

Article Eight – Zoning Districts, Development Standards, Tree Preservation

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- Ordinance No. 1746 - [Adopted New Unified Development Code \(UDC\)](#)
- Ordinance No. 1761 - [Amended to Rename Preliminary Plats to Preliminary Site Evaluations; Variances to Plats](#)
- Ordinance No. 1763 - [Adopted Public Arts Fee Requirements](#)
- Ordinance No. 1799 - [Amended Sign Regulations, Landscaping Requirements, Signage in Old Town Keller \(OTK\), Signage in Town Center \(TC\)](#)
- Ordinance No. 1805 - [Amended Development Standards and Uses in OTK \(Old Town Keller\)](#)
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Section 8.01 - Zoning Regulations

A. Purpose

The zoning regulations and Districts as herein established have been made in accordance with Texas Local Government Code and an adopted set of coordinating plans collectively serving as the Comprehensive Plan for the purposes of promoting sound development; promoting the health, safety, morals and general welfare of the City; and to protect, preserve, and promote places and areas of historical, cultural, or architectural importance and significance. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic, and other dangers; to ensure adequate, quality light and air; to protect and preserve the natural groundwater; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

B. Zoning District Map

1. The boundaries of zoning districts set out herein are delineated upon a zoning district map of the City, adopted as part of this Code as fully as if the same were set forth herein in detail.
2. One original of the Zoning District Map shall be filed in the Community Development Department. This copy, together with amending ordinances, shall be the controlling document governing the zoning districts in Keller. The zoning district map shall be revised no less than once every twelve (12) months to reflect any changes or amendments approved by the City Council.

C. Zoning District Boundaries

The district boundary lines shown on the Zoning District Map are usually along streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerline.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the right-of-way lines.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerline of all bodies of water shall be construed to follow such centerline, and in the event of change in the centerline, shall be construed to move with such centerline.
6. Boundaries indicated as parallel to or extensions of features indicated in Sections 8.01 (C.1) through 8.01 (C.5) above shall be so construed. The scale of the map shall determine distances not specifically indicated on the original zoning maps.
7. Whenever any street, alley, or other public right of way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley, or other public way shall be automatically

extended to the centerline of such vacated street, alley, or way and all areas so involved shall then and henceforth be subject to all regulations of the extended districts.

8. The zoning classification applied to a tract of land adjacent to a street shall extend to the centerline of the street, unless as a condition of zoning approval, it is stated that the zoning classification shall not apply to the street.
9. Where physical features on the ground are at variance with information shown on the official zoning district map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Sections 8.01 (C.1) through 8.01 (C.8), the property shall be considered as classified, SF-36, in the same manner as provided for newly annexed territory.

D. Compliance Required

All land, buildings, structures, or appurtenances thereon located within the City of Keller, Texas which are hereafter occupied, used, constructed, erected, removed, placed, demolished, or converted shall be occupied, used, erected, altered, removed, placed, demolished, or converted in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located. All of the standards and regulations prescribed herein shall be considered as the minimum requirement unless explicitly stated otherwise.

E. Zoning Upon Annexation

All territory hereinafter annexed to the City of Keller shall be classified as Single-Family Low Density (SF-36) as a holding district until other zoning is established by the City. The procedure for establishing zoning other than SF-36 for annexed territory shall conform to the procedure set forth in this Code.

1. In an area classified as SF-36:

- a. No permit for the construction of a building or use of land shall be issued by the Planning Manager other than a permit which will allow the construction of a building or use permitted in the SF-36 District, unless and until such territory has been classified in a zoning district other than the SF-36 District, by the City Council in the manner prescribed in this Code.
- b. An application for a building permit for any proposed use other than those specified in the SF-36 District must be made to the Planning Manager of the City of Keller within three (3) months after annexation. If the applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, the City Council may authorize the construction of the project by a majority vote. The action of the City Council concerning any such permit shall take into consideration the Comprehensive Plan and the appropriate land use for the area. Upon approval by the City Council, the Building Official shall issue the permit.

Section 8.02 - Administration

A. Nonconforming Uses and Structures

1. Intent of Provisions

- a. Within the districts established by this Code or amendments thereto, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this Code was enacted, amended, or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which they are located. It is the intent of this Code to permit such nonconforming uses to continue, as long as the conditions within this Section and other applicable sections are met.
- b. It is further the intent of this Code that nonconforming uses shall not be enlarged upon, expanded or extended, and not be used as a basis for adding other structures or uses prohibited elsewhere in the same district.
- c. Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

2. Nonconforming Status

Any use, platted lot, or structure which does not conform with the regulations of the zoning district in which it is located shall be deemed a nonconforming use or structure when:

- a. Such use, platted lot, or structure was in existence and lawfully operating at the time of the passage of the previous Code or this Code, and has since been in regular and continuous use; or
- b. Such use, platted lot, or structure is a lawful use at the time of the adoption of any amendment to this Code but by such amendment is placed in a district wherein such use, platted lot, or structure is not otherwise permitted and has since been in regular and continuous use; or
- c. Such use, platted lot, or structure was in existence and lawfully operating at the time of annexation to the City and has since been in regular and continuous use.

3. Continuing Lawful Use of Property and Existence of Structures

- a. The lawful use of land or lawful existence of structures at the time of the passage of this Code, although such do not conform to the provisions hereof, may be continued; but if said nonconforming use or structure is discontinued or abandoned, any future use of said premises shall be in conformity with the provisions of this Code.
- b. Discontinuance of a nonconforming use shall consist of the actual act or date of discontinuance of a use previously operational in a building. Abandonment of a nonconforming structure shall consist of the act or date of abandonment.
- c. When a nonconforming use or structure which does not meet the development standards in this Code ceases to be used for a period of six (6) months, such use shall not be resumed and proof of such event shall constitute prima facie evidence of an act of abandonment. Any nonconforming use which does not involve a permanent type of structure or operation and which is moved from the premises shall be considered to have been abandoned.
- d. No nonconforming use or structure may be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Code except as provided herein.

- e. Conforming single-family residential uses on platted lots or unplatted tracts approved prior to this Code, which may now be nonconforming due to stricter standards or right-of-way dedications/takings, shall be deemed in conformance with this Code as long as the use of the lot is allowed in the respective district. Only the lot size, depth, width, and setbacks shall be allowed to be less than the regulations prescribed in the zoning district in which it is located. All other regulations of this Code shall be met or the lot shall be considered nonconforming.
4. Changing Nonconforming Uses
- a. Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not be changed back to a nonconforming use.
 - b. Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by the process outlined herein.
 - c. A nonconforming use may not be changed to another nonconforming use.
5. Expansion of Nonconforming Uses and Buildings

An expansion of a nonconforming use or structure is allowed in accordance with the following:

- a. A non-conforming use located within a building may be extended throughout the existing building, provided;
 - 1) No structural alteration may be made on or in the building except those required by law to preserve such building in a structurally sound condition.
 - 2) The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing at the time said use became a nonconforming use.
- b. No nonconforming use within a building may be extended to occupy any land outside the building.
- c. No nonconforming use of land or building shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the land became a nonconforming use, except to provide off-street loading or off-street parking space, if required by City ordinances; and except where adaptive re-use is proposed, in which case the proposal shall be presented to both the Planning and Zoning Commission and the City Council for consideration.
- d. The minimum residential lot areas for the various zoning districts shall be in accordance with their respective districts except that a lot having less area than herein required which was an official "lot of record" prior to the adoption of this Code, may be used for a single-family dwelling. A residential lot that is not a legal lot of record and does not meet the depth or width requirements of this Code at the time of platting may be approved by the Zoning Board of Adjustment with a variance.
- e. Buildings or structures which do not conform to the area regulations or development standards in this Code shall not increase their gross floor area except when such expansion brings nonconformity into conformance; and except where adaptive re-use is proposed, in which case the proposal shall be presented to both the Planning and Zoning Commission and the City Council for consideration.
- f. A non-residential building or structure that does not meet current area regulations or development standards may be reoccupied with a conforming use and without any expansion upon approval of a modified site plan meeting the requirements of Section 8.02 (A.5.g) below and issuance of a Certificate of Occupancy. The Development

Review Committee (DRC) shall review this plan for compliance and, once approved by the DRC, a Certificate of Occupancy may be issued.

