Retailers may have limited seasonal displays for thirty (30) days, twice each year and shall obtain a permit for such uses.
 - 3) The outside placement of vending machines, ice machines, newspaper machines, grocery carts, merchandise, and other outside uses is prohibited. Temporary cart storage is allowed in the parking lot and shall be provided with six-inch (6") concrete curbs. Metal corrals are not allowed.
- m. *Service Areas and Loading Docks.*
- 1) All loading docks and trash collection areas shall not face a street and shall be screened in accordance with the provisions of this Code.
 - 2) Service areas, loading docks, and back doors shall not front on streets or public open spaces.
- n. *Fences and Walls.*
- 1) Wood fences are prohibited in Town Center.
 - 2) All fencing and walls shall be of brick, stone, or ornamental metal with evergreen landscaping or a combination thereof. The screening wall requirements in Town Center shall be in accordance with the provisions of this Code (see Section 9.08 - Fencing Requirements in Multi-Family and Non-Residential Uses).

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- o. *Pedestrian Circulation.* Each lot within the Town Center area shall provide its share of on-site pedestrian facilities. Where the concept plan shows connections to other properties, adequate provisions shall be made for creating a coordinated system of pedestrian ways throughout the district.
 - 1) Grade separations shall be provided where pedestrian ways cross thoroughfares or creeks.
 - 2) Facilities for bike parking shall be provided.
 - 3) Benches shall be provided at approximately one hundred-foot (100') intervals (See Figure 13).
 - p. *Street Furnishings and Lighting.* Private development within the Town Center District shall coordinate the selection and installation of street furniture, trash receptacles, ash urns, and lighting with the standards selected by the City for the public areas in order to maintain design continuity (see Figures 12-16 within this section).
5. *Variances to Design Standards.* When special conditions exist that prevent strict compliance with the regulations in Section 4, Design Standards, the City Council, upon recommendation from the Planning and Zoning Commission, may authorize a variance or deviation from these regulations. The process for requesting a variance shall be in accordance with Article Two, Section 2.08 - Procedures for Variances from the Regulations of the Code.
6. *Illustrations.*

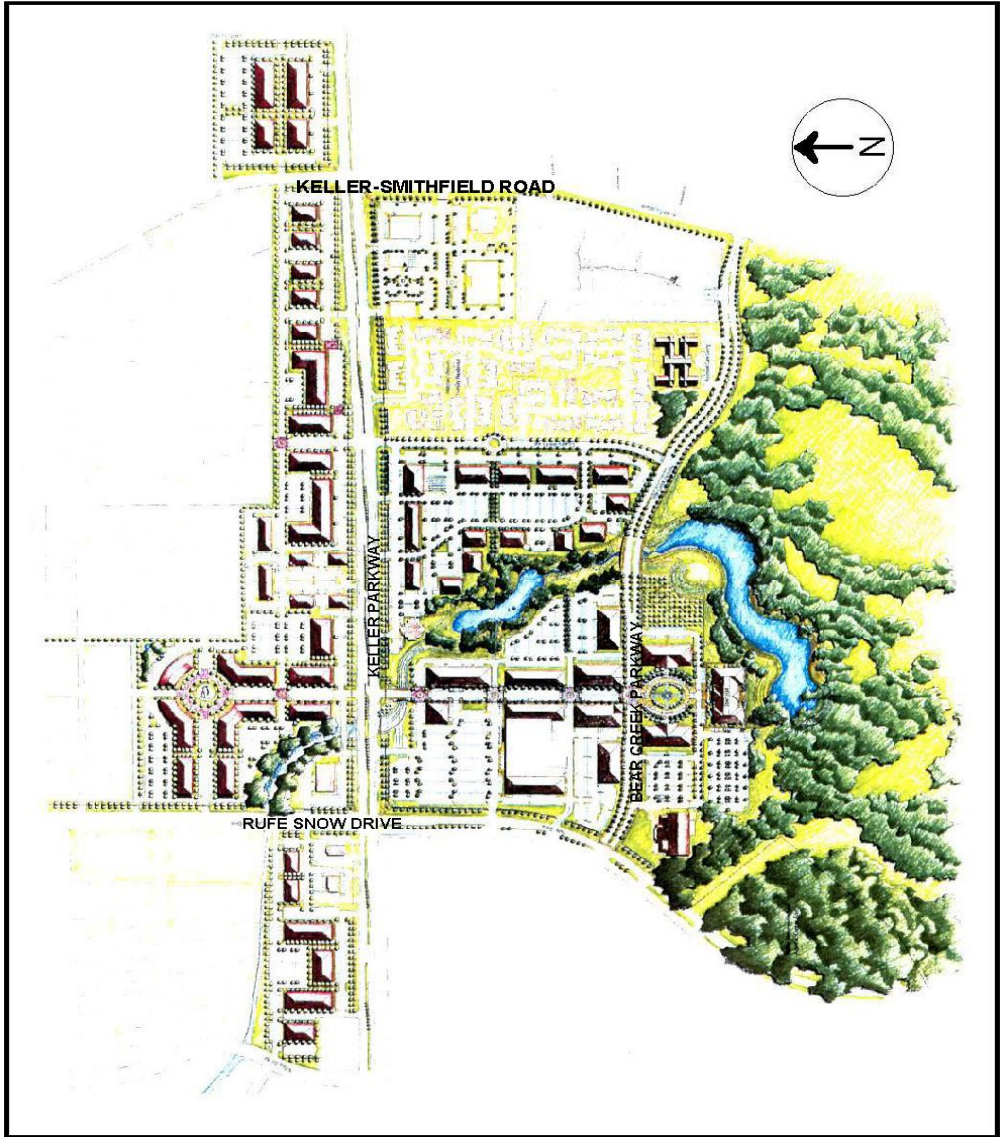


Figure 1 - Town Center Master Plan

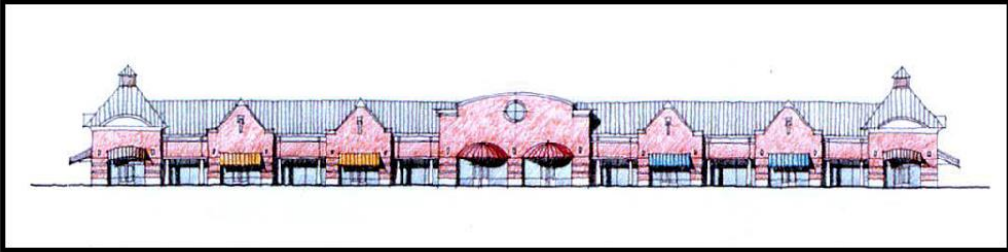


Figure 2 - Single Story Building Elevation



Figure 3 - Two Story Building Elevation

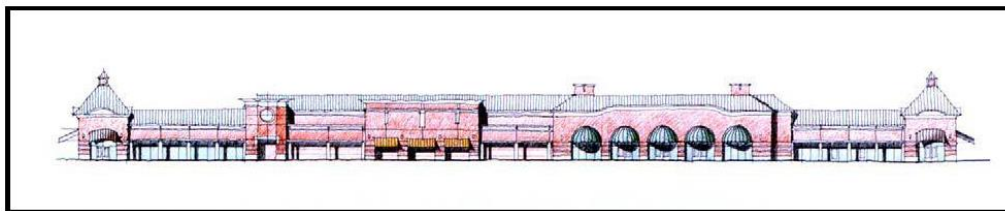


Figure 4 - Grocery/Retail Building Elevation

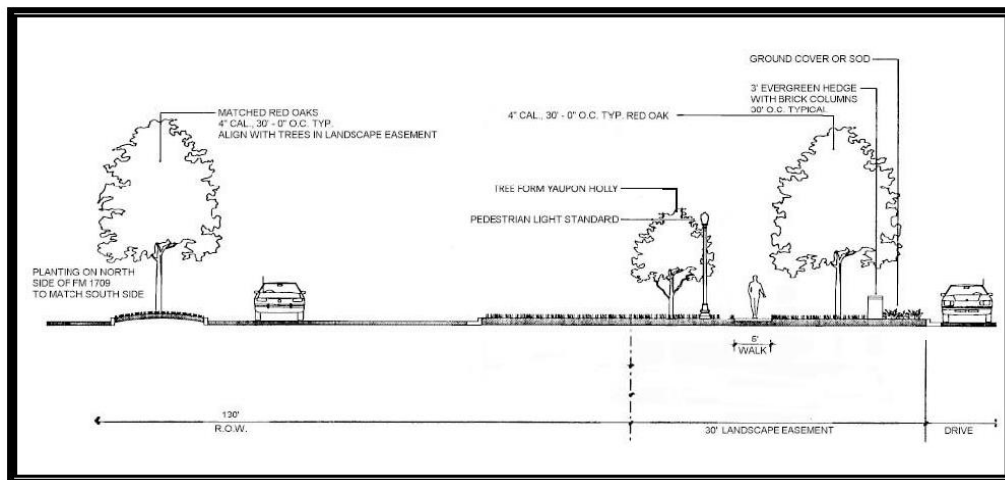


Figure 5 - FM 1709

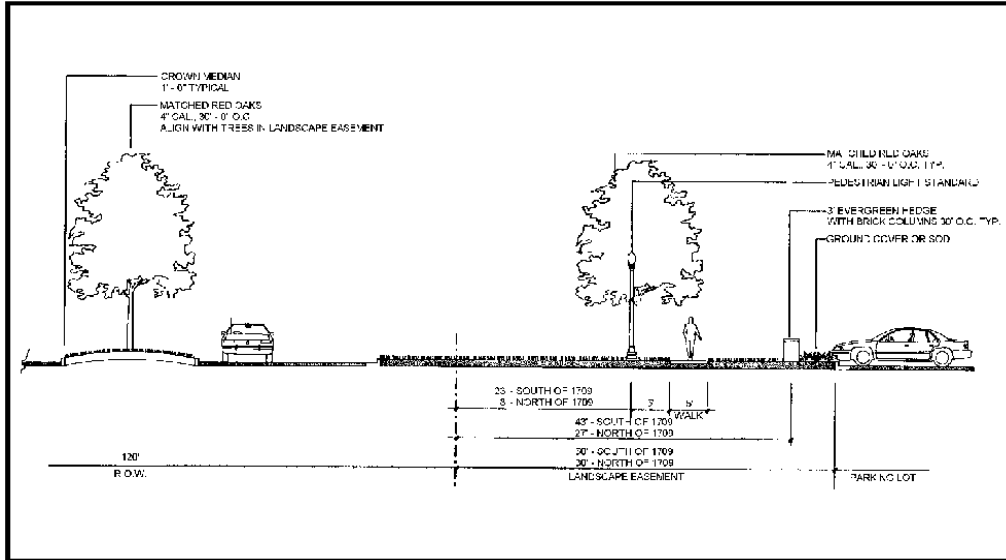


Figure 6 - Rufe Snow Drive/Keller-Smithfield Road With Retail Frontage

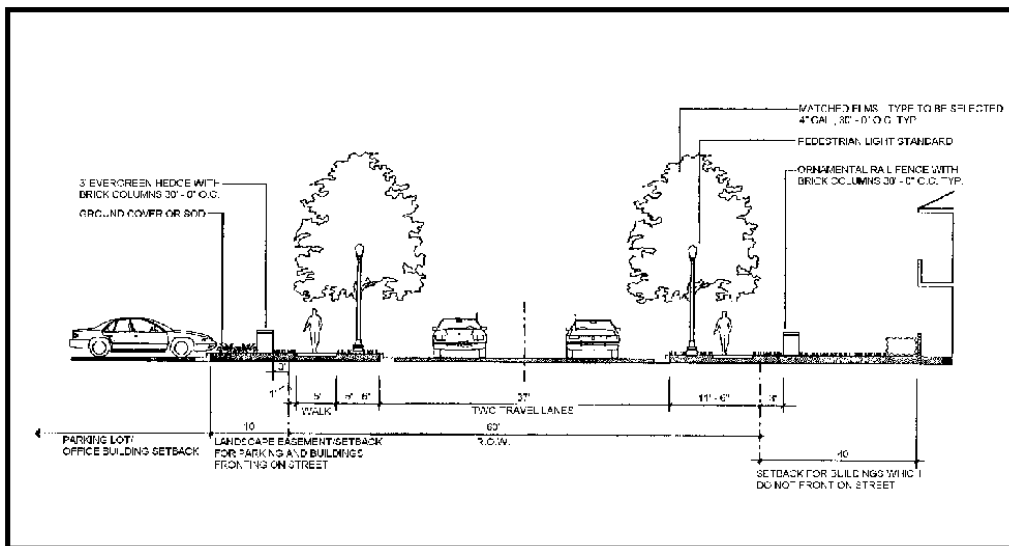


Figure 7 - Country Brook Lane

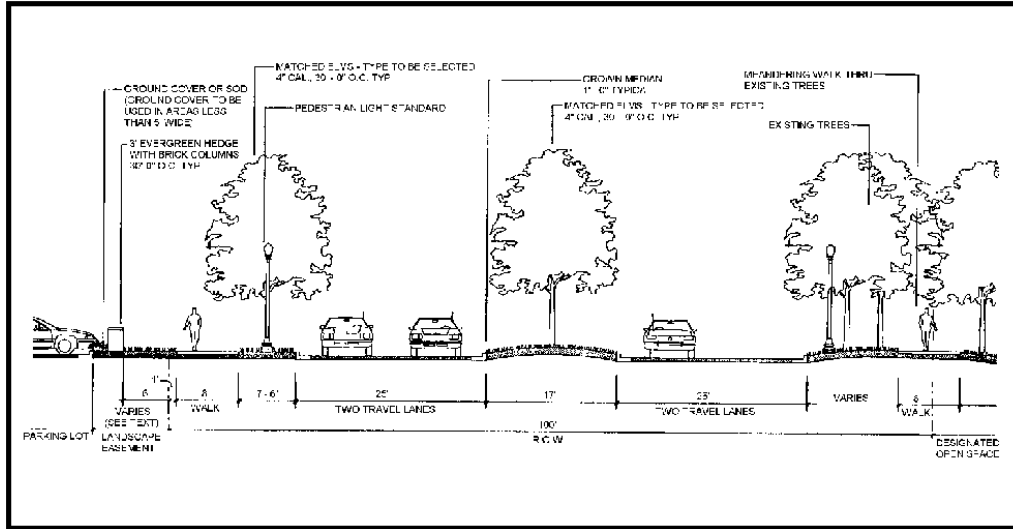


Figure 8 - Bear Creek Parkway (Divided Cross Section)

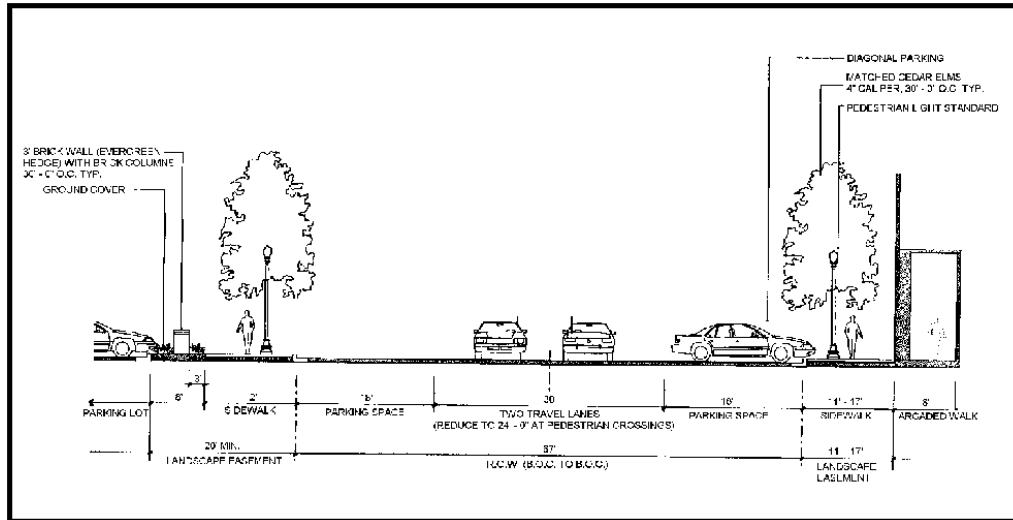


Figure 9 - Town Center Lane

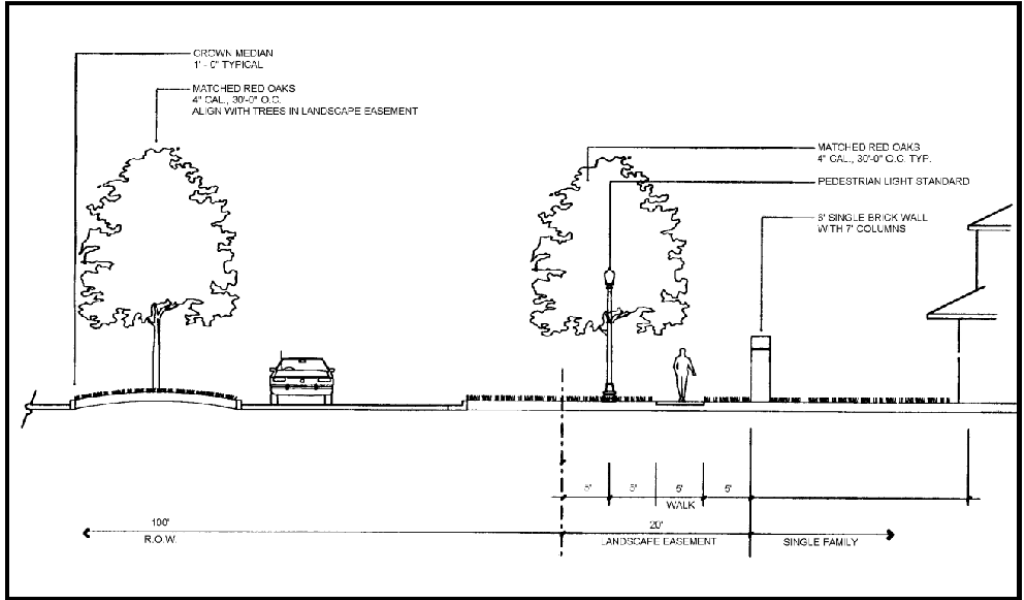


Figure 10 - Keller-Smithfield Road With Single Family Frontage

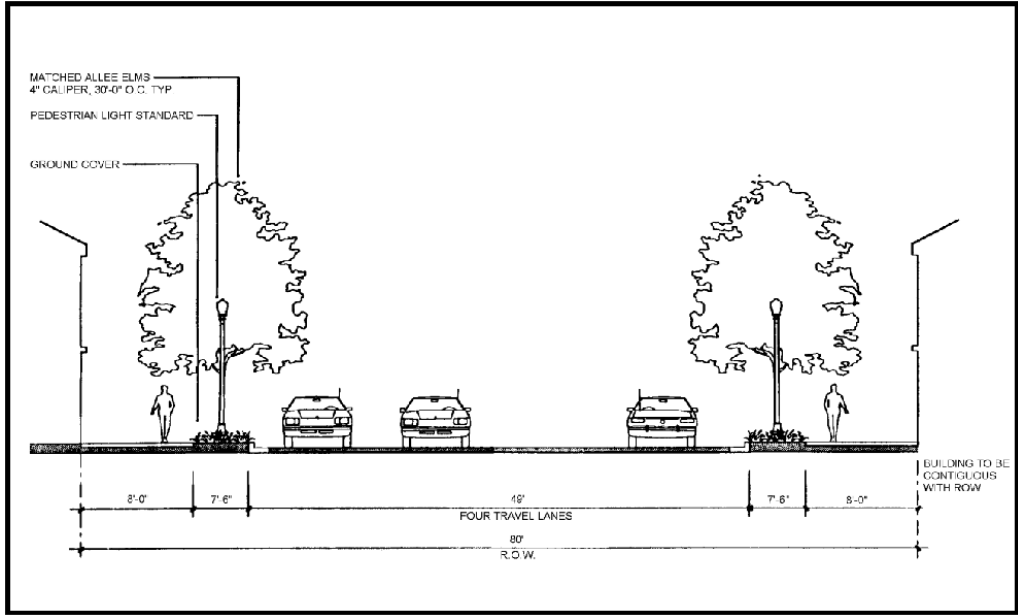


Figure 11 - Bear Creek Parkway at Town Center (Undivided Cross Section)