- g. A conforming non-single family residential use in a building which does not meet the area regulations or development standards in this Code may be reoccupied with another conforming use upon approval of a modified site plan to determine compliance with the following:
 - 1) Off-street parking, driveways, and circulation requirements.
 - 2) Dumpster location and screening; sidewalk and landscaping requirements.
 - 3) Sign requirements.
 - 4) Building codes.
 - 5) Screening requirements.
 - 6) Drainage requirements.

Each of the above will be reviewed for compliance by the Development Review Committee (DRC) and may be approved by the Planning Manager if total compliance is met. The Planning and Zoning Commission shall make final approval or disapproval of a site plan if substantial compliance is met and there is concurrence with the City Staff's recommendations. If the Planning and Zoning Commission does not concur with City Staff's recommendations, the site plan shall automatically be sent to the City Council for approval or denial.

6. Restoration of Nonconforming Uses or Structures

- a. If a structure occupied by a nonconforming use is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this Code. In the case of partial destruction of a nonconforming use structure not exceeding sixty percent (60%) of its total appraised value as determined by the Tarrant County Central Appraisal District, reconstruction will be permitted, in accordance with [Section 8.06](#), but the existing square footage or function of the nonconforming use cannot be expanded, and the above procedures in 8.02 (A.5.g) shall be met.
- b. A nonconforming use or structure can be remodeled, maintained, or improved as long as the size (square footage) of the structure is not increased.
- c. When a nonconforming sign, or a substantial part of the sign is damaged, destroyed, taken down, or removed, it may not be re-erected, reconstructed, or rebuilt except in full compliance and conformance with this Code. For purposes of this section, substantial shall mean if the cost of repair exceeds fifty percent (50%) of the cost of a new sign of the same construction and size. A nonconforming, on-premise, detached sign which is required to be relocated due to expansion of public right-of-way may be relocated on the same lot or tract, provided there is no more than one (1) detached sign per lot or tract. The relocation shall occur within six (6) months following completion of the road.

7. Completion of Structures

- a. Nothing herein contained shall require any change in the plans, construction, or designated use of:
 - 1) A building or structure for which a building permit has been issued or a site plan approved prior to the effective date of these zoning regulations, and the permits have not expired in accordance with this Code; or

- 2) A building or structure for which a substantially complete application for a building permit was accepted by the Building Official on or before the effective date of these regulations, provided however that such building permit shall comply with all applicable ordinances of the City of Keller in effect on the date such application was filed and the building permit is issued within thirty (30) days of the effective date of these regulations.
 - b. All structures that have received a permit and have started construction shall complete construction within twelve (12) months or a proposed timeframe accepted and authorized by the Building Official. In the event that construction is delayed, the owner may request a one-time extension to the construction period of up to six (6) months or a proposed timeframe accepted and authorized by the Building Official. If a building is left unfinished and the City determines that construction activity has ceased, the City shall require the owner/developer to submit a proposal for timing to finish the building. Otherwise, the City shall cause the unfinished structure to be demolished at the owner's expense.
- B. Planning and Zoning Commission
1. General

The Planning and Zoning Commission shall function according to the Code of Ordinances and Texas Local Government Code which establishes other membership and operating procedures.
 2. Created; Membership; Officers
 - a. There is hereby created in accordance with Chapter 211 of the Texas Local Government Code, a City Planning and Zoning Commission which shall consist of seven (7) members, each of whom shall be a resident of the City of Keller. Members shall be appointed by the City Council. Of the seven (7) members, four (4) shall serve a period of one (1) year from the date of initial appointment and three (3) shall serve for a period of two (2) years from the date of initial appointment. Thereafter, all seven (7) members shall serve for a period of two (2) years from the date of appointment. Vacancies shall be filled by appointments for unexpired terms only.
 - b. Members may be removed from office at any time by a majority vote of the City Council for any reason. All members shall serve without compensation. All members shall serve in accordance with Ordinance No. 1701 or most current ordinance pertaining to attendance and tenure requirements. The City Secretary or his/her designee shall keep minutes of all meetings held by the Planning and Zoning Commission and full record of all recommendations to be made by the Planning and Zoning Commission to the City Council. A Chairman may be appointed by the City Council, however if they do not make the appointment on the date annual appointments are made, the Chairman and Vice-Chairman shall be elected by the Planning and Zoning Commission from its membership at its first meeting following the date of annual appointments. The Chairman and Vice Chariman shall hold said offices for a term of one (1) year and until their successors have been elected.
 - c. Any member of the Plannng and Zoning Commission remaining absent for three (3) consecutive regular meetings of the commission may have their appointment declared vacated by a majority vote of the City Council. Any member of the commission remaining absent for six (6) consecutive regular meetings of the commission shall be deemed to have vacated their appointment.
 - d. Newly appointed members of the Planning and Zoning Commission shall go through training offered by the city attorney and the American Planning Association for new commissioners.

3. Quorum; Voting

Four (4) members of the Planning and Zoning Commission shall constitute a quorum, and all members, including the presiding chairman, shall have the right of one vote each, a quorum being present. All actions by the Planning and Zoning Commission shall be by a majority vote of those members present. If any member has a conflict of interest in review of any item on the Commission's agenda, he or she shall remove themselves from the room and refrain from voting only on the item for which a conflict exists. In the absence of the Chairperson and/or Vice-Chairperson the members constituting a quorum shall select, from the members present, a Chairperson to conduct the meeting.

4. Meetings

The Planning and Zoning Commission shall meet at such times in the Town Hall or other specified locations as may be designated by the Chairman or Vice-Chairman in the absence of the Chairman, and at such intervals as may be necessary to orderly and properly transact the business of the Commission but not less than once every thirty (30) days.

5. Powers and Duties

The Planning and Zoning Commission shall be an advisory body to the City Council and shall carry out the duties detailed in the Texas Local Government Code and Ordinance No. 70 to make recommendations regarding amendments to the Comprehensive Plan, changes of zoning and permanent zoning to be given to newly annexed areas, and shall approve or make recommendations regarding the approval of the plats of subdivisions as provided by the Texas Local Government Code. The Planning and Zoning Commission shall make a periodic review of the City's Comprehensive Thoroughfare Plan and Future Land Use Plan and be prepared to make such recommendations to the City Council as deemed necessary to keep the City's Plans with the needs and uses of the City as outlined in the Comprehensive Plan. The Planning and Zoning Commission shall serve in an advisory capacity on any land use or planning related item(s) in the City.

6. Procedure on Zoning Hearings

The procedure and process for zoning changes and/or amendments shall be in accordance with this Code.

C. Zoning Board of Adjustment (ZBA)

1. General

In accordance with the Texas Local Government Code, Chapter 211, a Board of Adjustment may be appointed for the purpose of hearing and deciding appeals or special exceptions or authorizing variances or other matters as adopted.

2. Creation

There is hereby created a Board of Adjustment to be composed of five (5) members and two (2) alternate members who shall be residents and qualified voters of the City of Keller and shall serve without compensation.

3. Members and Terms of Office

a. The Board of Adjustment shall consist of five (5) regular members and two (2) alternate members who shall be appointed by the City Council in accordance with Section 211 of the [Texas Local Government Code](#), as amended. The members shall serve for a period of two (2) years and until their successors are duly appointed and qualified. The regular members of the board shall be identified by place numbers 1 through 5. Places 1, 3, and 5 and the first alternate member shall be appointed to serve for two-year terms with terms beginning on November 30 of odd numbered

years. Places 2, 4 and the second alternate member shall be appointed to serve for two-year terms beginning on November 30 of even numbered years. All members will be appointed by a majority vote of the City Council. Members may be removed in accordance with State law. Board members may be appointed to succeed themselves. Vacancies shall be filled by an alternate member for the unexpired term of a member whose term becomes vacant. A Chairman may be appointed by the City Council, however if they do not make the appointment on the date annual appointments are made, the Chairman and Vice-Chairman shall be elected by the Board of Adjustment from its membership at its first meeting following the date of annual appointments. The Chairman and Vice Chariman shall hold said offices for a term of one (1) year and until their successors have been elected.

- b. Any member absent for three (3) regular consecutive meetings may have their office declared vacated by a majority vote of the City Council. Any member of the board remaining absent for six (6) consecutive regular meetings of the board shall be deemed to have vacated their office. Vacancies of an alternate member shall be filled by appointment of the City Council by majority vote.
- c. Newly appointed members of the Zoning Board of Adjustment shall go through training offered by the city attorney and the American Planning Association for new board members.
- d. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public. Four (4) members of the Board shall constitute a quorum for the conduct of business. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of four (4) members. In the absence of the Chairperson and/or Vice-Chairperson the members constituting a quorum shall select, from the members present, a Chairperson to conduct the meeting. The members of the Board shall regularly attend meetings and public hearings of the Board and shall serve without compensation.

4. Authority of Board

The Board of Adjustment shall have the authority, subject to the standards established in Sections 211.008 to 211.011 of the [Texas Local Government Code](#) and those established herein, to exercise the following powers and perform the following duties:

- a. Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this Code;
- b. Hear and decide special exceptions to the terms of this Code when it requires the Board to do so; and
- c. Authorize in specific cases a variance from the terms of the zoning portions of this Code, such as lot width, depth and building lines, if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement would result in unnecessary hardship, and so that the spirit of this Code is observed and substantial justice is done.
- d. In exercising its authority under Section 8.02 (C.4.a) above, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the Board has the same authority as the administrative official.
- e. Each case before the Board of Adjustment must be heard by at least seventy-five percent (75%) [four (4)] of the members. The concurring vote of four (4) members of the Board is necessary to:

- 1) Reverse an order, requirement, decision, or determination of an administrative official.
 - 2) Decide in favor of an applicant on a matter on which the Board is required to pass under this Code.
 - 3) Authorize a variation from the terms of this Code.
 - f. The Chairperson may administer oaths and compel the attendance of witnesses.
5. Limitations on Authority of Board
- a. The Board may not grant a variance authorizing a use other than those permitted in the district for which the variance is sought.
 - b. The Board shall have no power to grant or modify Specific Use Permits (SUP) authorized under [Section 8.02 \(F\)](#) of these regulations.
 - c. The Board shall have no power to grant a zoning amendment. In the event that a request for a zoning amendment is pending before the Planning and Zoning Commission or the City Council, the Board shall neither hear nor grant any variances with respect to the subject property until final disposition of the zoning amendment.
 - d. The Board shall not grant a variance for any parcel of property or portion thereof upon which a Site Plan, Preliminary Site Evaluation, or Final Plat if required by the City, has not been finally acted upon by both the Planning and Zoning Commission and, if required by the City, by the City Council. All administrative remedies available to the applicant shall have been exhausted prior to hearing by the Zoning Board of Adjustment.
 - e. The Board shall have no power to grant variances except to those established in Section 8.02 (C.4.c) in this Code.
6. Variances
- a. In order to grant a variance from these zoning regulations, the Board of Adjustment must make written findings that the variance relieves undue hardship, using the following criteria:
 - 1) That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property;
 - 2) That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district;
 - 3) That the relief sought will not injure the permitted use of adjacent conforming property; and
 - 4) That the granting of a variance will be in harmony with the spirit and purpose of these regulations.
 - b. A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person a privilege in developing a parcel of land not permitted by this Code to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship on another parcel of land.
 - c. The applicant bears the burden of proof in establishing the facts justifying a variance.

7. Special Exceptions

- a. The Zoning Board of Adjustment shall have the authority to hear and allow special exceptions only for uses which are conforming but the building structure is not.
- b. In granting a special exception, the Zoning Board of Adjustment shall not authorize uses that are not allowed under the terms of this Code for the respective district.
- c. A proof of hardship is not required for granting a special exception.
- d. In granting a special exception, the Board shall not permit variances from the use district regulations which are not prevalent on other lots in the same zoning district.
- e. The Board may consider special exceptions to the Development Standards contained in this section for single-family residential uses that do not require a plat or site plan approval by the Planning and Zoning Commission (P & Z) and City Council.

8. Procedures

a. Application and Fee

An application for granting a variance by the Board of Adjustment, other than an appeal, shall be in writing using forms provided by the City and shall be accompanied by a fee.

b. Notice and Hearing

The Board of Adjustment shall hold a public hearing no later than forty-five (45) days after the date the application for action or an appeal is filed on each such application or appeal. Notice of a public hearing shall be provided to all property owners within two hundred feet (200') of the affected property ten (10) days prior to the public hearing.

c. Appeals

- 1) An appeal may be taken from the decision of an administrative official by an applicant for the permit on which the decision is rendered, by any person or persons directly aggrieved by the decision or by any officer, department, board, or bureau of the municipality affected by the decision.
- 2) The appellant must file with the Board and the official against whom the appeal is taken a written notice of appeal specifying the grounds for the appeal within fifteen (15) days after the decision has been rendered. The officer to whom the appeal is made shall forthwith transmit to the Board all papers constituting the record of the action that is appealed.
- 3) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certified in writing to the Board that facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the Board or a court of record on application, after notice to the official, if due cause is shown.
- 4) The Board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties. The appellant party may appear at the appeal hearing in person or by agent or attorney.
- 5) The Board shall decide the appeal within three (3) weeks after placement on its agenda after which time the request shall be deemed automatically approved. The Board may reverse or affirm, in whole or in part, or modify the administrative

official's order, requirement, decision, or determination from which an appeal is taken, and make the correct order, requirement, decision, or determination.

a) Vote Required for Board Decisions

The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of an administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under these zoning regulations, or to effect any variance to the zoning regulations granted by the Board.

b) Judicial Review

Any person or persons, jointly or severally, aggrieved by a decision of the Board of Adjustment, or any taxpayer, or any officer, department, or Board of the City may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented within ten (10) days after the date the decision is filed in the Board's office.

D. Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures

1. Declaration of Policy and Review Criteria

The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

- a. To correct any error in the regulations or map;
- b. To recognize changed or changing conditions or circumstances in a particular locality;
- c. To recognize changes in technology, the style of living, or manner of conducting business;
- d. To change the property to uses in accordance with the approved Master Plan;
- e. In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:
 - 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.
 - 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
 - 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
 - 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
 - 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.

- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.
2. Authority to Amend Ordinance
 - a. The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any Ordinance regulations or Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property.
 - b. Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Planning and Zoning Commission, or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof of ownership.
 - c. Each application for zoning or for an amendment or change to the existing provisions of this Code shall be made in writing on an application form available at the City, filed with the City and shall be accompanied by payment of the appropriate fee as established by the City of Keller, Texas and on file with the City Secretary.
 3. Public Hearing and Notice
 - a. Upon receipt of a complete written application for a change in a zoning classification (rezoning) or for an amendment to the existing provisions of this Code (text amendment), Community Development staff will set a date for a public hearing before the Planning and Zoning Commission.
 - b. Community Development staff shall prepare notice of the public hearing before the Planning and Zoning Commission in accordance with the notice provisions of Chapter 211 of the Texas Local Government Code.
 - 1) For a change in zoning classification, written notice of the public hearing shall be sent to the independent school district with jurisdiction and each owner, as indicated by the most recently approved municipal tax roll, of real property within three hundred feet (300') of the property on which the change in classification is proposed. Written notice will also be sent to each property owner, as indicated by the most recently approved municipal tax roll, of the land for which the change in zoning classification is being proposed. Written opposition towards initiating the super-majority vote shall only be applicable to property owners receiving notice within the two hundred foot (200') distance in accordance with State law and Section 8.02 (D.6.e) of this Code.
 - a) For the purposes of this section, "most recently approved municipal tax roll" shall mean the annual supplemental tax roll from Tarrant Appraisal District (TAD) as amended by the most recent TAD monthly update.
 - b) The notice shall be sent not less than ten (10) days prior to the date of the public hearing. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.
 - 2) For an amendment to the existing provisions of this Code, notice of the public hearing shall be published in the official newspaper of the City not less than ten (10) days prior to the date of the public hearing.