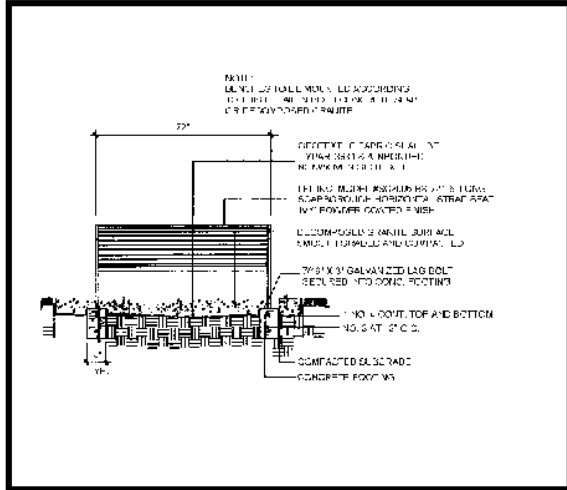


Figure 12 - Bench Details

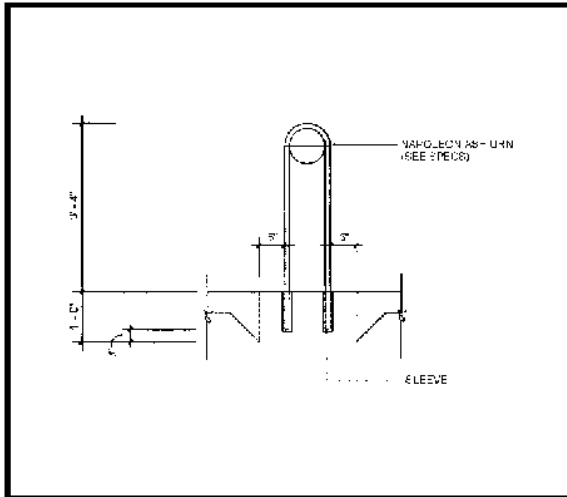


Figure 13 - Ash Urn Details

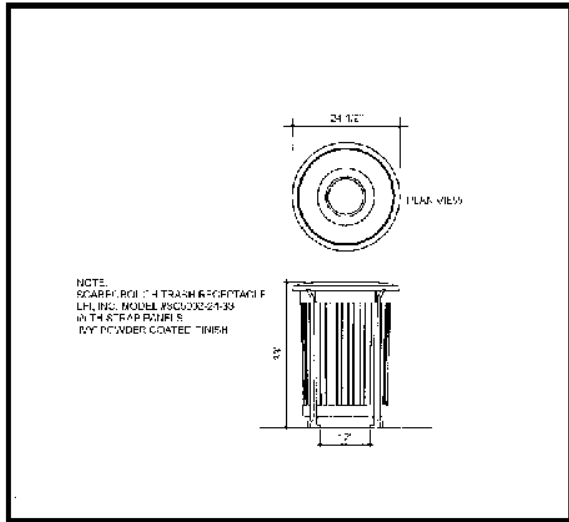


Figure 14 - Trash Receptacle Details

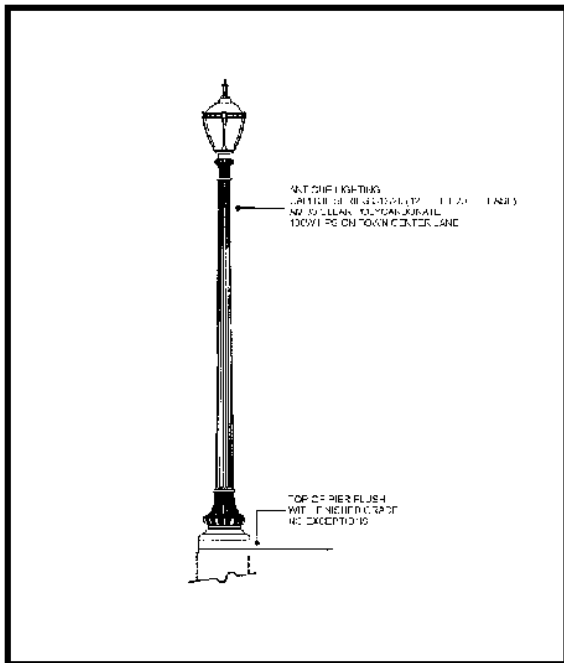


Figure 15 - Pedestrian Light Pole Details

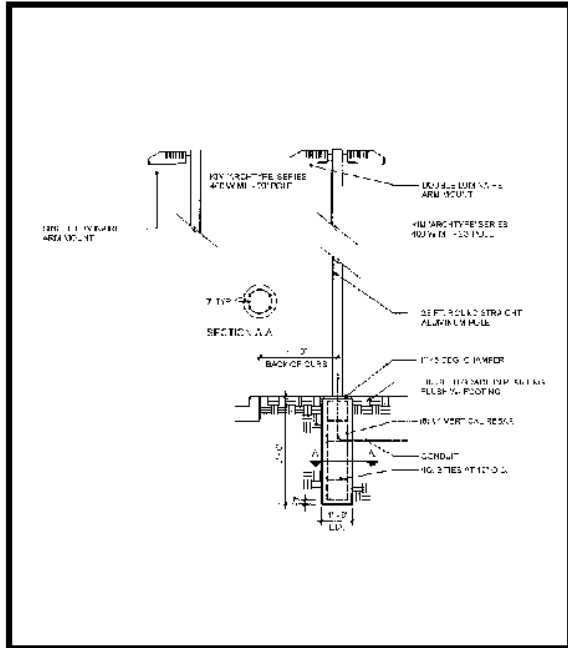


Figure 16 - Parking Light Details

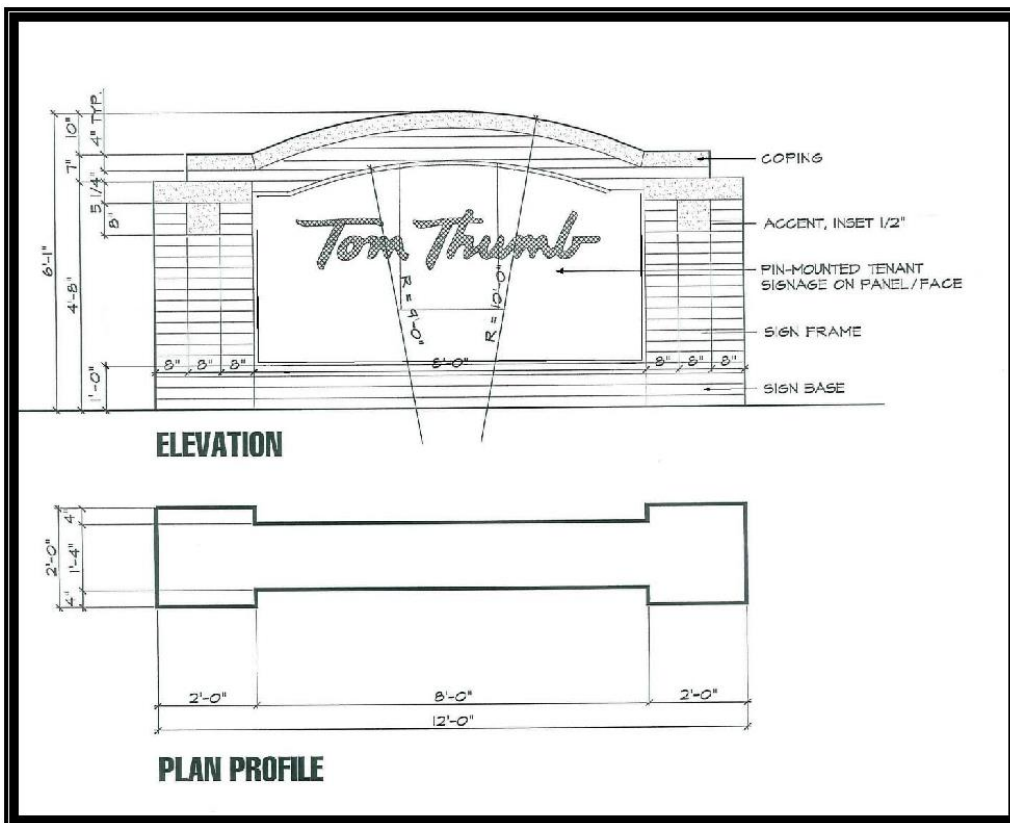


Figure 17 - Monument Sign Details

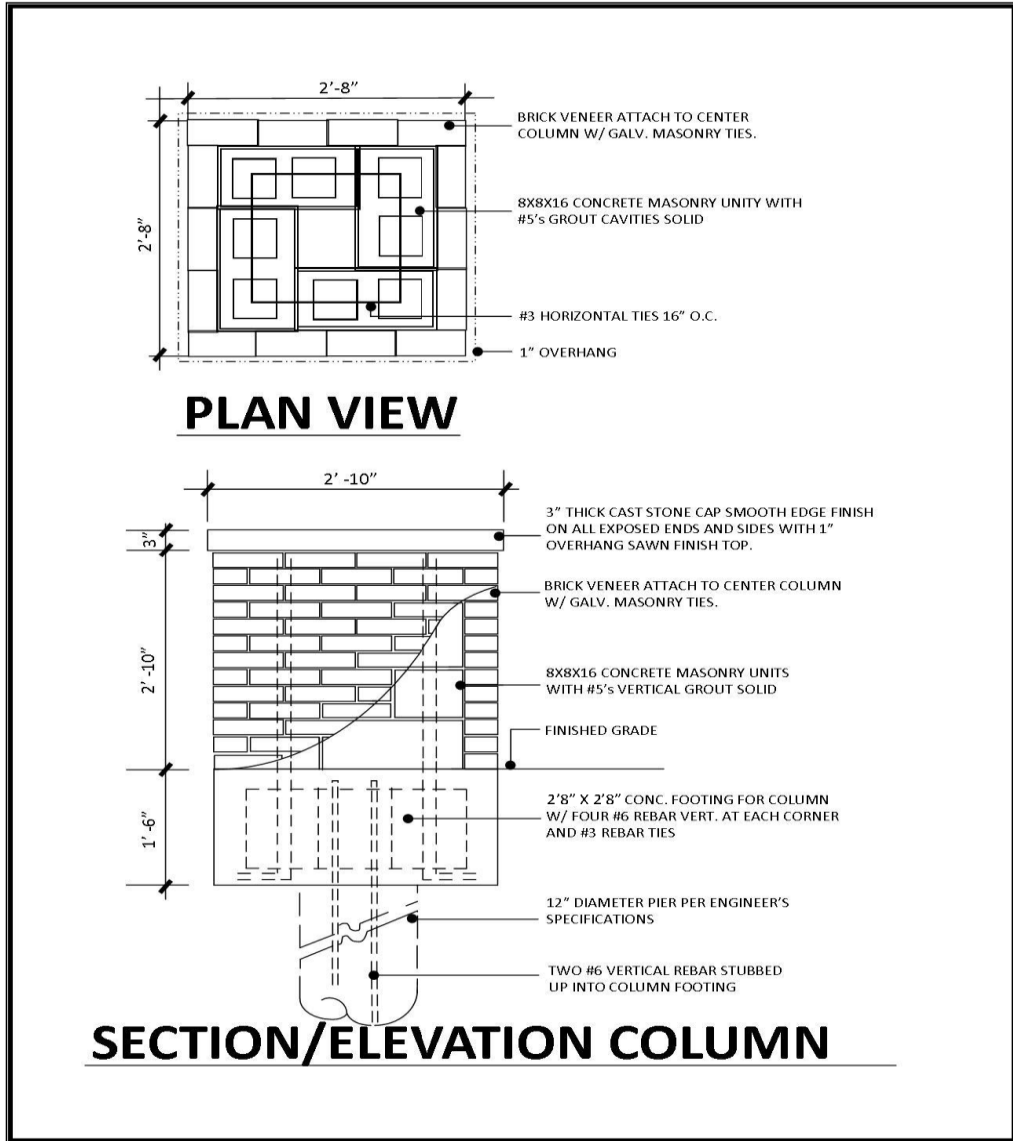


Figure 18 - Brick Columns Details

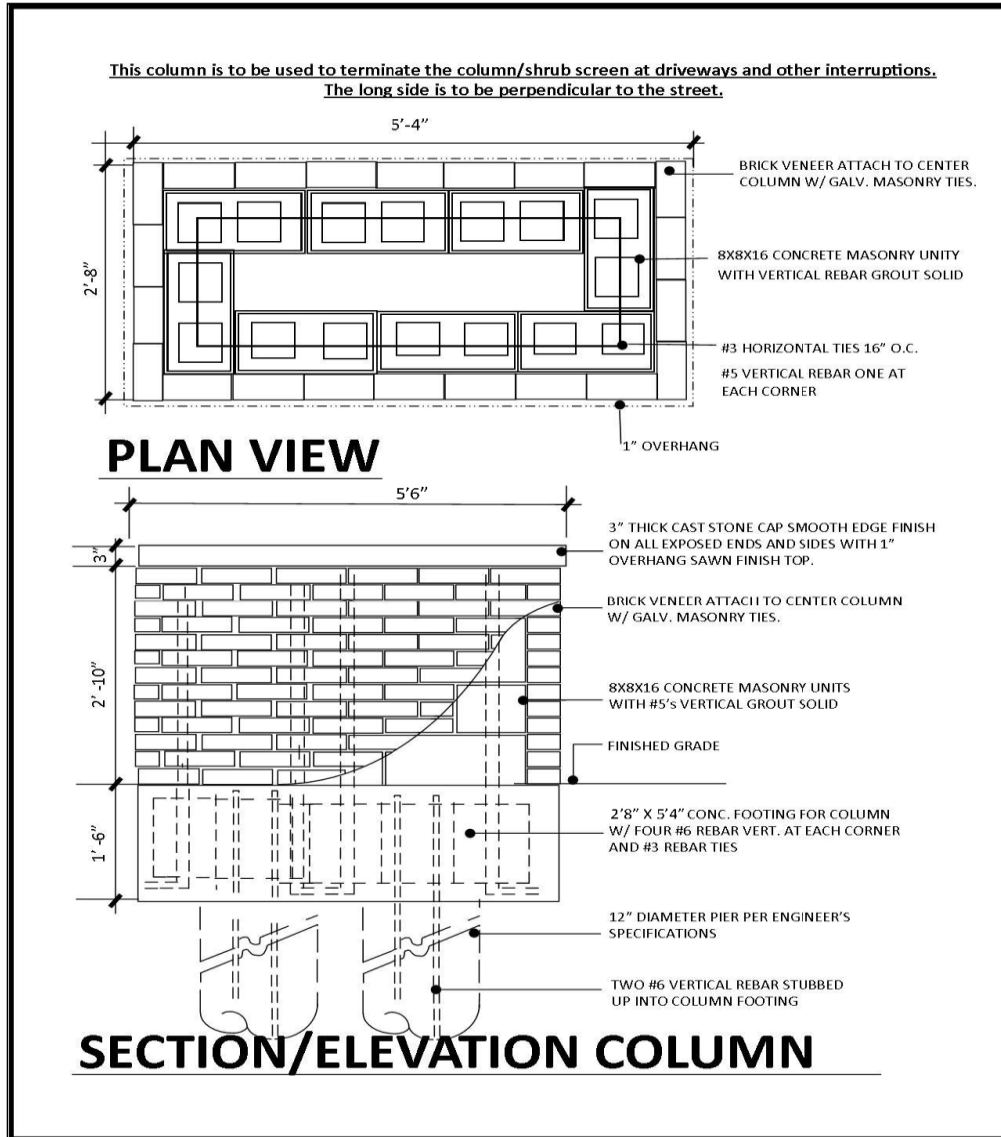


Figure 19 - Brick Columns Details

(Ord. No. 1959 , § 2(Exh.B), 12-3-19; Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22)

8.18. Town Center Medical Overlay

A. *General Purpose and Description.* The purpose of the Town Center Medical Overlay District is to allow the ability for "medical clinic" uses to be utilized within this designated area by right. The regulations and standards of this overlay district reflect all standards and regulations of Town Center, except for the use of "medical clinic" uses.

1. *Boundary.* The Town Center Medical Overlay encompasses land parcels east of Town Center Lane, and north of Keller Parkway. The Town Center Medical Overlay consists of 1135, 1139, 1141, 1149, and 1151 Keller Parkway. The boundary of the District is shown in Figure 1.

- B. *Permitted Uses.* The Town Center Medical Overlay District conforms to the uses of the Town Center zoning district, with the exception that "medical clinic" uses shall be permitted by right.
- C. *General Standards.* All applicable Town Center zoning district standards shall apply.
 - 1. *Parking.*
 - a. Parking for all medical office uses shall comply with Town Center standards in Section 8.03, all other uses shall also meet Town Center standards.
 - 2. *Landscape Requirements.* All landscape requirements shall follow the Town Center landscape requirements under Section 8.03.

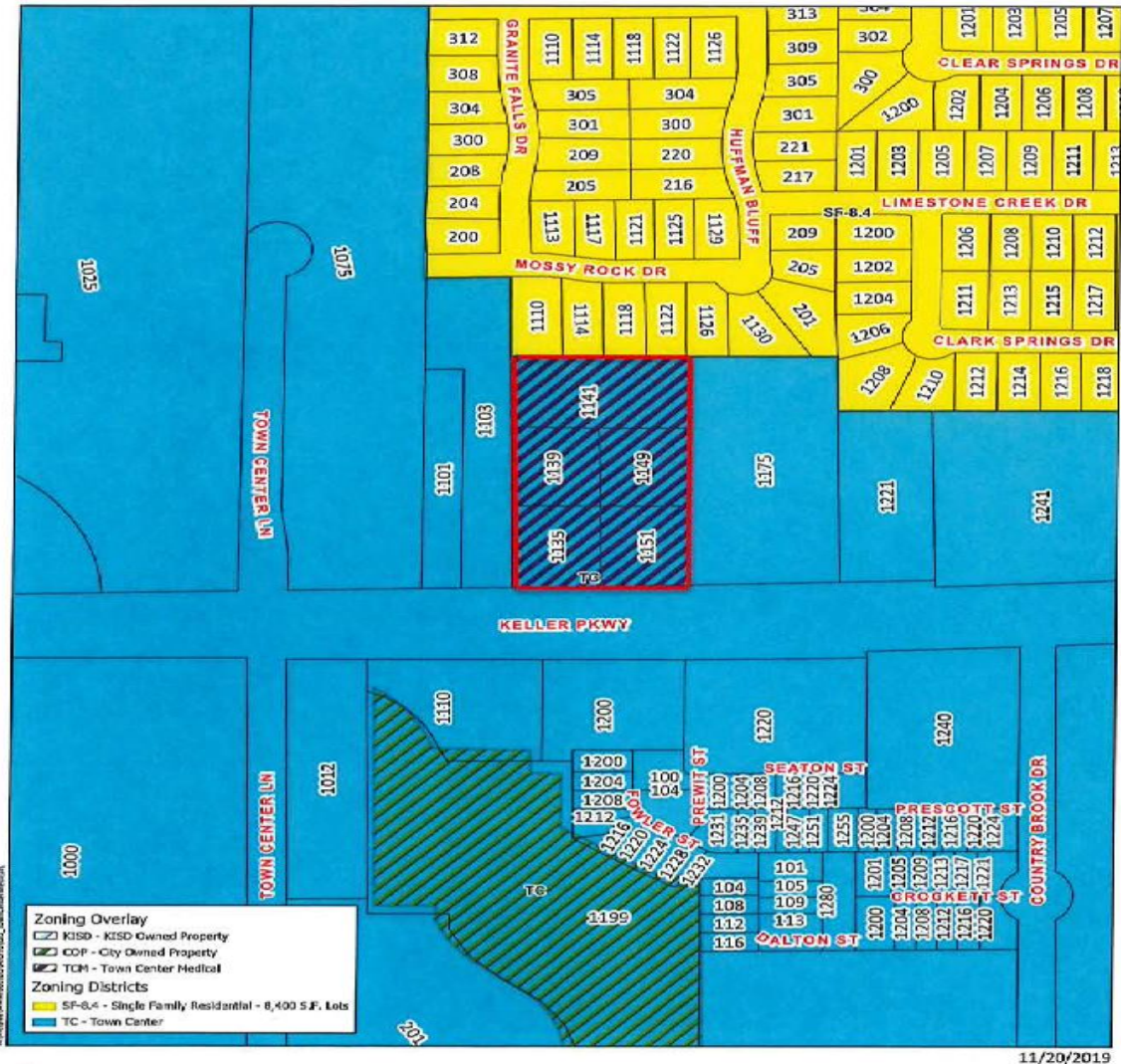


Figure 1 - Town Center Medical Overlay District

TCM Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

- = Not Permitted

Use	SUP or P
Administrative, professional or corporate office	P
Automobile electric charging station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	SUP
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary)	Permit
Bar	SUP
Brewery with retail sales on and off premise	SUP
Brewery with entertainment inside or outside	SUP
Child Care (Center) as an accessory use only	SUP
Commercial Wedding/Corporate Event Venue	SUP
Copy shop or printing shop	P
Dance studio or aerobics center (up to 3,500 square-feet)	P
Dance studio or aerobics center (greater than 3,500 square-feet)	SUP
Distillery with 1,500 square-foot tasting room	SUP
Dry cleaning (small shop) in a multi-use building	P
Dry cleaning free-standing building	SUP
Entertainment Facility (Indoor or Outdoor)	SUP
Fitness Center/Health Club (up to 3,500 square-feet)	P
Fitness Center/Health Club (greater than 3,500 square-feet)	SUP
Fuel Pumps/Sales*	SUP*
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hotel	SUP
Kennels, Grooming Only	P
Liquor Store (10,000 sf or greater)	SUP
Medical/Dental clinic or office	P
Medical Spa	SUP
Minor medical emergency clinic	SUP
Mixed-Use Residential	SUP
Museum or art gallery	P
Offices, City, County, State, and Other Governmental	SUP
Optical store, optician or optometrist	P
Pharmacist or drug store	SUP
Private club	SUP
Private park	P
Public parking garage (associated with building)	P
Religious institution	P
Residential Single Family Dwelling: Townhome/Patio Home	PD
Restaurant, café, cafeteria	P
Restaurant with Drive-thru/Drive-in	SUP

Retail uses and services wholly enclosed within a building	P
<u>Sale of Used Goods</u>	<u>SUP</u>
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP
Studio, art or photographic (within multi-use retail)	P
Studio, art or photography (stand-alone)	P
Surgical Outpatient Facility	SUP
Temporary field construction office	P
<u>Tutoring Center</u>	<u>P</u>
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic	P
Winery with retail sales (either on or off premise)	SUP
* See supplemental regulations for Fuel Pumps/Sales in this district (below)	

(Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22)

Section 8.19 OTK - Old Town Keller

1. *General Purpose and Description.* The OTK District encompasses most of the original town site of Keller. The area generally contains a mixture of some of the oldest buildings in Keller along with newer uses and buildings that have replaced older structures over the years. Vacant lots are scattered throughout the district. The OTK District is designed to transform the area into a historic focal point of the City with the character of a small Texas town of the early to middle 1900's. The standards set forth in this district will ensure design consistency in both the redevelopment of existing structures and in new developments.
 - a. *Boundary Established.* The boundary of the OTK Overlay District consists of Johnson Road on the north, the Union Pacific Railroad on the west, and the actual Bear Creek on the south. The eastern boundary follows various property lines near Elm Street and Ruby Street. Please refer to the attached Old Town Keller boundary map for exact boundaries (See Figure 1 within this Section).
 - b. *Subdistricts Created.*
 - 1) *Main Street Subdistrict.* The Main Street Subdistrict consists of all properties with frontage along Main Street and Keller Parkway. This subdistrict is characterized by continuous storefronts along the streets with deep, long, and narrow shops. Buildings are typically one or two stories in height with flat roofs and display a historic mercantile character.
 - 2) *Neighborhood Subdistrict.* The Neighborhood Subdistrict consists of all other properties within the OTK boundary. A mixture of architectural styles including Minimal Traditionalist with Tudor influence, Bungalow, Craftsman, American Foursquare, and Ranch Style. There are a few examples of the historic mercantile character.
 - c. *Monument Sign Overlay District Created.* The boundary of the Monument Sign Overlay District is the Main Street Subdistrict north of Keller Parkway.
2. *Site Plan Required.* All developments within the OTK District shall be subject to design review as part of the site plan review process. A detailed site plan as outlined in this Code shall be submitted for each use in OTK. Unless specifically noted within this section, all requirements of this Code apply to the OTK District. Design

review is required in this district to ensure that development within the district is in conformance with design guidelines for OTK and that proposed development is architecturally compatible and within the historic character of OTK. Site plan approval shall be required for the following:

- a. All new developments/buildings.
- b. A change of use in an existing structure.
- c. Additions to existing non-residential buildings or additions to residential buildings costing twenty-five percent (25%) or more of appraised value as determined by the Tarrant Appraisal District.
- d. Remodeling of existing non-residential buildings costing twenty-five percent (25%) or more of appraised value as determined by the Tarrant Appraisal District.