- c. The City will place at least one sign on the property proposed to be rezoned. Such sign shall, if possible, be located adjacent to a public street. Such sign shall be erected on or before the first date of the first notice to property owners required by law. The City will remove the sign(s) immediately after final action by the City Council, or upon withdrawal of the request of the applicant, whichever comes first. The sign shall state the property posted is under consideration by the City for a zone change and shall contain the City telephone number and office to contact for specific information about hearing dates and the requested zoning action. The erection or continued maintenance of the sign shall not be deemed a condition precedent to the granting of any zone change or the holding of any public hearing.

4. Failure to Appear

Failure of the applicant or his representative to appear before the Planning and Zoning Commission or City Council for more than one hearing without an approved delay by the Planning Manager shall constitute sufficient grounds for the Planning and Zoning Commission to table or deny the application.

5. Planning and Zoning Commission Consideration and Report

The Planning and Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Master Plan. The Planning and Zoning Commission may defer its report for not more than ninety (90) days from the time it is posted on the agenda or until it has had an opportunity to consider other proposed changes which may have a direct bearing thereon unless a postponement is requested by the applicant.

6. City Council Consideration

- a. Applications Recommended for Approval by the Planning and Zoning Commission: Every application or proposal which is recommended favorable by the Planning and Zoning Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same.
- b. Applications Recommended for Denial by the Planning and Zoning Commission: When the Planning and Zoning Commission makes a recommendation that a proposal should be denied, the request, in its original form, shall be automatically placed on the City Council agenda, unless the request is withdrawn by the applicant.
- c. Resubmission of Applications: A request which has been denied by the City Council may be resubmitted at any time for reconsideration by the City (a new filing fee must accompany the request).
- d. City Council Hearing and Notice for Zoning Changes: Notice of the City Council public hearing shall be given by publication in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.
- e. Three-Fourths Vote: If a proposed change in zoning classification is protested by the owners of at least twenty percent (20%) of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred feet (200') from that area, the affirmative vote of at least three-fourths (3/4) of all members of the City Council is required to effect the change in zoning classification provided:
 - 1) The protest is by/from property owners as described in 3.b.(1)(a) above.
 - 2) The protest is written and signed by all persons listed as owners of the property as described in 3.b.(1)(a) above.

- 3) Written protests with signatures are submitted to the City of Keller Community Development department no later than 12:00 p.m. (noon) on the day of the City Council public hearing on the proposed change in zoning classification.

7. Final Approval and Ordinance Adoption

Upon approval of the zoning request by the City Council, the applicant shall submit a metes and bounds description of the property to the City for the preparation of the amending Ordinance. The amending Ordinance shall be approved at the time the City Council makes a decision to approve the request as submitted or with certain conditions. The amending Ordinance will not be approved until a correct property description has been prepared for the amending Ordinance.

E. Certificates of Occupancy and Compliance

1. Certificates of Occupancy shall be required for any of the following:

- a. Occupancy and use of a building hereafter erected or structurally altered.
- b. Change in use of an existing building to a use of a different classification.
- c. Change in the use of land to a use of a different classification.
- d. Change in ownership or business within a building.

No such use, or change of use, shall take place until a Certificate of Occupancy therefore shall have been issued by the Building Official or his/her agent. A fee shall be established by separate Ordinance.

2. Procedure for New or Altered Buildings: Written application for a Certificate of Occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the Building Permit for such building. Said Certificate shall be issued after the Public Services Director or his/her designee orders the building or structure inspected and finds no violations of the provisions of this Code or other regulations which are enforced by the Department of Public Services. Said Certificate shall be issued by the Public Services Director or his/her designee after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this Code.

3. Procedure for Vacant Land or a Change in Building Use: Written application for a Certificate of Occupancy for the use of vacant land, a change in the use of land or a change in the use of a building, or for a change from a nonconforming use to a conforming use, shall be made to said Planning Manager or his/her agent. If the proposed use is a conforming use, as herein provided, written application shall be made to said Planning Manager. If the proposed use is found to be in conformity with the provisions of this Code upon review of a site plan, the Certificate of Occupancy shall be issued after the application for same has been made and all required inspections are completed and approved by the Public Services Director or his/her designee.

4. Contents: Every Certificate of Occupancy shall contain the following:

- a. A building permit number.
- b. The address of the building.
- c. The name and address of the owner.
- d. A description of that portion of the building for which the Certificate is issued.

- e. A statement that the described portion of the building has been inspected for compliance with the requirements of the adopted Building Codes.
 - f. Signature by the Building Official or his/her designee.
5. Temporary Certificate: If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary Certificate of Occupancy may be issued for a period not to exceed six (6) months, for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. Such temporary Certificate of Occupancy shall not be construed as in any way altering the respective rights, duties, or other obligations of the owners/tenants relating to the use or occupancy of the premises, or any other provision of this Code.
6. Posting: The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official or his authorized agent.
7. Revocation: The Building Official may, in writing, suspend or revoke a Certificate of Occupancy or a building permit issued under the provisions of this Code whenever the permit or Certificate of Occupancy is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any Ordinance or regulation, or any of the provision of this Code, or the most current Building, Electrical, Mechanical, Fire, and Plumbing Codes.
- F. SUP or "S" – Specific Use Permits
- 1. Specific Uses
 - a. The purpose of this district is to allow the consideration of certain uses in districts that under most circumstances would not be compatible with other permitted uses but with certain conditions and development restrictions may be compatible.
 - b. The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the Master Plan and general objectives of the City and containing such requirements and safeguards as are necessary to protect adjoining property and health, safety, and general welfare of the population, authorize certain uses by a Specific Use Permit.
 - c. Application shall be accompanied by a written and Detailed Site Plan or Concept Plan as defined in this Code drawn to scale and showing the general arrangement of the project, together with essential requirements such as building elevations, site landscaping, off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and instruction of signs; means of ingress and egress to public streets; traffic study if needed, the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions. The Planning Manager, Planning and Zoning Commission, or City Council may require additional information or drawings (such as building floor plans or material sample), operating data and expert evaluation or testimony concerning the location, function, and characteristics of any building or use proposed.
 - 2. Specific Use Permit Regulations
 - a. In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In

approving a requested Specific Use Permit, the City Council may consider the following:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
 - 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
 - 3) The nature of the use is reasonable and appropriate in the immediate area;
 - 4) Any negative impact on the surrounding area has been mitigated; and
 - 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.
- b. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Planning Manager for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.
- c. No Specific Use Permit shall be granted unless the applicant, owner and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and reviewed by the Planning and Zoning Commission and approved by the City Council. An SUP and/or Certificate of Occupancy may be revoked by the Planning Manager or Building Official if all SUP conditions are not complied with.
- d. A Building Permit or Certificate of Occupancy shall be applied for and secured within one (1) year from the time of granting the Specific Use Permit, provided however, that the City Council may authorize an extension. After one (1) year from the date of approval has elapsed, the Planning and Zoning Commission and City Council may review the site plan for compliance. If the site plan is determined to be invalid, the property owner(s) must submit a new or revised site plan for approval prior to any construction or application for building permit for the area designated for the Specific Use Permit. If the use for which the SUP applies is not issued a building permit or certificate of occupancy within one year, the SUP will automatically expire.
- e. No building, premise, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amendment to the Specific Use Permit is granted for such enlargement, modification, structural alteration, or change.
- f. The Board of Adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Specific Use Permit.
- g. When the City Council authorizes granting of a Specific Use Permit, the records shall be amended according to its legend to indicate that the affected area has conditional and limited uses.
3. Use Regulations - Uses permitted by SUP are specified in the base-zoning district.
4. Prior SUP Ordinances Remaining In Effect

Prior to adoption of this Code, the City Council had established various Specific Use Permits, some of which are to be continued in full force and effect. The permits or parts of permits approved prior to this Code specified in Article Nine shall be carried forth in full force and effect and are the conditions, restrictions, regulations, and requirements which

apply to the respective Specific Use Permits as authorized within the approving Ordinance at the date of adoption of this Code. Any changes to an existing SUP shall be approved in accordance with the provisions of this Code.

Section 8.03 - Zoning Districts

A. Zoning Districts Established

The City of Keller, Texas is hereby divided into the following zoning districts. The use, height and area regulations as set out herein apply to each district. The districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
<u>Base Districts</u>	
SF-36	Single-Family Residential - 36,000 square-foot lots
SF-30	Single-Family Residential - 30,000 square-foot lots
SF-25	Single-Family Residential - 25,000 square-foot lots
SF-20	Single-Family Residential - 20,000 square-foot lots
SF-15	Single-Family Residential - 15,000 square-foot lots
SF-12	Single-Family Residential - 12,000 square-foot lots
SF-10	Single-Family Residential - 10,000 square-foot lots
SF-8.4	Single-Family Residential - 8,400 square-foot lots
2F	Two-Family Residential (Townhome)
MF	Multi-Family Residential
NS	Neighborhood Service
O	Office
R	Retail
TC	Town Center
OTK	Old Town Keller
Katy Road	Katy Road District
C	Commercial
IP	Industrial Park
LI	Light Industrial
FP	Flex Space
<u>Overlay Districts</u>	
PD	Planned Development (Prefix and Overlay District)
SUP or S	Specific Use Permit (Overlay District)
U.S. Highway 377 North	U.S. Highway 377 North of F.M. 1709 Overlay District

B. Use Regulations

The use of land and/or buildings shall be in accordance with those listed in each respective zoning district. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those specified in the zoning district in which it is located.

1. Classification of New/Unlisted Uses

It is recognized that new types of land use will develop and forms of land use not presently anticipated may seek to locate in the City of Keller. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Use Chart shall be made as follows:

a. Initiation

- 1) A person, the Community Development Staff, the Planning and Zoning Commission, or City Council may propose zoning amendments to regulate new and previously unlisted uses.

- 2) A person requesting the addition of a new use shall submit to the Planning Manager all information necessary for the classification of the use, including but not limited to:
 - a) The nature of the use and whether the use involves dwelling activity, sales, services, or processing;
 - b) The type of product sold or produced under the use;
 - c) Whether the use has enclosed or open storage and the amount and nature of the storage;
 - d) Anticipated employment typically anticipated with the use;
 - e) Transportation requirements;
 - f) The nature and time of occupancy and operation of the premises;
 - g) The off-street parking and loading requirements;
 - h) The amount of noise, odor, fumes, dust, toxic materials, and vibration likely to be generated; and
 - i) The requirements for public utilities such as sanitary sewer and water and any special public services that may be required.
- b. The Planning Manager shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by the statement of facts listed in Section 8.03 (B.1.a) above. An amendment to this Code shall be required.
- c. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use is most similar and should be permitted.
- d. The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new and unlisted use. The City Council shall approve or disapprove the recommendation of the Planning and Zoning Commission or make such determination concerning the classification of such use as is determined appropriate based upon its findings.
- e. Standards for new and unlisted uses may be interpreted by the Planning Manager as those of a similar use. When a determination of the appropriate zoning district cannot be readily ascertained, the same process outlined above shall be followed for determination of the appropriate district. The decision of the Planning Manager may be appealed according the process outlined in Sections 8.03 (B.1.a) through 8.03 (B.1.d) above.

C. SF-36: Single-Family Residential District - (36,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-36, Single Family Residential District – 36,000 is intended to promote and encourage a suitable environment for family life on large parcels of land used for agricultural purposes and single-family homes. This District is intended to encourage more open space, permeable surfaces, and greater setbacks with characteristics of semi-rural areas.

2. Permitted Uses:

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Farms, barns, livestock, nurseries, greenhouses, or gardens, limited to the propagation and cultivation of plants, provided no retail business is conducted on the premises except as provided under home occupation (see definition for [Home Occupation](#)). The property owner's privately owned horses, mules, donkeys and ponies shall not have a maximum number allowed on their property. The boarding or keeping of horses other than the owner's shall be a maximum of one (1) horse, mule, donkey or pony per acre not to exceed a total number of three (3). (See [requirements for metal barns.](#))
- d. Municipally-owned facilities and uses.
- e. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- f. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- g. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Structures for agricultural purposes only, such as shade structures, one hundred twenty (120) square feet or less are excluded from this maximum, but are included in consideration of maximum impervious coverage. The boarding or keeping of equine shall be a maximum of one (1) horse, mule, donkey or pony per acre. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to one-thousand two-hundred (1,200) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit and must observe the setback requirements for the main structures. All accessory buildings greater than one-thousand two-hundred (1,200) square feet require a [Specific Use Permit \(SUP\)](#).
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.

- 4) Detached living quarters/accessory dwelling units shall only be considered by Specific Use Permit (SUP) and are required to be on a lot one-and-a-half (1.5) acres or larger. They may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
- 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- 6) All accessory structures shall be constructed of materials complimentary to the main structure.
- h. Swimming Pool (private).
- i. Such uses as may be permitted under the provisions of a Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Modified building heights may be imposed for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Thirty-six thousand (36,000) square feet.
- 2) **Minimum Lot Width** - One hundred forty feet (140').
- 3) **Minimum Lot Depth** - Two hundred feet (200').

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty-five feet (35'), one hundred feet (100') for agricultural structures without a main building, sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but not more than fifteen feet (15'); fifteen feet (15') from street right-of-way; twenty-five feet (25') from a thoroughfare right-of-way.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

- c. **Maximum Lot Coverage** - Thirty percent (30%) by main buildings; fifty percent (50%) including accessory buildings, pools, driveways, parking areas, and any impervious surface.

d. Parking Regulations

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, light load vehicles, recreational vehicles, and towed heavy load vehicles (trailers) may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code or on gravel surfaces over compacted sub-grade except that light load and heavy load trailers and recreational vehicles shall be parked no closer than a distance of one-hundred feet (100') from the front street right-of-way. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within one-hundred feet (100') of the front street right-of-way for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.
- 4) Agricultural equipment and vehicles are permitted and such vehicles do not have to be parked on paved surfaces; these vehicles may be parked anywhere within a lot on gravel, grass, or any other type of surface.
- 5) No self-propelled heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.

e. Minimum Dwelling Unit Area - Two thousand four hundred (2,400) square feet

5. Special Requirements

- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
- b. Gravel driveways are permitted for properties one (1) acre in size and larger.
- c. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
- d. Outside storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, garden materials, etc.)
- e. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
- f. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-36 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 1,200 sq. ft. or less	P
Accessory building (detached) in excess of 1,200 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Stable (commercial) on two (2) acres or more	SUP
Stable (private)	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

D. SF-30: Single-Family Residential District – (30,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-30, Single Family Residential District - 30,000 is intended to provide for development of single-family detached dwelling units on lots of not less than thirty thousand (30,000) square feet. Other uses, such as religious and educational facilities, and open spaces, will be provided for to maintain a balanced, orderly, convenient, and attractive residential area.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Structures for agricultural purposes only, such as shade structures, one hundred twenty (120) square feet or less are excluded from this maximum, but are included in consideration of maximum impervious coverage. The boarding or keeping of equine shall be a maximum of one (1) horse, mule, donkey or pony per acre. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to one-thousand (1,000) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit and must observe the setback requirements for the main structures. All accessory buildings greater than one-thousand (1,000) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.

- g. Swimming Pool (private).
 - h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).
3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Thirty thousand (30,000) square feet.
- 2) **Minimum Lot Width** - One hundred forty feet (140').
- 3) **Minimum Lot Depth** - Two hundred feet (200').