3. *Development Standards - Main Street Subdistrict of Old Town Keller.*

- a. *Site Orientation and Layout.* The front facades of buildings or dining patio fencing in new developments or proposed remodeling shall be located close to the sidewalks to encourage pedestrian involvement and to provide an area for landscaping, benches, tables and other types of street furniture. Parking shall be provided at the rear of developments (see Figure 2 within this Section). Developers shall share in the cost of remote parking lots if parking cannot be provided on site.
- b. *Size of Lot.*
 - 1) Minimum lot area: Two-thousand five-hundred (2,500) square feet. (Amended by Ord. No. 1805 on August 16, 2016)
 - 2) Minimum lot width: Twenty-five feet (25'). (Amended by Ord. No. 1805 on August 16, 2016)
 - 3) Minimum lot depth: Sixty feet (60'). (Amended by Ord. No. 1805 on August 16, 2016)
 - 4) Lot and tracks in existence prior to July 7, 2015 shall be deemed conforming and may be developed or redeveloped in compliance with all other sections of this Code, provided their dimension are unchanged except for dedications of Rights-of- Way. (Amended by Ord. No. 1805 on August 16, 2016)
- c. *Size of Yards.*
 - 1) **Minimum front yard:** The character of Old Town calls for 'Build-to' lines, reducing the setback from the street as much as possible while still accommodating the landscape buffer, sidewalk and necessary easements. This is typically fifteen feet (15'), however may vary from case-to-case to achieve the build-to scenario.
 - 2) **Minimum side yard:** Fifteen feet (15') adjacent to a street.
 - 3) **Interior side yard:** No side yard is required provided that:
 - a) Both property owners agree to adjoin buildings.
 - b) Adequate fire lanes and circulation is provided on site. c) Appropriate building codes can be met.
 - 4) **Minimum rear yard:** Five feet (5').
- d. *Building Height.* Maximum building height shall be two (2) stories or thirty-five feet (35'). Buildings may be up to four (4) stories if approved by the City Council at the time of site plan review. Building height shall be measured from the ground to the peak of the roof. New construction shall have a minimum height of twenty feet (20') to maintain a well- defined street space.

4. *Outside Storage and Outside Display.*

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- a. The provisions for outside storage and display shall apply to all permitted uses in accordance with this Code within the Old Town Keller District (OTK).
 - b. Outside storage and display are prohibited on vacant or undeveloped lots.
 - c. All outside storage and display areas shall not be located in or on any required parking spaces, sidewalks, public rights-of-way, or required landscape or buffer areas.
 - d. A minimum accessible pathway in areas used for outside storage or display shall be provided to allow for flow of pedestrian traffic outside of designated vehicular traffic drives.
 - e. All outside storage and display areas shall be maintained free of garbage and other debris.
 - f. Outside storage and display areas for single-occupant or multi-occupant structures or buildings shall be limited to ten percent (10%) of the total gross floor area of the structure or building with a maximum storage and display area of one thousand five hundred (1,500) square feet.
 - g. Merchandise must be freestanding and not be located in or on pallets, crates, stands, shelving, racks, or similar types of storage structures.
 - h. Only goods and merchandise associated with the existing on-site business use may be sold or displayed on-premise.
 - i. Outside storage and display areas of bulk goods and merchandise including, but not limited to mulch (bag or bulk), concrete, salt, tires, or other similar products that cannot be easily carried into the store for purchase shall meet the following requirements:
 - 1) Outside storage and display areas are located in the side or rear yards.
 - 2) Outside storage and display areas, goods, and merchandise shall not exceed the height of six feet (6').
 - 3) Outside storage and display areas shall be screened from view of the public rights- of-way and adjacent residential properties by an opaque fence of suitable height to prevent visibility from public rights-of-way.
 - 4) Where screening or fencing is provided or required, decorative iron with landscaping, aluminum with landscaping, wood, or materials being used on the primary structure or building shall be used for fencing. Other materials may be considered with the administrative approval of the Planning Manager.
 - 5) Screening shall not be required if the outside storage and display area is located out of view from any public rights-of-way.
5. *Design Standards - Main Street Subdistrict of Old Town Keller.*
- a. *Architectural Requirements.*
 - 1) *Materials.* The selected architectural materials must reflect a sense of quality, history, and permanence by utilizing brick, stone, stucco, fibrous cement and concrete. The use of split-faced concrete block shall be limited to the base of a building up to three feet (3') in height from the foundation. Metal and canvas are acceptable materials for awnings and canopies. Vinyl or plastic awnings or canopies shall not be allowed. The color of building materials and the facade shall reflect the eclectic character of the early to mid 1900's, and include earth tones of red, tan, brown and off-white. Accessory structures shall compliment the main structure in façade and design.
 - 2) *Façade composition pattern of openings and surface features, a recognizable entry, an interesting roofline, and appropriate building materials.* Aspects of the architecture and eclectic character of

the Main Street subdistrict, reminiscent of early to middle 1900s, such as materials, colors, window types, cornices, and overall proportions should be reflected in the overall facade composition. Blank walls are prohibited on the front facade and on any facades that may face side streets. As much storefront glass as possible must be incorporated into the facade along with projecting elements and recesses in the facade to define individual tenants within the building. Materials and architectural elements of the front facade shall be carried on all sides of the building (see Figure 3 within this Section).

- 3) *Building entrances.* Building entrances must be prominent and easy to identify. The main building entrance must be distinguishable along the storefront. At least one of the following treatments is required:
 - a) Entrance located in the center of the facade, as part of a symmetrical overall composition;
 - b) Entrance accented by architectural elements, such as columns, overhanging roofs, awnings, or balconies;
 - c) Entrance marked or accented by a change in the roofline or change in the roof type.

If rear or side entries are provided, they must be prominent and easy to identify and should be treated as a secondary main entrance in a manner similar to the main entry. Buildings adjacent to the promenade must provide a primary access to the promenade.

- 4) *Accent elements.* Accent elements such as cut-out openings and latticework, balconies, ornamental building numbers, medallions, and decorative ceramic tile accents must be incorporated into the design of the building to reflect the eclectic character of the Main Street subdistrict, reminiscent of the early to middle 1900s.
 - 5) *Mechanical equipment.* Exterior building walls shall be tall enough to shield all rooftop mechanical equipment from the streetview. Other screening devices such as latticework, louvered panels, any treatments that are compatible with the building's architecture may be considered on a case-by-case basis with approval by the City Council. All ground-mounted mechanical equipment shall be screened within an opaque material matching the building style, durability and color.
 - 6) *Residential-style architecture.* Any buildings, in the form of new construction or being relocated from another location and having a residential-style architecture fitting the character of the district, may be considered in the Main Street subdistrict on a case-by-case basis and approved by the City Council as an element of a site plan application.
- b. *Landscaping, Lighting, Street Furniture, Fencing, and Sidewalk Requirements.*
- 1) *Street Trees.* Large canopy trees shall be planted along Main Street in a straight line spaced at a distance allowing for healthy mature tree canopy between the sidewalk and the street in areas where possible. Understory street trees may be proposed in place of large canopy trees if overhead power lines are present. Such proposals shall be considered by the Planning Manager or his/her designee for final determination. Tree grates shall be provided for tree planting in paved areas. Open tree grates shall be at least five feet by five feet (5' x 5') with openings no more than one-fourth inch ($\frac{1}{4}$ " in width (in narrow sidewalk areas, three-foot by seven-foot (3' x 7') is an acceptable alternate). The size and shape of the tree grates must relate to the paving pattern. The grates must be designed to allow for tree trunk growth and be constructed of ductile iron with a durable factory applied finish. Landscape up-lighting and electrical outlets shall be provided in the tree grate area. All trees and landscaping must be provided with adequate and inconspicuous irrigation systems.

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- 2) *Courtyards and Small spaces.* Scale appropriate landscaping shall be designed and planted in courtyards and in areas where space is limited near existing buildings. All new developments shall have foundation watering to reduce soils shifting and appropriately scaled plantings in front of the building and along any sides adjacent to public streets. The foundation planting area shall be a minimum of five feet (5') in width and contain a mixture of landscaping to provide seasonal interest and color.
 - 3) *Existing Building Surrounded by Paving.* In lieu of foundation planting, landscaping may be provided in raised planters, pots or raised landscape beds in the front and sides of existing buildings that are surrounded by paving or to provide for an outdoor patio. The container landscaping chosen must provide near equivalent coverage as a five foot (5') foundation landscape bed. An automatic irrigation system must be provided to ensure adequate hydration of the selected landscaping.
 - 4) *Streetlights and Street Furniture.* Decorative style streetlights, benches and trash receptacles of a style and color similar to those currently in place and provided in Figure 6. Street lights shall be installed on all street corners and at a spacing between street corners not to exceed sixty feet (60') in a uniform manner as each property is developed or redeveloped.
 - 5) *Lighting.* Light for off-street parking facilities shall be of the same height, style and color of the required streetlights mentioned above. Lighting fixtures attached to buildings shall be of a decorative or historic character that is compatible with the architecture of the buildings and the required streetlights.
 - 6) *Fencing and Screening.* Masonry products in keeping with the OTK common area style must be used to screen dumpsters. In areas where fencing is appropriate, as determined by the DRC, materials and styles fitting the character of the neighborhood shall be used. If wood fencing is proposed, details including construction, footing design, specific materials proposed, and maintenance to maximize life must be included in the site plan and permit request.
- c. *Sidewalk Patios.*
- 1) *Sidewalk Patios.* Sidewalk patios are encouraged along the promenade. The design of the interior and immediate surroundings of a sidewalk patio should adhere to the following guidelines.
 - a) The clear height from grade level to any obstruction such as an overhead canopy should be a minimum of seven feet (7').
 - b) The surface area of an outdoor patio may not exceed the interior floor area of the primary licensed establishment.
 - c) The path to the door of the primary licensed establishment shall be maintained at three feet (3').
 - d) The patio shall extend to the building line when located between the primary licensed establishment and the street.
 - 2) *Patio Fencing.* Fences or railings are used to delineate and contain the patio.
 - a) A fence or other vertical barrier must be used to delineate the perimeter of the patio area.
 - b) The width of any opening in a fence should be no greater than six and a half feet (6.5') and no less than three feet (3').
 - c) The required height of a fence facing the street is three and a half feet (3.5'). Side screens may be up to seven feet (7') high above the grade. Such screens should not be entirely opaque but may be formed by structures with lattice or grillwork and climbing vines.

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- d) Fences and screens should be easily removable at all times.
 - e) The design, materials and colors used in the development of the patio restaurant should be of high quality finish and compatible with the streetscape.
 - f) All finishes should be clean and free of any exposed screws or other fasteners. g) Perimeter fences shall not obstruct the line of sight for pedestrians and drivers.
- 3) *Awning.* Awnings can be used to provide shade and weather protection for the patio as well as visual screening from adjacent uses.
- a) Materials should be securely fastened to a frame, which is either retractable or demountable.
 - b) Sheltering material should be fabricated and finished to fit the supporting structure with no loose or unsecured edges.
 - c) Materials and colors should coordinate with the surrounding buildings and streetscape elements. They should generally contribute to the design theme of the street.
 - d) The awning should not extend into the public sidewalk adjacent to the patio.
 - e) The awning should attach to the building below the signage identifying the restaurant with a minimum height of seven feet (7').
 - f) Lighting and other attachments to the awning should be securely fixed and integrated to the supporting structure.
 - g) A building permit is required for awnings.
 - h) Awnings shall be maintained in excellent condition at all times.
- 4) *Enclosures.* Enclosures may be used for more extensive weather protection and to extend the patio season.
- a) Enclosures must include a minimum of one continuous opening (from ground to canopy) to the outside (ie. no roll-down walls of any kind, however slide up/down doors are acceptable)) that comprises at least 25% of the total perimeter of all of the patio walls.
 - b) The enclosure area should be well ventilated to provide for dispersion of smoke and exchange of air.
 - c) Ventilation should be directly to the exterior and may be achieved by passive means through vents in the awning and/or active fans.
 - d) Cash machines should not be located within the patio area, except where enclosed within a freestanding building or kiosk.
 - e) A building permit is required for the construction of an enclosure.
- 5) *Lighting.* Lighting is important to the function and appearance of a patio as well as the safety and security of the public environment.
- a) Exterior lighting should not spill into abutting private property or interfere with the public thoroughfare.
 - b) Lighting should be demountable with no exposed cables or energized fixtures. c) Lighting design should coordinate with patio furnishings and streetscape design.
 - d) Lighting should not be attached to trees or shrubs on City property; however string lighting to highlight deciduous trees within the patio area is permitted.

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- e) Lighting should be used to identify the entrance to a patio.
 - f) Pathways through a patio should be illuminated to ensure the safety of patrons and staff.
- 6) *Plant Materials.* Plant materials contribute to our general comfort and enjoyment of the patio experience.
- a) Planting of annuals, vines and container-grown vegetation is encouraged but should be easily removable from the site.
 - b) Planters should be integral with fence and deck structures to maintain a compatible design relationship.
 - c) Deciduous shade trees enhance the quality of the patio space with shade and screening.
 - d) Planting should be used along with spatial separation and structures to screen a patio from adjacent vehicle parking and circulation.
 - e) Planters must not obstruct the public right of way.
- 7) *Surface Treatment.* The paving of a patio surface provides durable and attractive platform for the patio, which is distinct from the public right-of-way.
- a) Paving should be durable, skid-proof and easily maintained in a clean and unobstructed condition.
 - b) The minimum slope of pavement should be 1% and the maximum slope 4% within the seating area.
 - c) A change in elevation may be used to define the edge of a patio, but should not create an additional barrier to movement.
- d. *Sidewalks.* All sidewalks along Main Street in the Main Street Subdistrict shall be constructed of brick pavers in the same design, pattern and color as the sidewalk in place along South Main Street between Taylor Street and the Big Bear Creek Bridge. Properties with existing concrete sidewalks shall upgrade the sidewalk with brick pavers in the manner described above when any building additions are proposed or when remodeling existing buildings at a cost of twenty-five percent (25%) or more of the appraised value as determined by the Tarrant Appraisal District.
- e. *Signage Requirements.* All signage for new buildings/uses or change in use shall comply with these requirements at the time of sign permit.
- 1) A sign permit shall be required for all signage.
 - 2) Signage may be internally or externally illuminated.
 - 3) Unless located in the OTK Monument Sign Overlay District, monument signs are not permitted in OTK. Within the OTK Monument Sign Overlay District, only one (1) monument (see 8.09) or detached sign (i.e. post and bracket) shall be allowed per business per public street frontage.
 - 4) Only one (1) attached sign shall be allowed per building or lease space elevation exclusive of address number signs and shingle signs. (Amended by Ord. No. 1799 on July 5, 2016)
 - 5) Sign sizing shall be as set forth in Section 9.05. (Amended by Ord. No. 1799 on July 5, 2016)
 - a) Wall mounted signs on Main Street must be historic in context with the eclectic character of the Main Street Subdistrict.
 - b) Projecting signs are considered attached wall mounted signs and shall be allowed provided that they do not extend more than four feet (4') from the wall surface. (See Figure 4 within

this Section). Vertically oriented (projection sign) signage shall be placed a minimum of ten feet (10') above grade.

- c) Shingle signs on Main Street may be up to four (4) square feet and in keeping with the eclectic character of the Main Street Subdistrict.
 - 6) Sign materials and styles shall reflect the character of Old Town Keller. Post and bracket styles; wood, metal, or masonry materials with painted, engraved, or mounted letters are encouraged.
 - 7) Signs must be located on the facade in areas designated for this function; for example, a recessed or framed area or a parapet panel between shop-front and roofline.
 - 8) Color, materials, sizes, shapes, and lighting of signs must be compatible with the architecture of the building, the business it identifies and the character of the surrounding area.
 - 9) Sign shapes must be simple and straightforward to communicate well. Signs as symbols are permitted and encouraged because they are easily read and add to the vitality of a storefront.
 - 10) Portable signs such as menu boards for restaurants or to direct customers to parking areas shall be allowed provided they do not block sidewalks or streets and are stored indoors after hours of operation.
 - 11) Murals shall be considered on a case-by-case basis. Public murals shall be considered by the Public Arts Board for recommendation to and approved by the City Council. Private murals approval process includes a recommendation from the Planning and Zoning Commission to the City Council based on the following criteria:
 - Shall not include any owner identification or commercial text message; however, it may contain graphics or images that relates to the products or services offered on the premises where the mural is located.
 - Murals or art representation displaying any owner identification or commercial text message will be considered as a "flat/wall sign."
 - Shall not depict nudity or obscene images and be generally acceptable for viewing by all audiences.
 - Materials utilized in painting a mural shall have proven durability and shall be maintained or removed if not maintained.
 - 12) Temporary signs are allowed in accordance with the general sign provisions of this Code. (Amended by Ord. No. 1799 on July 5, 2016)
- f. *Parking Requirements.* Parking areas situated in front of buildings in new developments in the Main Street Subdistrict are prohibited. In new developments, required parking shall be provided at the rear of buildings. Parking provided on the side of a building will be considered on a case-by-case basis and approved by the City Council as an element of a site plan application. The parking requirements of this Code shall be enforced in new developments to the greatest extent possible. Developers must share in the cost of remote parking lots if all required parking cannot be provided on site.
6. *Development Standards - Neighborhood Subdistrict of Old Town Keller.*
- a. *Site Orientation and Layout.* The Neighborhood Subdistrict is more residential in character and contains a mixture of some of the early homes built in Keller and some infill residential structures from the 1900's through the 1970's. The structures in this subdistrict are set back farther from the street than the structures in the Main Street Subdistrict to allow for additional landscaping. Most of the streets have wide right-of-ways (approximately eighty feet [80']) that will accommodate ninety-degree (90°) head in parking within the street right-of-way (see Figure 5 within this Section).

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- b. *Size of Lot.* Lots vary in size and dimension through the Neighborhood Subdistrict of OTK. Many of the structures built were designed to fit on narrow lots. Lot and yard sizes should be suitable to fit the character of the area and maintain health and safety as defined in the current building and fire codes.

7. *Design Standards - Neighborhood Subdistrict of Old Town Keller.*

- a. *Architectural Requirements.* All new structures of the Neighborhood Subdistrict shall resemble the residential character and style of a Texas small town of the early to middle 1900's (see Figure 4).

Architectural styles considered appropriate include American foursquare, Craftsman, Bungalow, Minimal Traditional, and Ranch Style,

Any buildings, in the form of new construction or being relocated from another location and having a non-residential-style architecture fitting the character of the district, may be considered in the Neighborhood subdistrict on a case-by-case basis and approved by the City Council as an element of a site plan application.

- b. *Landscaping, Lighting, and Sidewalk Requirements.*

- 1) *Street Trees.* A minimum of two large canopy trees shall be planted at suitable spacing, based on the type of tree, to accommodate mature canopy spread on center within the required front yard centered between the building and the property line. All trees and landscaping must be provided with adequate and inconspicuous irrigation systems.

- 2) *Ornamental Trees and Shrubs.* Ornamental trees and shrubs shall be planted in courtyards and in areas where space is limited near existing buildings. All new developments shall have foundation plantings, either in ground, raised planters or pots, in front of the building and along any sides adjacent to public streets. The foundation planting area shall be a minimum of five feet (5') in width in ground, or of equal spacing if pots or raised bades are used, and contain a mixture of drought and heat tolerant ornamental trees, shrubs, and seasonal color.

- 3) *Streetlights, Parking Lot Lighting and Building Lighting.* The streetlight, parking lot lighting, building lighting and street furniture requirements for the Neighborhood Subdistrict are the same as the requirements for the Main Street Subdistrict.

- 4) *Sidewalks.* Sidewalks in the Neighborhood Subdistrict shall be six feet (6') in width and constructed of concrete with a two-foot (2') wide band of pavers spaced every ten feet (10'). Paver's band shall resemble the brick paver sidewalks along Main Street.

- c. *Signage Requirements.*

- 1) The attached signage requirements for the Neighborhood Subdistrict are the same as the Main Street Subdistrict.

- 2) Detached or Ground Mounted Signage.

- a) All detached signage shall be externally illuminated.

- b) A sign permit shall be required for all new signs or alterations to signs.

- c) Only one detached sign shall be allowed per business per public street frontage.

- d) For single-occupant buildings, detached signage shall not exceed fifteen (15) square feet in total surface area and six feet (6') in height. For multi-occupant buildings, all detached signage shall not exceed twenty-four (24) square feet in total surface area and six feet (6') in height.

- e) Signs must reflect the character of Old Town and may include post and bracket or double-pylon signs using wooden posts or painted metal poles or monument style signs shall be allowed. Other styles that reflect the character of Old Town will be considered.
 - f) Sign materials shall be consistent with the character of Old Town and the primary licensed establishment.
 - g) Color, materials, sizes, shapes, and lighting of signs must be compatible with the architecture of the primary licensed establishment, the business it identifies and the character of the surrounding area.
 - h) Sign shapes must be simple and straightforward to communicate well. Signs as symbols are permitted and encouraged because they are easily read and add to the vitality of a storefront.
- d. *Parking Requirements.* As existing structures in the Neighborhood Subdistrict are redeveloped, the developer or property owner shall be responsible for constructing the ninety-degree (90°) head in parking within the right-of-way composed of either concrete or asphalt. The developer or property owner is also responsible for the construction of a concrete curb adjacent to the sidewalk and a concrete valley gutter between the street edge and the head-in parking space (see Figure 7 within this section for street cross-section). If head in parking does not provide an adequate number of parking for a particular use, parking may be added at the rear of the building if accessible, or the property owner may contribute funds for the construction of remote parking facilities. These requirements also apply to new developments.

OTK Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved As Specific Use Permit

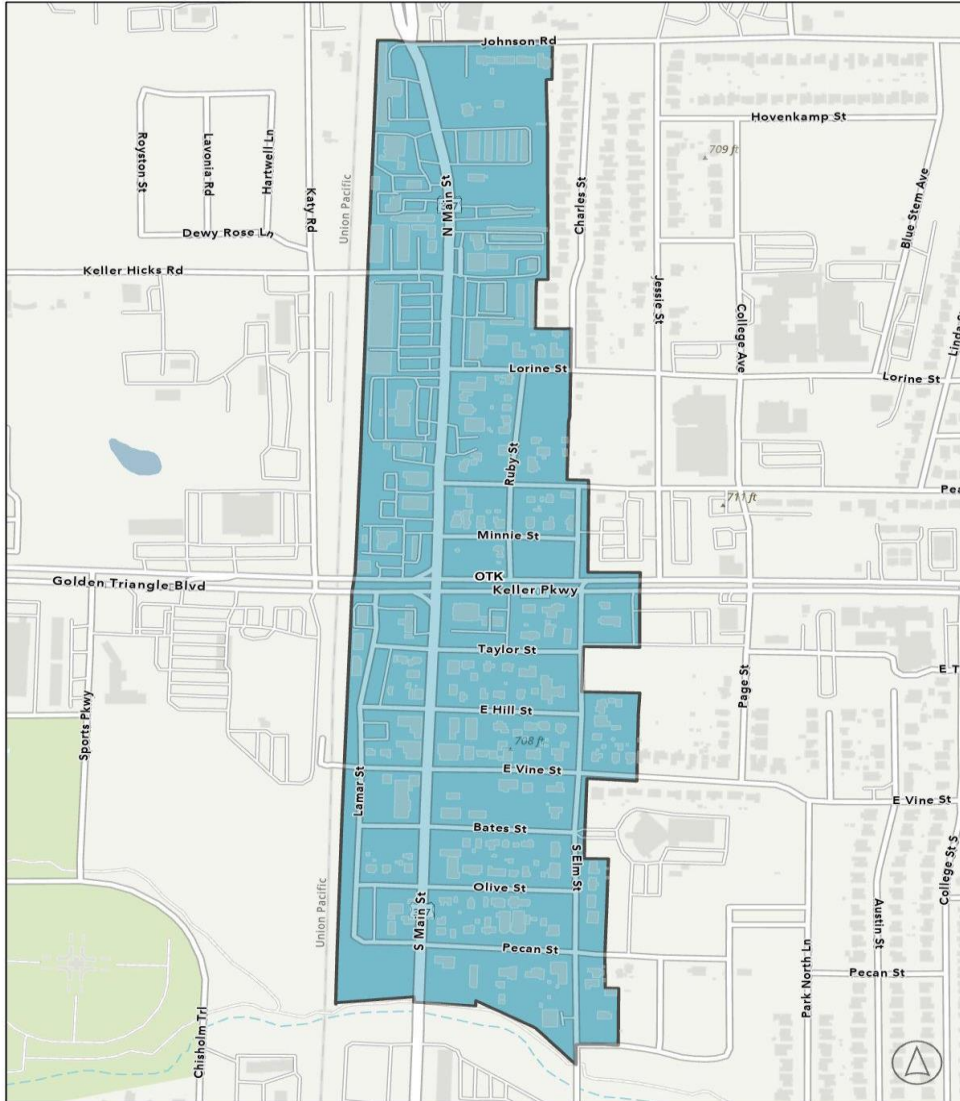
- = Not Permitted

Use	Neighborhood Subdistrict	Main Street Subdistrict
Administrative, professional or corporate office (Amended by Ord. No. 1805 on August 16, 2016)	P*/SUP	P*/SUP
Automobile electric charging station	P	SUP
Bakery (retail)	P	P
Bank, saving, loan, and credit unions, including automated teller	SUP	SUP
Bar	SUP	SUP
Barber shop or beauty salon stand alone	SUP	SUP
Barber shop or beauty salon within multi-use retail	P	P
Batching plant (temporary)	Permit	Permit
Bed and Breakfast/Tourist Home	SUP	-
Brewery with retail sales on and off premise	P	P
Brewery with entertainment inside or outside	SUP	SUP
Child Care (Center) as an accessory use only	SUP	SUP
Commercial wedding/event venue	SUP	SUP
Copy shop or printing shop	P	P
Dance studio or aerobics center	P	P
Distillery with 1,500 square-foot tasting room	SUP	SUP
Dry cleaning free-standing building	SUP	SUP

Entertainment Facilities (Indoor or Outdoor)	SUP	SUP
Grocery store or food market	SUP	SUP
Gunsmith (repair only)	SUP	SUP
Hotel	SUP	SUP
Kennels, Grooming Only	SUP	-
Light Manufacturing, wholly enclosed in a building	SUP	SUP
Medical Offices (Amended by Ord. No. 1805 on August 16, 2016)	SUP	SUP
<u>Medical Spa</u>	<u>SUP</u>	<u>SUP</u>
Mixed-Use Residential	SUP	SUP
Museum or art gallery	P	P
Offices, City, County, State, and Other Governmental	P	P
Optical store, optician or optometrist	P	P
Pharmacist or drug store	SUP	SUP
Private club	P	P
Private park	SUP	SUP
Public parking garage (associated with building)	P	P
Public Park or Playground	SUP	P
Religious institution	P	P
Residential Single-Family Detached Dwelling	P	-
Residential Single-Family Dwelling: Townhome/Patio Home	-	SUP
Restaurant, café, cafeteria	P	P
Retail uses and services wholly enclosed within a building	P	P
Sales of used goods and merchandise	SUP	SUP
School, Private	SUP	SUP
Seasonal Sales	SUP	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP	SUP
Studio, art or photographic (within multi-use retail)	P	P
Studio, art or photography (stand-alone)	P	P
Temporary field construction office	P	P
Utility structures (Private or Franchised)	SUP	SUP
Utility structures (public)	P	P
Veterinarian Clinic	SUP	P
Winery with retail sales (either on or off premise)	P	P
*Administrative, professional or corporate offices are allowed by right when on the second floor or higher of a building or when the use occupies 1,200 square feet or less in an existing building. In all other circumstances an SUP will be required. (Amended by Ord. No. 1805 on August 16, 2016)		