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty-five feet (35'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but not more than fifteen feet (15'); fifteen feet (15') from street right-of-way; twenty-five feet (25') from a thoroughfare right-of-way.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty percent (30%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and any impervious surface.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.

- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.
 - 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - Two thousand four hundred (2,400) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Outside storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, garden materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Article 8.06 - Building Design and Development Standards](#).

SF-30 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 1,000 sq. ft. or less	P
Accessory building (detached) in excess of 1,000 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

E. SF-25: Single-Family Residential District - (25,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-25, Single Family Residential District - 25,000 is intended to provide for development of single-family detached dwelling units on lots of not less than twenty-five thousand (25,000) square feet. Other uses, such as religious and educational facilities, and open spaces, will be provided for to maintain a balanced, orderly, convenient, and attractive residential area.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to one-thousand (1,000) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater than one-thousand (1,000) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building height may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Twenty-five thousand (25,000) square feet.
- 2) **Minimum Lot Width** - One hundred twenty feet (120').
- 3) **Minimum Lot Depth** - One hundred fifty feet (150').

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty-five feet (35'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15'); fifteen feet (15') from street right-of-way; twenty-five feet (25') from a thoroughfare right-of-way.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty percent (30%) by main buildings, fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and all impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - Two thousand four hundred (2,400) square feet
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-25 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 1,000 sq. ft. or less	P
Accessory building (detached) in excess of 1,000 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

F. SF-20: Single-Family Residential District - (20,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-20, Single-Family Residential District - 20,000 is intended to provide for development of single-family detached dwelling units on lots of not less than twenty thousand (20,000) square feet. Other uses, such as religious and educational facilities, and open spaces, will be provided for to maintain a balanced, orderly, convenient and attractive residential area.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to one-thousand (1,000) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater than one-thousand (1,000) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Twenty thousand (20,000) square feet.
- 2) **Minimum Lot Width** - One hundred twenty feet (120').
- 3) **Minimum Lot Depth** - One hundred fifty feet (150')

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty-five feet (35'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15'); fifteen feet (15') from street right-of-way; twenty feet (20') from a thoroughfare right-of-way.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty percent (30%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and all impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - Two thousand two hundred (2,200) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-20 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 1,000 sq. ft. or less	P
Accessory building (detached) in excess of 1,000 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

G. SF-15: Single-Family Residential District - (15,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-15, Single-Family Residential District - 15,000 is intended to be similar to the SF-20 except composed of detached, single family residences on lots of not less than fifteen thousand (15,000) square feet.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to eight hundred (800) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater than eight hundred (800) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Fifteen thousand (15,000) square feet.
- 2) **Minimum Lot Width** - One hundred five feet (105').
- 3) **Minimum Lot Depth** - One hundred twenty-five feet (125').

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty feet (30'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15') required; fifteen feet (15') on corner lots adjacent to a street, twenty feet (20') adjacent to thoroughfare.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley exists.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty-five percent (35%) by main buildings; fifty-five percent (55%) including pools, accessory buildings, driveways, parking areas, and all impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - Two thousand (2,000) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the residents personal use or consumption i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-15 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 800 sq. ft. or less	P
Accessory building (detached) in excess of 800 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

H. SF-12: Single-Family Residential District - (12,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-12 Single Family Residential District – 12,000 is intended to be similar to the SF-15 except composed of detached, single family residences on lots of not less than twelve thousand (12,000) square feet.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to seven hundred fifty (750) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater seven hundred fifty (750) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Twelve thousand (12,000) square feet.
- 2) **Minimum Lot Width** - One hundred feet (100').
- 3) **Minimum Lot Depth** - One hundred fifteen feet (115').

b. Size of Yards

- 1) **Minimum Front Yard** - Thirty feet (30'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the width of the lot but no more than fifteen feet (15') required; fifteen feet (15') on corner lot adjacent to a street; twenty feet (20') adjacent to a thoroughfare.
- 3) **Minimum Rear Yard** - Twenty feet (20') if adjacent to an alley; fifteen feet (15') if no alley exists.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty-five percent (35%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - One thousand eight hundred (1,800) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers or motor homes, may be for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-12 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 750 sq. ft. or less	P
Accessory building (detached) in excess of 750 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

I. SF-10: Single-Family Residential District - (10,000 sq. ft. Minimum)

1. General Purpose and Description

The SF-10 Single Family Residential District - 10,000 is intended to be similar to the SF-12 except composed of detached, single family residences on lots of not less than ten thousand (10,000) square feet.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to five hundred (500) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater than five hundred (500) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Ten thousand (10,000) square feet.
- 2) **Minimum Lot Width** - Ninety feet (90').
- 3) **Minimum Lot Depth** - One hundred ten feet (110').

b. Size of Yards

- 1) **Minimum Front Yard** - Twenty-five feet (25'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15') required; fifteen feet (15') on corner lot adjacent to a street; twenty feet (20') adjacent to thoroughfare.
- 3) **Minimum Rear Yard** - Twenty feet (20') adjacent to an alley; fifteen feet (15') if no alley exists.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty-five percent (35%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - One thousand six hundred (1,600) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers or motor homes, may be for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-10 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 500 sq. ft. or less	P
Accessory building (detached) in excess of 500 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

J. SF-8.4: Single-Family Residential District - (8,400 sq. ft. Minimum)

1. General Purpose and Description

The SF-8.4, Single Family Residential District – 8,400 is designed to provide for suitable residential environment on smaller and more compact lots or parcels of land not less than eight thousand four hundred (8,400) square feet.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Single-family detached dwellings.
- c. Municipally-owned facilities and uses.
- d. Real estate sales offices during the development of residential subdivisions in which the office is located until eighty percent (80%) of the building permits of the platted lots in the subdivision are issued.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work or by order of the Building Official for non-compliance with the provisions of which the use was permitted.
- f. Detached accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business, as follows:
 - 1) A detached private garage or an attached private garage, used in conjunction with the main building at the time of construction of the dwelling unit, within the regulations of the parking section (see [Section 8.07 - Off-Street Parking and Loading Requirements](#)) of this Code.
 - 2) A maximum of two (2) detached accessory buildings are permitted on any lot/tract. Accessory buildings one hundred twenty (120) square feet or less do not require a building permit but shall not exceed ten feet (10') in height and shall be a minimum of five feet (5') from the side and rear property lines. Accessory buildings greater than one hundred (120) square feet up to five hundred (500) square feet (including detached garage, workshop, pool house, etc.) are allowed with a building permit. All accessory buildings greater than five hundred (500) square feet require a [Specific Use Permit \(SUP\)](#). All accessory structures shall be constructed of materials complimentary to the main structure.
 - 3) One antenna fifty feet (50') or less in height (amateur or CB radio) located in the rear yard.
 - 4) Accessory dwelling units may be used for domestic workers, as a guest house, as an in-law house (even with permanent residence), or as a temporary house while the main structure is built/renovated.
 - 5) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- g. Swimming Pool (private).
- h. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Eight thousand four hundred (8,400) square feet.
- 2) **Minimum Lot Width** - Sixty-five feet (65').
- 3) **Minimum Lot Depth** - One hundred ten feet (110').

b. Size of Yards

- 1) **Minimum Front Yard** - Twenty-five feet (25'), sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15') required; fifteen feet (15') on corner lots adjacent to a street; twenty feet (20') adjacent to a thoroughfare.
- 3) **Minimum Rear Yard** - Twenty feet (20') if adjacent to an alley; fifteen feet (15') if no alley exists.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

c. **Maximum Lot Coverage** - Thirty-five percent (35%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and impervious surfaces.

d. **Parking Regulations**

- 1) A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
- 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
- 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.

- 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Unit Area** - One thousand four hundred (1,400) square feet.
5. Special Requirements
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the residents personal use or consumption i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. Other Regulations - As established in [Section 8.06 - Building Design and Development Standards](#).