8. *Illustrations.*

Figure 1 - Old Town Keller Boundary



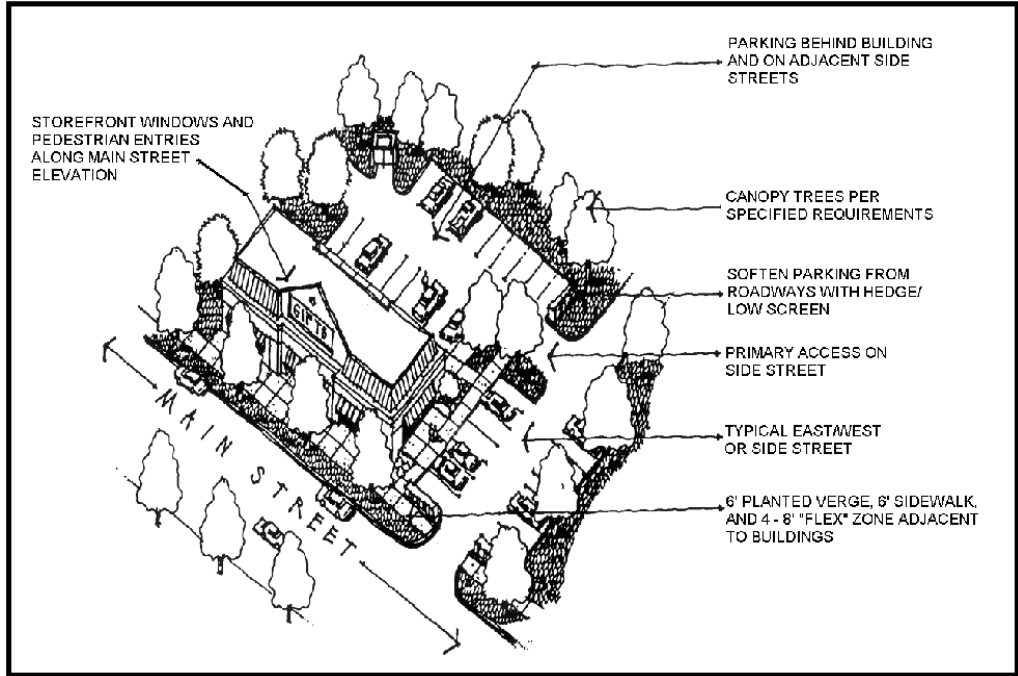


Figure 2 - Building Relationship to Main Street

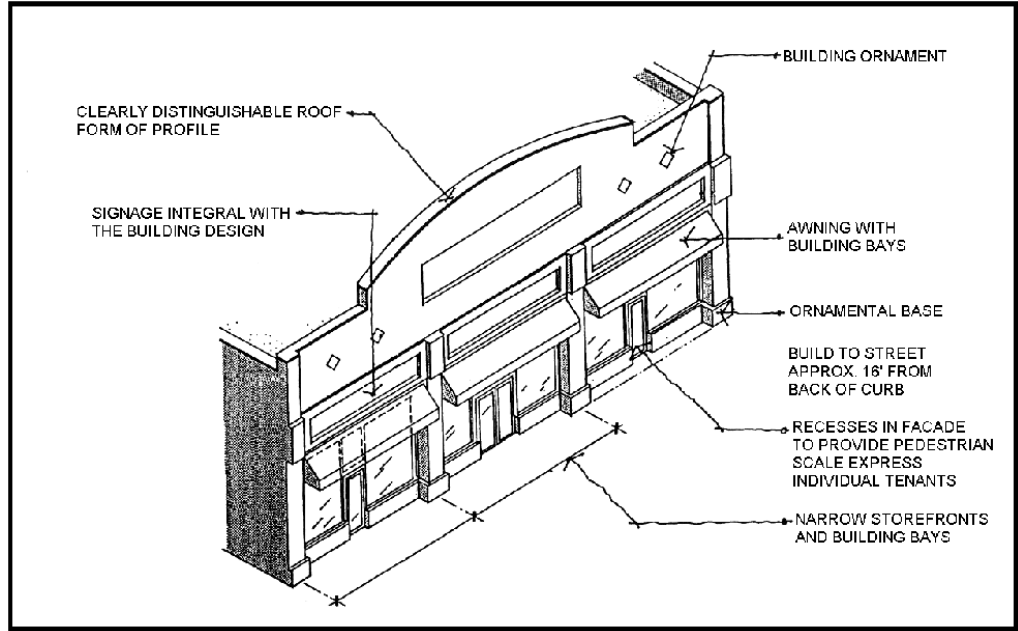


Figure 3 - Main Street Facade Treatments

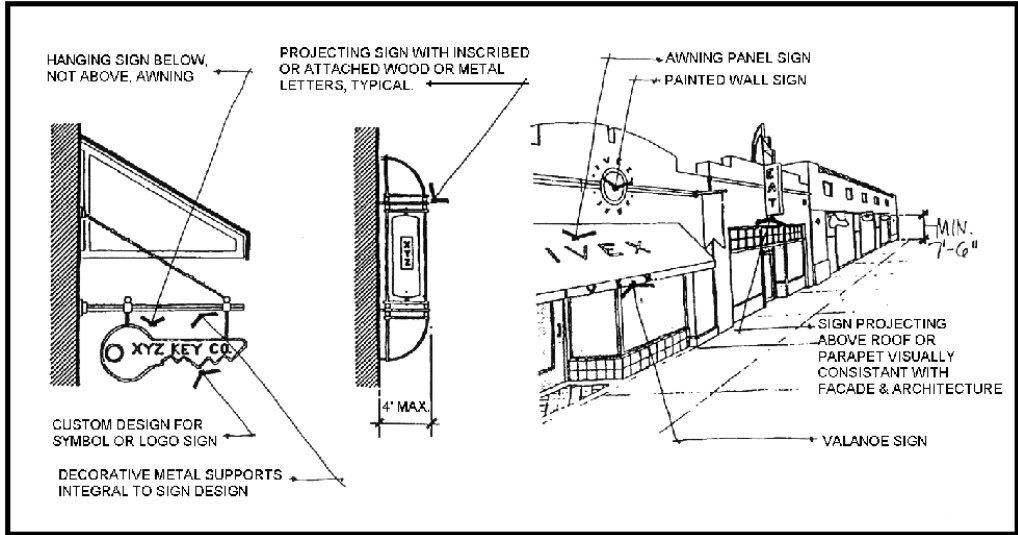


Figure 4 - Projecting Signs & View From Main Street

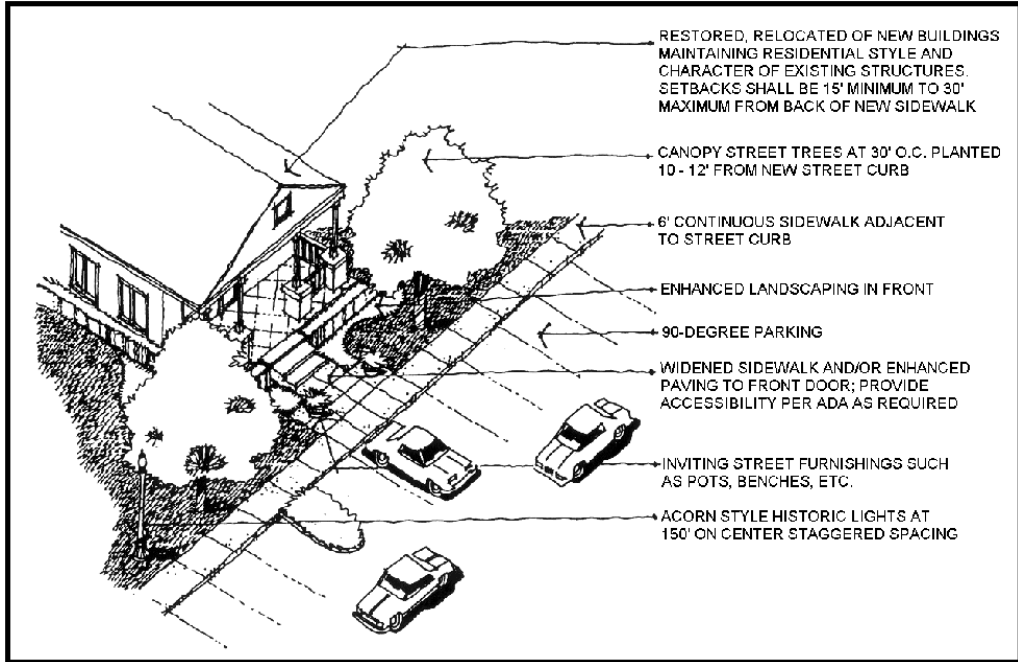


Figure 5 - Typical Neighborhood Street



Figure 6 - Trash Receptacles and Street Furniture

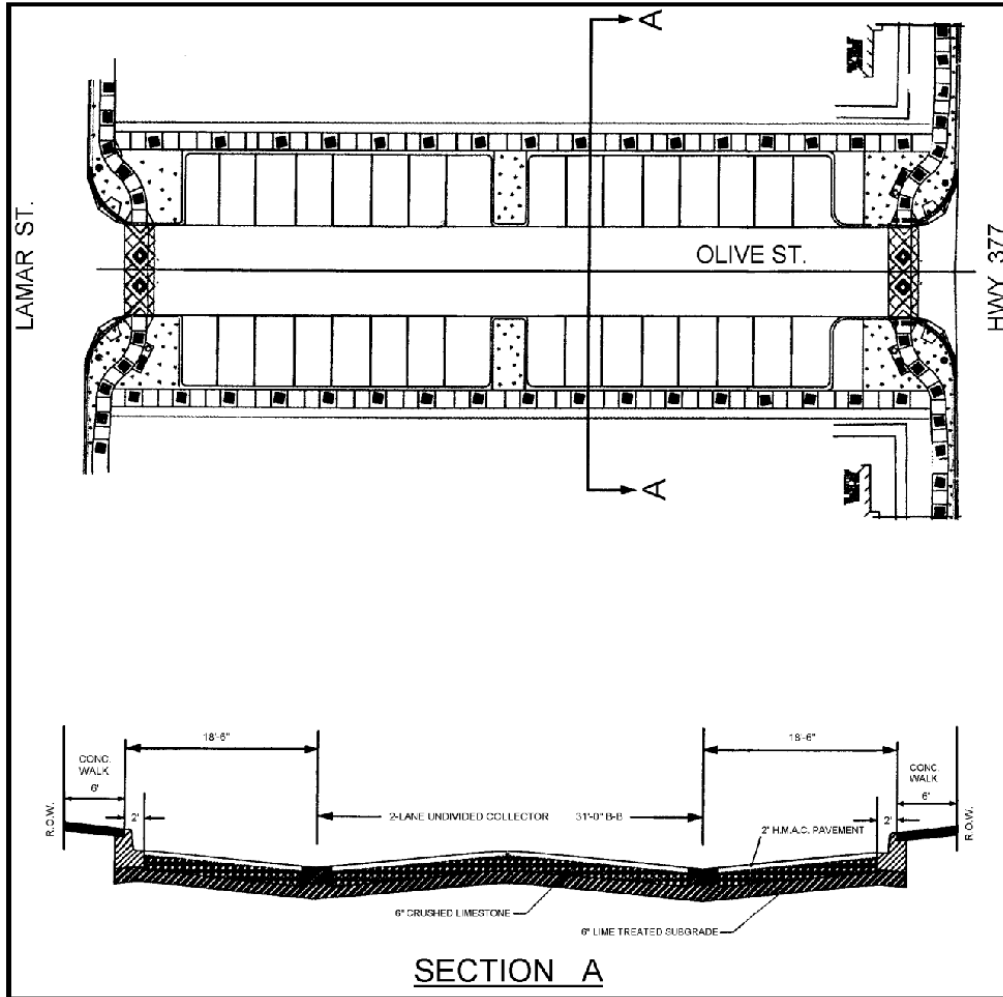


Figure 7 - Typical Cross Section of Street in Old Town Keller

(Ord. No. 1959 , § 2(Exh.B), 12-3-19; Ord. No. 2072 , § 2(Exh. A) , 6-21-22; Ord. No. 2083 , § 2(Exh. A) , 8-2-22; Ord. No. 2087 , § 2(Exh. A) , 9-6-22; Ord. No. 2104 , § 2, 12-6-22; Ord. No. 2105 , § 2, 12-20-22)

Section 8.20 Katy Road - Katy Road District

1. *General Purpose and Description.* The Katy Road District area generally contains a mixture of industrial-type businesses and older buildings along the railroad corridor in Keller. There are a few residential lots scattered throughout the district. The Katy Road District is designed to encourage redevelopment and increase economic growth for this area. The regulations and standards set forth in this district will ensure design consistency in both the redevelopment of existing structures and in new developments.
2. *Boundary.* The boundary of the Katy Road District consists of Caylor Road on the north, the Union Pacific Railroad on the east, Katy Road on the west, and Golden Triangle Boulevard on the south, and includes all property within this boundary. Please refer to the attached Katy Road District boundary map for exact boundaries (See Figure 1 within this Section).

3. *Site Plan/Design Review Required.* A detailed site plan as outlined in this Code shall be submitted for any new non-residential building, expansion or addition to an existing non-residential building, or conversion of an existing structure from residential to non-residential use. Design review is required in this district to ensure that development within the district is in conformance with site and architectural standards of this overlay district.
4. *Permitted Uses.*
 - a. The following use charts specify those uses permitted in the Katy Road district.
 - b. Any new or unlisted uses not shown on the use chart for the Katy Road District shall follow the provisions for classification of new or unlisted uses as stated in Section 8.03 (B.1) of this Code.

KR Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved As Specific Use Permit

- = Not Permitted

Use	SUP or P
Accessory dwelling (attached)	P
Administrative, professional or corporate office	P
Amateur radio, TV, or CB antenna (50 ft or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft)	SUP
Appliance Rental	P
Assembly of light electronic instruments and devices (enclosed building)	P
Athletic stadium or field operated by the city or school district	SUP
Automobile/boat upholstery	P
Auto, boat/motorcycle sale, repair or related uses and services	P
Automobile parts and sales and wholly enclosed in a building	P
Automobile reconditioning, body/fender repair	P
Automobile Repair, Major (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Automobile Repair, Minor (Amended by Ord. No. 1828 on January 17, 2017)	P
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	P
Bank, saving, loan, and credit unions, including drive-thru and automatic teller	SUP
Bar	SUP
Barber shop or beauty salon	P
Batching plant (temporary)	SUP
Building material and hardware wholly enclosed with no outside storage or display	P
Building material and hardware (with outside storage)	P
Cabinet and furniture upholstery shop	P
Child care or day care center	SUP
City, County, State and governmental offices	P
College, university or private boarding school	P
Commercial engraving/printing	SUP

Commercial wedding/event venue	SUP
Community center	SUP
Contractor shop	SUP
Convenience store with gas pumps	SUP
Copy shop or printing shop	P
Distillery	SUP
Donation center	SUP
Driving school	P
Dry cleaning - free standing	P
Dry cleaning - small shop within a multi-use retail building	P
Dry cleaning plant or commercial laundry	P
Entertainment Facilities (Indoor or Outdoor)	SUP
Family home/adult care/day care/group home	SUP
Fitness Center/Health Club	P
Fraternal clubs, lodges, sororities and fraternities, etc.	SUP
Freight or truck terminal yard	SUP
Funeral parlor or mortuary	P
Furniture restoration, wholly enclosed in a building	P
General Retail Sales and Services	P
Greenhouses and nurseries (commercial retail)	P
Gunsmith (repair only)	P
Heating and air conditioning sales and services (enclosed building without outside storage)	P
Heavy machinery sales and service	P
Heavy vehicle storage	P
Heliports and helistops	SUP
High risk or hazard industrial manufacturing wholly enclosed within a building	SUP
Hospital	SUP
Kennels, Grooming Only	-
Kennels (Indoor Pens Only)	-
Kennels (Outdoor Pens, could include Indoor Pens)	-
Indoor Gun Range	SUP
Industrial manufacturing wholly enclosed within a building	P
Industrial manufacturing not wholly enclosed within a building	SUP
Landscaping service	P
Laundromat (self service)	P
Light manufacturing in enclosed building	P
Light manufacturing with outside storage	SUP
Medical/Dental Clinic or Office	SUP
Medical laboratory	P
Metal recycling collection center	SUP
Mini-warehouse or self-service storage warehouse	P
Minor medical emergency clinic	P
Monuments and headstones sales with outside storage	P
Motorcycle sales with outside storage	P
Municipal uses operated by the City of Keller	P

Museum or art gallery	SUP
Newspaper printing	P
Office showroom	P
Outpatient substance use treatment program for adolescents	SUP
Overnight delivery and service center	P
Pawnshop	P
Pharmacist or drug store	SUP
Portable building sales with outside storage	P
Printing company	P
Private club	SUP
Public parking garage	SUP
Radio broadcasting without tower	P
Religious institution	P
Research and scientific laboratories	P
Restaurant, café or cafeteria	P
Sales of used goods and merchandise	SUP
School, Private	P
School, Public	P
School, Business or Trade	P
Security systems installation company	P
Studio, art or photographic	P
Theater, indoor	SUP
Tool and machinery rental shop	SUP
Truck rental or leasing	P
Utility structures (private or franchised)	SUP
Utility structures (public)	P
Vehicle or car wash	SUP
Veterinarian Clinic	-
Veterinarian Clinic with Outdoor Pens	-
Veterinarian Clinic with Supplemental Services	-
Wallpaper, flooring, and carpet supply	P
Warehouse and service uses without outside storage	P
Wholesale distribution center and warehousing	SUP
Wholesale sales and services without outside storage	P
Wind turbines	SUP
Wrecker Services	SUP

5. *General Standards.* The standards within this section apply to all properties within the Katy Road District unless specified otherwise.
- a. *Access Management.* Driveway approaches shall follow these guidelines:
- 1) Required widths:
 - a) One-Way Driveway: Fifteen feet (15') plus ten-foot (10') radii.
 - b) Two-Way Driveway: Twenty-four feet (24') plus fifteen-foot (15') radii.

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- c) A maximum width of forty-five feet (45') plus twenty-foot (20') radii will be allowed where significant traffic is projected for two-way access as determined by the Director of Public Works.
 - 2) Each property shall be permitted a minimum of one (1) driveway. No minimum spacing between driveways along Katy Road shall be required.
 - 3) Driveways shall be located a minimum of two hundred fifty feet (250') from arterial street intersections and two hundred feet (200') from collector street intersections.
 - 4) All two-way driveways shall intersect at ninety degrees (90°).
 - 5) All non-residential driveway approaches shall be constructed in accordance with the City Standard Driveway Construction Details and be maintained by the property owners or property associations.
 - 6) Modifications or alternatives to the standards in Section 8.19(5.a) may be approved by the Director of Public Works if he/she determines that the requested changes will not create a serious detriment to the safety or operation of traffic on the street or roadway. The Director of Public Works may require that the applicant submit a traffic analysis if it is determined that such an analysis is necessary in order to render a decision on the request.
- b. *Parking.*
- 1) The minimum number of parking spaces for all uses shall be provided at a rate of seventy-five percent (75%) of the required number of parking spaces per Section 9.02 of this Code.
 - 2) Parking areas shall be permitted in front of existing buildings or new developments.
 - 3) All off-street parking and maneuvering areas shall be paved to a minimum of six inches (6") of reinforced concrete over six inches (6") cement-limed or crushed limestone stabilized base compacted to ninety-five percent (95%) density or an equivalent asphalt section. Gravel, pavers or alternative pavement types intended to reduce storm water runoff may be approved by the Director of Public Works.
 - 4) Approaches for fire lanes, loading, and storage areas shall be paved to a minimum of seven inches (7") of reinforced concrete over six inches (6") cement-limed or crushed limestone stabilized base compacted to nine-five percent (95%) density.
- c. *Landscape Requirements.*
- 1) *Buffers.*
 - a) Minimum five-foot (5') landscape buffer adjacent to public streets.
 - b) Minimum five-foot (5') landscape buffer adjacent to rear property lines. c) Landscape buffers along side property lines will not be required.
 - 2) *Understory Trees.*
 - a) Understory trees shall be planted in landscape buffers adjacent to public streets and along rear property lines at a rate of one (1) ornamental tree per fifteen feet (15') of landscape buffer (see Article Nine - Recommended List for Required Landscape Areas).
 - b) The required understory trees for landscape buffers adjacent to public streets may be placed in a linear arrangement with consistent spacing or in a random, free-form, and/or clustered arrangement.
 - c) Understory trees shall be a minimum of eight feet (8') in height at the time of planting.

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- 3) *Seasonal Color, Shrubs, Planters, Pots, and Beds.* Seasonal color, living ground cover, and small shrubs may be used in lieu of ornamental trees for landscape buffers adjacent to public streets. Such plantings shall be provided in raised planters, pots, or landscape beds in the front and sides of existing buildings. The area for seasonal color and shrubs shall be equivalent to the area of the required front landscape buffer. One (1) five-gallon shrub shall be provided for every fifteen (15) square feet of landscape area. Landscape areas not planted with shrubs shall be planted with seasonal color and/or living ground cover.
 - 4) All trees and landscaping must be provided with irrigation systems.
- d. *Development Standards.*
- 1) *Site Orientation and Layout.* The front facades of existing buildings and new developments may be located close to the street to provide an area for parking and landscaping. Parking may be provided in front or at the rear of developments.
 - 2) *Size of Lot.*
 - a) **Minimum lot area:** Five thousand (5,000) square feet. b) **Minimum lot width:** Fifty feet (50').
 - c) **Minimum lot depth:** None.
 - 3) *Size of Yards.*
 - a) **Minimum front yard:** Fifteen feet (15'). Buildings shall be allowed to encroach fifty percent (50%) of a lot's minimum fifteen-foot (15') front building setback.
 - b) **Minimum side yard:** Fifteen feet (15') adjacent to a street.
 - c) **Interior side yard:** None.
 - d) **Minimum rear yard:** Five feet (5').
 - e) **Adjacent to a Single-Family District or Use:** None.
 - 4) *Building Height.*
 - a) Maximum building height shall be twenty-five feet (25'). Architectural features may exceed twenty-five feet (25').
 - b) Pitched roofs may exceed height limits with City Council approval provided they are gable or non-shed roof types.
 - c) One (1) additional foot setback from all property lines for each additional two feet (2') in height above twenty-five feet (25').
- e. *Design Standards.*
- 1) *Architectural Requirements.* The intent of the design standards that follow is to allow construction of buildings that reflect the context of existing industrial developments and close proximity to the railroad corridor.
 - 2) *Building Materials.*
 - a) The selected architectural materials must reflect a sense of quality and permanence by utilizing brick, stone, concrete, stucco, and metal.
 - b) The use of natural clay brick, native or manufactured stone, stucco, exposed concrete, textured concrete blocks (quick brick), split-face concrete blocks, fiber-cement materials or any other wall surface material allowed by building code shall be noted on the site plan

elevations. Stucco may be used for cornices, medallions, and other architectural details and elements.

- c) The use of exposed metal exterior walls and finishes shall be allowed so long as it is architectural metal. For metal exterior finishes, the use of corrugated panels, profiled panels, deep ribbed panels, or concealed fastener systems are permitted and shall have a finish of a permanent material such as a baked or enamel finish or painted to the wall manufacturer's standards. Metal exterior walls shall be compatible in color with the principal buildings and existing surrounding structures.
- d) Roof material shall be asphalt composition, architectural metal, stone, clay or concrete roofing tile.
- e) Carports constructed entirely out of metal are permitted. Carports shall be shown on the site plan and shall be compatible in design and material with the main structure. Carports shall be located on the side or rear of the property and shall observe all building setback lines.

3) *Building Exterior Colors.*

- a) Preferred colors of buildings and accessory structures are earth tones (red, brown, tan, off-white, green). Accessory structures shall be compatible with the main structure. The use of florescent paint, florescent colors and the extensive use of bright colors on buildings as commercial identity or signage shall not be permitted.
- b) Service doors, down spouts, utility boxes and panels, and other similar features on the buildings shall be painted to match the primary material on the building.
- c) The use of lighted stripes, exposed neon tubular lights or similar material on buildings or accessory structures shall not be permitted.
- d) Awning and canopies shall be architectural metal, canvas, glass, fiberglass, or fabric. Vinyl, plastic or similar materials for awnings and canopies are not allowed.

4) *Mechanical equipment.* Roof top mechanical/electrical equipment shall be screened with an extension of the building facade or a compatible roof design and shall be tall enough to shield all rooftop mechanical equipment from the view from the street. The screening of equipment with metal screening, latticework, louvered panels, or other materials that are compatible with the building's architecture may be approved on a case- by-case basis by City Council. The screening of all ground-mounted mechanical equipment shall not be required.

5) *Service Areas and Loading Docks.* Service area, loading docks, service doors, and trash collection areas fronting on streets or public open spaces shall be permitted. Screening of these areas shall not be required.

f. *Signage Requirements.*

1) *Attached or Building Mounted Signage.*

- 1) Attached signs are allowed in accordance with the sign provisions in Section 9.05 of this Code unless otherwise specified.
- b) Sign materials shall consist of wood, metal, masonry, durable plastic, or similar materials with painted, engraved, or individual mounted letters.
- c) Only one attached sign shall be allowed per business per public street frontage. An additional attached sign may be permitted per business if facing the rear of the property.

-
- d) Murals shall be considered on a case-by-case basis. Public murals shall be considered by the Public Arts Board for recommendation to and approved by the City Council. Private murals approval process includes a recommendation from the Planning and Zoning Commission to the City Council based on the following criteria:
- Shall not include any owner identification or commercial text message; however, it may contain graphics or images that relates to the products or services offered on the premises where the mural is located.
 - Murals or art representation displaying any owner identification or commercial text message will be considered as a "flat/wall sign."
 - Shall not depict nudity or obscene images and be generally acceptable for viewing by all audiences.
 - Materials utilized in painting a mural shall have proven durability and shall be maintained or removed if not maintained.

2) *Detached or Ground Mounted Signage.*

- a) Detached or ground mounted signs are allowed in accordance with the sign provisions in Section 9.05 of this Code unless otherwise specified.
- 1) Sign materials shall consist of wood, metal, masonry, durable plastic, or similar materials with painted, engraved, or individual mounted letters.
 - 2) Only one detached sign shall be allowed per business per public street frontage.
 - 3) Post and bracket or double-pylon signs using wooden posts or painted metal poles or monument style signs shall be allowed. Masonry framing of monument signs shall not be required.
- e) Detached signs for Single-Occupant or Multi-Occupant Buildings two thousand (2,000) square feet or less shall not exceed twenty-four (24) square feet in total surface area and six feet (6') in height.
- f) Detached signs for Single-Occupant or Multi-Occupant Buildings greater than two thousand (2,000) square feet to five thousand (5,000) square feet shall not exceed thirty-six (36) square feet in total surface area and six feet (6') in height.
- g) Detached signs for Single-Occupant or Multi-Occupant Buildings greater than five thousand (5,000) square feet shall comply with the sign provisions in Section 9.05 of this Code.
- h) The sign may be located within five feet (5') from the public right-of-way and shall not create hazards to traffic or pedestrians.
- i) Pole signs are not permitted.

3) *Miscellaneous Signage.*

- a) Window signs are allowed in accordance with the sign provisions in Section 9.05 of this Code.
- b) Temporary banner signs are allowed in accordance with the sign provisions in Section 9.05 of this Code.

g. *Fencing.*

- 1) All fencing shall be shown on the site plan for the development and be approved as part of the site plan approval.

-
- 2) Fencing shall be constructed of wrought iron, tubular steel, chain link, barbed wire, masonry, wood, fiberglass stockade, split rail, live screening, or a combination thereof.
 - 3) Fencing shall not exceed eight feet (8') in height unless specifically approved on a site plan by the City Council.
 - 4) Fencing shall be allowed within the front building setback.
- h. *Screening.*
- 1) Screening walls between non-residential developments and single-family or two-family residential uses or zoning districts shall not be required.
 - 2) Screening walls around refuse storage, trash compactor, ground mounted utilities, heating/cooling units, and loading areas shall not be required.
 - 3) If screening walls are proposed, screening walls shall be constructed in accordance with Section 9.09 of this Code. Screening wall plans shall be submitted at time of Building Permit application in accordance with the application requirements listed in Section 4.13 - Landscaping and Screening Wall Plans.
- i. *Lighting.*
- 1) Lighting shall be in accordance with Section 9.12 of this Code.
 - 2) No minimum setback shall be required for light poles placed on the site from all adjacent residential properties.
 - 3) Back-lit canopies or awnings shall not be allowed.
- j. *Sidewalks.* No perimeter sidewalks along the street rights-of-way of Katy Road shall be required for properties within this Katy Road District. A five-foot (5') wide concrete sidewalk shall be required along the street rights-of-way of Golden Triangle Boulevard.
- k. *Outside Storage and Outside Display.*
- 1) The provisions for outside storage and display shall apply to all permitted uses in accordance with this Code except for single-family and two-family residential uses within the Katy Road District.
 - 2) Outside storage and display are prohibited on vacant or undeveloped lots.
 - 3) All outside storage and display areas shall not be located in or on any sidewalks, public rights-of-way, or required landscape or buffer areas.
 - 4) A minimum accessible pathway in areas used for outside storage or display shall be provided to allow for flow of pedestrian traffic outside of designated vehicular traffic drives.
 - 5) All outside storage and display areas shall be maintained free of garbage and other debris.
 - 6) Outside storage and display areas for single-occupant or multi-occupant structures or buildings shall be limited to seventy-five percent (75%) of the total lot area.
 - 7) Outside storage and display areas shall not exceed the height of six feet (6') within the front yard.
 - 8) Merchandise must be freestanding and not be located in or on pallets, crates, stands, shelving, racks, or similar types of storage structures.
 - 9) Only goods and merchandise associated with the existing on-site business use may be sold or displayed on-premise.
 - 10) Screening shall not be required for outside storage of vehicles.

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- 11) Outside storage and display areas of bulk goods and merchandise including, but not limited to mulch (bag or bulk), concrete, salt, tires, or other similar products that cannot be easily carried into the store for purchase shall meet the following requirements:
 - a) Outside storage and display areas are located in the side or rear yards.
 - b) Goods and merchandise shall not exceed the height of six feet (6').
 - c) Outside storage and display areas shall be screened from view of the public rights-of-way and adjacent residential properties by a minimum six foot (6') fence.
 - d) Where screening or fencing is provided or required, it shall be in accordance with Section 8.12 (5.g) and (5.h) of this Code.
 - I. *Drainage.* With the approval of the Director of Public Works, no on-site detention of storm water runoff is required provided:
 - 1) There is sufficient downstream capacity of the storm water drainage system to accommodate the increased runoff due to site development;
 - 2) The conveyance of the storm water from the site being developed is directly to a storm water system within public rights-of-way or minor tributary and not across private property; and/or
 - 3) Site development makes use of gravel or other permeable pavement and/or other storm water quantity best management practices to reduce the amount of storm water runoff.
 6. *Variances to Standards.* When special conditions exist that prevent strict compliance with the regulations in Section 5, General Standards, the City Council, upon recommendation from the Planning and Zoning Commission, may authorize a variance or deviation from these regulations. The process for requesting a variance shall be in accordance with Article Two, Section 2.08 - Procedures for Variances from the Regulations of the Code.