SF-8.4 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 500 sq. ft. or less	P
Accessory building (detached) in excess of 500 sq. ft	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	P
Assisted Living Facility (7 or 8 residents) <i>(Amended by Ord. No. 1809 on September 6, 2016)</i>	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Cemetery or mausoleum (new or expansion)	SUP
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached SF dwelling	P
Farm, ranch, livestock, garden, orchard	P
Group home	SUP
Home occupations	P
Kennel, indoor or outdoor pens	SUP
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

K. 2F: Two-Family Residential District (Townhome)

1. General Purpose and Description

The 2F, Two-Family Residential is intended to promote stable, quality multiple-occupancy residential development at slightly increased densities. Individual ownership of the two-family or townhome units is encouraged. This District may include entire neighborhoods, or, when in accordance with the intent of the Master Plan, may provide a "buffer" or transition district between lower density residential areas and higher or non-residential areas, or major thoroughfares.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Two-Family residence (townhome).
- c. All uses allowed in the [SF-8.4 Zoning District](#) except that accessory dwelling units are prohibited.
- d. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories, not to exceed thirty-five feet (35') for the main building. For height requirements for accessory buildings, see [Section 8.10 - Accessory Buildings and Use Regulations](#). Special exceptions for building heights may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard heights create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

4. Area Regulations (see also [Section 8.15 - Supplemental Regulations](#))

a. Size of Lots

- 1) **Minimum Lot Area** - Eight thousand four hundred (8,400) square feet for each pair of dwelling units or four thousand two hundred (4,200) square feet per unit.
- 2) **Minimum Lot Width** - Seventy feet (70'); thirty-five feet (35') for each dwelling unit.
- 3) **Minimum Lot Depth** - One hundred feet (100').

b. Size of Yards

- 1) **Minimum Front Yard** - Twenty-five feet (25'); sixty feet (60') for residential buildings with access on a thoroughfare.
- 2) **Minimum Side Yard** - Ten percent (10%) of the lot width but no more than fifteen feet (15') required; fifteen feet (15') on corner lot adjacent to street; twenty feet (20') adjacent to a thoroughfare.
- 3) **Minimum Rear Yard** - Twenty feet (20') if adjacent to an alley; fifteen feet (15') if no alley exists.

Special exceptions for building setbacks may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard setbacks create a looming effect over a neighboring property. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.

- c. **Maximum Lot Coverage** - Thirty-five percent (35%) by main buildings; fifty percent (50%) including pools, accessory buildings, driveways, parking areas, and impervious surfaces.
 - d. **Parking Regulations**
 - 1) A garage with a minimum capacity of one (1) car shall be constructed for each dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.
 - 2) Automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles may be parked anywhere within a lot provided they are parked on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code. If covered by tarps or covers, automobiles, motorcycles, pickup trucks, and other self-propelled light load vehicles shall only be parked within side or rear yards on paved surfaces. Towed light load vehicles (trailers) and recreational vehicles shall only be parked within side or rear yards on paved surfaces in accordance with [Section 8.07 \(B.2\)](#) of this Code.
 - 3) Notwithstanding the locational criteria in 2) above, recreational vehicles may be temporarily parked on paved surfaces within front yards for loading and unloading and for guest stays. Loading and unloading time shall not exceed six (6) days. Guest stays shall not exceed twenty-eight (28) days in calendar year.
 - 4) No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. **Minimum Dwelling Area Size** - One Thousand One Hundred (1,100) square feet.
 - f. Lots in the 2F District shall be platted in pairs such that a townhome may be placed on each of a pair of lots for the purpose of encouraging individual ownership of each side or unit. The subdivision plat shall designate the pairs of lots and which lot lines are to be outside lot lines of each pair. There shall be only one dwelling unit per lot, and no dwelling unit shall cross a designated outside lot line. No single-family detached dwelling may be constructed on one of the designated pair of lots unless the zoning classification is changed to a single-family district.
 - g. All utilities shall be provided separately to each townhome in a 2F District such that each unit is individually metered.
5. **Special Requirements**
- a. No permanent use of temporary dwellings, such as recreational vehicles, travel trailers, or mobile homes, may be used for on-site dwelling purposes unless approved by a Specific Use Permit (SUP).
 - b. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on two (2) acres or larger.
 - c. Open storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.).
 - d. Single-family homes with side entry garages have special setback requirements as established in [Section 8.07 - Off-Street Parking and Loading Requirements](#).
 - e. **Other Regulations** - As established in [Section 8.06 - Building Design and Development Standards](#).

2F 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) 500 sq. ft. or less	P
Accessory building (detached) in excess of 500 sq. ft	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Child Care (Center)	SUP
Child Care (Home-based)	SUP
Detached Private Garage	P
Detached SF dwelling meeting Mimimum SF-8.4 district requirements	P
Group home	SUP
Home occupations	P
Mobile home on individual lot	SUP
Modular home	P
Offices, City, County, State, and Other Governmental	P
Private park	P
Private street residential development (gated subdivision)	PD
Public park or playground	P
Religious institution	P
School, Private	SUP
School (public)	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Utility structures/sub-stations (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

L. MF: Multi-Family Residential District

1. General Purpose and Description

The MF, Multi-Family Residential District, is an attached residential district intended for condominiums and apartments with a base density of twelve (12) residential units per acre and a maximum density of sixteen (16) residential units per acre if certain enhancements as stated in this Code are met. This district is meant to be developed in a park-like setting with extensive areas of usable open space and landscaping. This District should be located adjacent to a major thoroughfare and should not have access to standard residential streets. This district should serve as a buffer between retail/commercial development or heavy automobile traffic, and medium or low density residential development.

2. Permitted Uses

- a. Those uses specified in this Section.
- b. Multi-Family Dwelling greater than two (2) units attached.
- c. Municipally-owned facilities and uses.
- d. Leasing offices for the apartment complex.
- e. Temporary buildings for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work, by order of the Building Official.
- f. Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:
 - 1) Covered parking areas and garages.
 - 2) Antenna(s) (fifty feet [50'] or less) (amateur or CB radio) located in the rear yard and screened from the view of public streets and single family residential uses as permitted by regulations.
- g. Swimming Pool (private).
- h. Group Family Home.
- i. Common open space, community center, recreational building, and other facilities or amenities, provided they are for use by the residents and guests of the multi-family complex.
- j. Such uses as may be permitted under the provisions of Specific Use Permits (SUP).

3. Height Regulations

Maximum Height - Two and one-half (2½) stories not to exceed thirty-five feet (35') except where the first floor is composed entirely of parking garages, then three and one-half (3½) stories not to exceed forty-five (45) feet. All accessory buildings (excluding recreational buildings and clubhouse) shall be limited to one story, fifteen feet (15') in height.

4. Area Regulations

- a. Size of Lots

- 1) **Minimum Lot Area** - The minimum lot size shall be twenty thousand (20,000) square feet.
 - 2) **Minimum Lot Width** - Seventy feet (70').
 - 3) **Minimum Lot Depth** - One hundred twenty feet (120').
- b. Size of Yards
- 1) **Minimum Front Yard** - Forty feet (40'). All areas adjacent to a street shall be deemed front yards.
 - 2) **Minimum Side Yard** - Twenty feet (20'); sixty feet (60') when adjacent to a Single-Family Residential zoning district.
 - 3) **Minimum Rear Yard** - Thirty feet (30'); sixty feet (60') when adjacent to a Single-Family Residential zoning district.
- c. **Minimum Area Per Dwelling Unit** - Seven hundred fifty (750) square feet per unit plus one hundred fifty (150) square feet for each additional bedroom over one.
- d. **Maximum Lot Coverage** - Fifty percent (50%) by main buildings; sixty-five percent (65%) including accessory buildings, driveways, parking areas, and impervious surfaces.
5. Parking Regulations
- a. Automobiles, motorcycles, and light load vehicles may be parked provided the vehicles are parked on paved surfaces in accordance with the minimum number of parking spaces as indicated in [Article 8.07](#).
 - b. All open parking areas shall be screened from direct view adjacent to public streets. Screening may be in the form of live plant materials, berms, or brick masonry walls. Covered carports shall not be constructed adjacent to streets and shall not be in the view from the public rights-of-ways.
 - c. Attached or detached garages shall be provided for twenty-five percent (25%) of the total units. Covered parking shall be provided for fifty percent (50%) of the units. Carports shall be constructed in a manner to be compatible in design and material with the primary buildings. Metal roof/poles shall be of architectural metal.
 - d. No heavy load vehicle (see definition for [Heavy Load Vehicle](#)) shall be parked or stored overnight within the lot of any residential district.
 - e. Boats, campers, trailers, and other recreational vehicles shall be prohibited unless oversize parking areas are provided. This parking area shall not be used to meet the minimum parking requirements and shall not be in view from a public street.
6. Special District Requirements
- a. A site plan submittal shall be in accordance with this Code and shall include façade elevations and landscaping plans at the time of submittal. All zoning requests for multi-family shall include a complete site plan submittal including facade elevations and landscaping plans. A life-like computer generated and/or rendering showing the color and material for the buildings is required with all submittals.
 - b. Each multi-family complex shall provide recreational facilities designed for use by the tenants of the complex.
 - c. Buildings shall not exceed two hundred feet (200') in length.