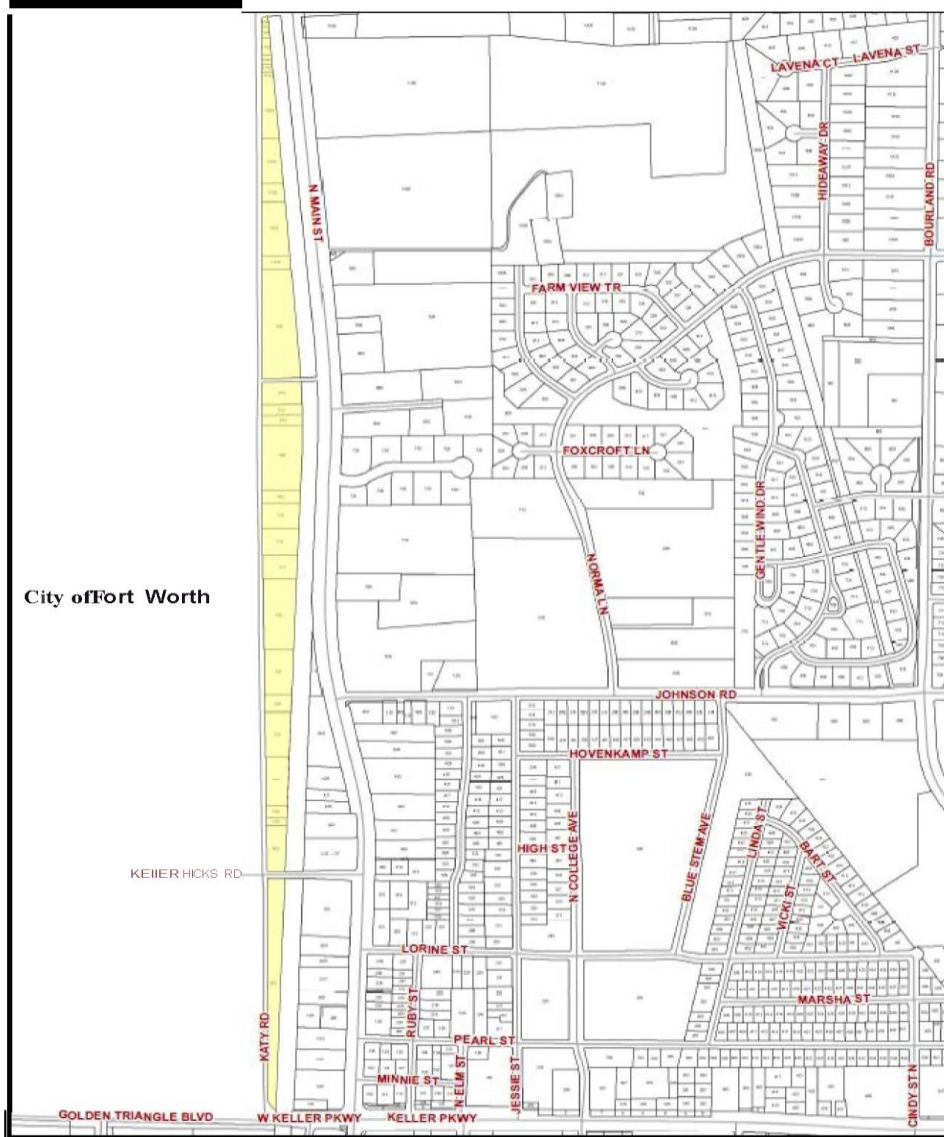


Figure 1 - Overall Katy Road District Boundary

(Ord. No. 1959 , § 2(Exh.B), 12-3-19; Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22)

Section 8.23 C - Commercial District

1. *General Purpose and Description.* The C, Commercial District is intended predominately for certain retail, and light intensity wholesale and commercial uses of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with typical office, other retail, shopping, and residential environments.
2. *Permitted Uses.*
 - a. Those uses specified in this Section.

- b. Such uses as may be permitted under provisions of Specific Use Permits (SUP).
3. *Height Regulations.*
- Maximum Height** - Two (2) stories, thirty-five feet (35'); maximum four (4) stories, forty-eight feet (48') if an additional setback is met. One story, twenty-five feet (25') if within one hundred feet (100') of a developed SF-zoning district/lot. Architectural features may exceed twenty-five feet (25').
4. *Area Regulations.*
- a. *Size of Lots.*
 - 1) **Minimum Lot Size** - Thirty-three thousand (33,000) square feet.
 - 2) **Minimum Lot Width** - One hundred fifty feet (150').
 - 3) **Minimum Lot Depth** - None.
 - b. *Size of Yards.*
 - 1) **Minimum Front Yard** - Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
 - 2) **Minimum Side Yard** - None.
 - 3) *Minimum Rear Yard* - Twenty feet (20').
 - 4) **Adjacent to a Single-Family District** - The side or rear setback, whichever is adjacent to the single-family zoning district shall observe a sixty-foot (60') setback.
 - 5) **Additional setback for structures over thirty-five feet (35')** - One (1) additional foot setback for each additional two feet (2') in height above thirty-five feet (35').
5. *Other Regulations.*
- a. As established in Article Eight.
 - b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.
 - c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
 - d. Site Plan submittal is required.
 - e. No outside storage is permitted unless approved by a Specific Use Permit (SUP).
6. *Compliances with State Laws and Federal Laws.* No uses shall be allowed which are prohibited by State law or which operate in excess of State or National environmental or pollution standards as determined by the U.S. Environmental Protection Agency, Texas Air Control Board, Texas State Department of Health, or The Texas Water Quality Control Board, as the case may be.

C Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(I)

- = Not Permitted

Use	SUP or P
* All uses listed in Retail Zoning District with the same conditions.	P

Accessory Dwelling as part of a primary structure	P
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Brewery	P
Brewery with entertainment inside or outside	SUP
Commercial engraving/printing	SUP
Contractor shop	SUP
Convenience store with gas pumps	SUP
Donation center	SUP
Dry cleaning plant or commercial laundry	P
Entertainment Facilities (Indoor or Outdoor)	SUP
Freight or truck terminal yard	SUP
Furniture restoration	P
Greenhouses and nurseries (commercial retail or wholesale)	SUP
Gunsmith (repair only)	P
Heating and air conditioning sales and services without outdoor storage	P
Heavy machinery sales and service	SUP
Heavy vehicle storage	SUP
Heliports and helistops	SUP
Hospital	P
Hotel/Motel	SUP
Kennels, Grooming Only	P
Kennels (Indoor Pens Only)	SUP
Kennels (Outdoor Pens, could include Indoor Pens)	SUP
Light Manufacturing wholly enclosed within a building	P
Metal Recycling Center	SUP
Mini-Warehouse or Self Storage Warehouse	SUP
Monuments and headstones sales with outside storage	SUP
Museum or art gallery	P
Newspaper printing	P
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P
Overnight delivery and service center	SUP
Pharmacist or drug store	P
Portable building sales with outside storage	SUP
Printing company (commercial)	P
Private club	P
Public Parking Garage associated with a building	P
Radio broadcasting without tower	SUP
Religious institution	P
Research and scientific laboratories	P
Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products	SUP
Retail uses and services wholly enclosed within a building	P
Veterinarian Clinic	P
Veterinarian Clinic with Outdoor Pens	SUP

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(Supp. No. 35, Update 2)

Veterinarian Clinic with Supplemental Services	SUP
Winery	P
* All uses listed in Retail Zoning District with the same conditions.	P

(Ord. No. 2061 , § 2, 5-3-22; Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22; Ord. No. 2118 , § 2, 4-4-23)

Section 8.24 IP - Industrial Park District

1. *General Purpose and Description.* The IP, Industrial Park District is intended to provide a low intensity campus or open setting for research and development laboratories, science and high technology firms and related office and support uses.
2. *Permitted Uses.*
 - a. Those uses specified in this Section.
 - b. Such uses as may be permitted under provision of Specific Use Permits (SUP).
3. *Height Regulations.*

Maximum Height - Six (6) stories, seventy-two feet (72') - additional height is allowed by a Specific Use Permit (SUP) on a case-by-case basis.
4. *Area Regulations.*
 - a. *Size of Lot.*
 - 1) **Minimum Lot Area** - Three (3) acres.
 - 2) **Minimum Lot Width** - One hundred fifty feet (150').
 - 3) **Minimum Lot Depth** - Two hundred feet (200').
 - b. *Size of Yards.*
 - 1) **Minimum Front Yard** - Fifty feet (50').
 - 2) **Minimum Side Yard** - None - Thirty feet (30') adjacent to a street.
 - 3) **Minimum Rear Yard** - Thirty feet (30').
 - 4) **Adjacent to a Single-Family District** - The side or rear setback, whichever is adjacent to the single-family zoning district shall observe a sixty-foot (60') setback.
5. *Other Regulations.*
 - a. As established in Article Eight.
 - b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.
 - c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
 - d. Site Plan submittal is required.
 - e. No outside storage is permitted unless approved by a Specific Use Permit (SUP).
6. *Compliance With State Laws and Federal Laws.* No uses shall be allowed which are prohibited by State law or which operate in excess of State or National environmental or pollution standards as determined by the U.S.

Environmental Protection Agency, Texas Air Control Board, Texas State Department of Health, or The Texas Water Quality Control Board, as the case may be.

IP Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(l)

- = Not Permitted

Use	SUP or P
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P
Administrative, professional or corporate office	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assembly of light electronic instruments and devices (enclosed building)	P
Assembly of products including packaging	P
Assembly of radios/audio/visual equipment/communication equipment	P
Automobile Repair, Minor (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	P
Batching plant (temporary)	Permit
Heliports and helistops	SUP
Hospital	P
Hotel/Motel	SUP
Kennels, Grooming Only	-
Kennels (Indoor Pens Only)	-
Kennels (Outdoor Pens, could include Indoor Pens)	-
Light Manufacturing wholly enclosed within a building	P
Medical clinic, office, or laboratory	P
Medical Spa	-
Offices, City, County, State, and Other Governmental	P
Public Parking Garage associated with a building	P
Religious institution	P
Research and scientific laboratories	P
Spa	-
Technology/Research and Development	P
Veterinarian Clinic	-
Veterinarian Clinic with Outdoor Pens	-
Veterinarian Clinic with Supplemental Services	-
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P

(Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22)

Section 8.25 LI - Light Industrial District

1. *General Purpose and Description.* The LI, Light Industrial District is intended primarily for the conduct of light manufacturing, assembling and fabrication, and for warehousing, wholesaling and service operations that do not depend upon frequent customer or client visits. Such uses do require accessibility to major highways, rail lines or other means of transportation.
2. *Permitted Uses.* The attached uses are permitted in the "LI" District, provided that such manufacturing or industrial operation shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the property on which such use is located and which produces no noise exceeding the average intensity of noise of street traffic at that point and provided that such use does not create fire hazards on surrounding property.
 - a. Those uses specified in this Section.
 - b. A "high risk or hazardous industrial use" is permitted by Specific Use Permit (SUP) only. In this section, "high risk or hazardous industrial use" means any industrial use whose operation, in the opinion of the Fire Chief, involves a much higher than average risk to public health and safety. These uses include but are not limited to facilities where significant amounts of radiation, radioactive materials, highly toxic chemicals or substances, or highly combustible or explosive materials are present, used, produced, stored, or disposed of.
 - c. Such uses as may be permitted under provisions of Specific Use Permits (SUP).
3. *Height Regulations.*

Maximum Height - Two (2) stories, thirty-five feet (35'); maximum four (4) stories, forty-eight feet (48') if an additional setback is met.
4. *Area Regulations.*
 - a. *Size of Lots.*
 - 1) **Minimum Lot Size** - Thirty-three thousand (33,000) square feet.
 - 2) **Minimum Lot Width** - One hundred fifty feet (150').
 - 3) **Minimum Lot Depth** - None.
 - b. *Size of Yards.*
 - 1) **Minimum Front Yard** - Thirty feet (30'); all yards adjacent to a street shall be considered a front yard.
 - 2) **Minimum Side Yard** - None; thirty feet (30') adjacent to street.
 - 3) **Minimum Rear Yard** - Thirty feet (30').
 - 4) **Adjacent to a Single-Family District** - The side or rear setback, whichever is adjacent to the single-family zoning district shall observe a one hundred-foot (100') setback.
 - 5) **Additional setback for structures over thirty-five feet (35')** - One (1) additional foot setback for each additional two feet (2') in height above thirty-five feet (35').
5. *Other Regulations.*
 - a. As established in Article Eight.
 - b. Parking Requirements: As established in Section 9.02 - Off Street Parking and Loading Requirements.

- c. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling or non-residential purposes.
 - d. Site Plan submittal is required.
 - e. No outside storage is permitted unless approved by a Specific Use Permit (SUP).
6. *Compliance With State Laws and Federal Laws.* No uses shall be allowed which are prohibited by State law or which operate in excess of State or National environmental or pollution standards as determined by the U.S. Environmental Protection Agency, Texas Air Control Board, Texas State Department of Health, or The Texas Water Quality Control Board, as the case may be.

LI Zoning District Use Table

P = Permitted Uses

SUP = May Be Approved as Special Use Permit

Additional uses permitted only by Planned Development Districts are listed in Section 8.27(l)

- = Not Permitted

Use	SUP or P
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Assembly of light electronic instruments and devices (enclosed building)	P
Automobile/boat upholstery	P
Automobile reconditioning, body/fender repair	P
Automobile Repair, Major	SUP
Automobile Repair, Minor (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	P
Building material and hardware (with outside storage)	SUP
Cabinet and furniture upholstery shop	P
Cemetery or mausoleum (new or expansion)	SUP
Contractor shop	P
High risk or hazard industrial manufacturing wholly enclosed within a building	SUP
Kennels, Grooming Only	-
Kennels (Indoor Pens Only)	-
Kennels (Outdoor Pens, could include Indoor Pens)	-
Landscaping service	SUP
Industrial manufacturing with limited outdoor storage	P
Industrial manufacturing with outdoor use/storage	SUP
Light Manufacturing wholly enclosed within a building	P
Metal Recycling Center	SUP
Monuments and headstones sales with outside storage	SUP
Medical laboratory	P
<u>Medical Spa</u>	-
Minor medical emergency clinic	P
Religious institution	P

Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products	-
Sexually oriented uses	SUP
<u>Spa</u>	-
Truck rental or leasing	SUP
Vehicle or car wash	SUP
Veterinarian Clinic	-
Veterinarian Clinic with Outdoor Pens	-
Veterinarian Clinic with Supplemental Services	-
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P

(Ord. No. 2061 , § 2, 5-3-22; Ord. No. 2072 , § 2(Exh. A), 6-21-22; Ord. No. 2104 , § 2, 12-6-22; Ord. No. 2118 , § 2, 4-4-23)