- d. All multi-family dwelling units shall have roof slopes with a minimum of 4:12 pitch.
- e. Buildings with facades that are longer than fifty feet (50') shall have their facades broken up into smaller areas through the use of varying facade setbacks, arcades, and architectural features such as recessed vestibules, columns, canopies, or other acceptable means.
- f. All buildings containing residential units shall provide a sign, visible from the driveway, identifying the unit numbers within the building.
- g. All floor mounted mechanical, heating, and air conditioning units shall be screened with a minimum three-foot (3') masonry wall and/or live screening.
- h. Every multi-family project shall provide for adequate refuse facility within the development. All dumpsters shall be screened with a minimum six-foot (6') masonry-screening wall on three (3) sides and shall not be in view from any streets. Refuse dumpsters shall be no closer than fifty feet (50') to any adjacent single-family residential zoning district.
- i. All multi-family developments shall provide for fifteen percent (15%) of the development in usable open space exclusive of street yard landscaping. This includes, but not limited to, landscaped hike/bike trail, open area recreational facilities, parks and playgrounds, water features and decorative objects such as fountains. Usable open space shall not include rooftops, accessory buildings, parking areas, driveways, turnaround areas, or the right-of-way or easement for streets or alleys.
- j. At the time of site plan approval, the City Council may approve up to fifty percent (50%) of park dedication or park fee credit for usable open space under the following conditions:
 - 1) Children's play areas developed with play equipment.
 - 2) Preservation of significant trees or other natural vegetation.
- k. Preservation of vistas and other natural qualities.
- l. Buffer or transition between the multi-family use and other uses that exceed the Code requirements.
- m. Defined pedestrian connections between the multi-family development and parkland.
- n. In addition to the landscaping provisions of this Code, the following additional criteria apply to multi-family developments:
 - 1) Landscaping buffer at street frontage(s) and adjacent to developed single-family residential property shall be thirty feet (30').
 - 2) One (1) four-inch (4") caliper shade tree spaced to achieve full canopy coverage at mature height shall be planted within the landscape buffer at all street frontages and adjacent to any portion of the lot adjacent to developed single-family residential property. If spacing exceeds thirty feet (30'), provide for two (2) understory trees in between canopy trees. Trees such as Crape Myrtle or Bradford Pear will not be considered in meeting this requirement.
 - 3) All principal and accessory buildings located in the multi-family zoning district shall have at least seventy-five percent (75%) of the total exterior walls, excluding doors and windows, constructed of brick, stone, or a combination of both materials. Stucco or similar material and/or exceptions to the above requirements may be considered by the City Council, on case-by-case basis, at the time of site plan approval. Accessory structures shall be compatible with the main structure.

- o. The use of temporary dwellings, such as travel trailers, recreational vehicles, or motor homes, is prohibited. Open storage is prohibited.

7. Density Calculations

The maximum density in the multi-family zoning district shall be twelve (12) units per acre. One (1) additional unit per acre in excess of the base density is permitted (up to a maximum of sixteen [16] units per acre) for each of the following standards:

- a. Fifty percent (50%) of the total units to have attached or detached garages.
- b. All stairways to be located inside individual units.
- c. Increase the depth of the landscaping buffer yards and the number of trees to be planted within the landscaping buffer yards by thirty percent (30%) over standard requirement.
- d. Twenty percent (20%) of the total development to be allocated for usable open space.
- e. Permanent usable open space within the development or within one hundred feet (100') of the development for the general public including public parks or trail system. (If this credit is used, the park dedication credit will not be applicable.)

8. Other Regulations

Unless otherwise noted all [Development Standards](#) contained within this Code will apply to multi-family projects. Any changes to the multi-family district requirements shall only be considered through a Planned Development zoning application.

MF 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 8.04(I)

- = Not Permitted

Use	SUP or P
Accessory building (detached) in excess of 200 sq. ft	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
Child Care (Center)	SUP
Child Care (Home-based)	SUP
College, University, or Private Boarding School	SUP
Community Center (private)	SUP
Detached private garage	P
Group home	SUP
Multi-Family Dwelling	P
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	P
Private park	P
Public park or playground	P
Religious institution	P
Retirement home	SUP
School, Private	SUP
School, Public	P
Temporary field construction office	P
Tourist home (bed and breakfast)	SUP
Two-family dwelling	P
Utility structures (Private or Franchised)	SUP
Utility structures/sub-stations (Public)	P
Wind Turbines	SUP

M. NS – Neighborhood Service District

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 8.07 - 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 8.04(I)

- = 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
Kennel, indoor or outdoor pens	SUP
Laundromat (self service)	SUP
Medical/Dental clinic or office	P
Minor medical emergency clinic	SUP
Mixed-Use Residential	SUP

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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
Vehicle or car wash	SUP
Veteranarian Clinic (no outdoor mens) includes grooming facility	P
VeterinarianClinic (with outdoor pens) may or may not include grooming facility	SUP
Wind Turbines	SUP

N. O - Office District

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 8.07 - 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 8.04(I)

- = 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
Minor medical emergency clinic	SUP
Museum or art gallery	P
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 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
Wind Turbines	SUP

O. 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

- 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. Other Regulations

- a. As established in [Article Eight](#).
- b. Parking Requirements: As established in [Section 8.07 - 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 8.04(I)

- = 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
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
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
Greenhouses and nurseries (commercial retail)	SUP
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hospital	SUP
Hotel/Motel	SUP

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Indoor Gun Range	SUP
Light Manufacturing wholly enclosed within a building	SUP
Motorcycle sales	SUP
Medical/Dental clinic or office	P
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
Pet grooming, no outdoor kennels	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 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
Vehicle or car wash	SUP
Veterinarian Clinic (no outdoor pens) includes grooming facility	SUP
Veterinarian Clinic (with outdoor pens) may or may not include grooming facility	SUP
Wind Turbines	SUP

P. TC - Town Center District

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
Child Care (Center) as an accessory use only	SUP
Copy shop or printing shop	P
Dance studio or aerobics center	P
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
Fuel Pumps/Sales*	SUP*
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hotel	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
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

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Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veteranarian Clinic (no outdoor pens) includes grooming facility	P
* See supplemental regulations for Fuel Pumps/Sales in this district (below)	

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.
- 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 8.03 (P.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
- 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 façade 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.

- 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 8.20](#).
- 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 8.20](#).
- 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.
- 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 8.13](#) 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 repetitive candle light fixtures 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 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.

- 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 8.09](#) of this Code. *(Amended by Ord. No. 1799 on July 5, 2016)*
- d) Temporary signs are allowed in accordance with [Section 8.09](#) 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.
- 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 8.09 - Sign Regulations](#)) of this Code.
- l. 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 8.12 - Fencing Requirements in Multi-Family and Non-Residential Uses](#)).

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

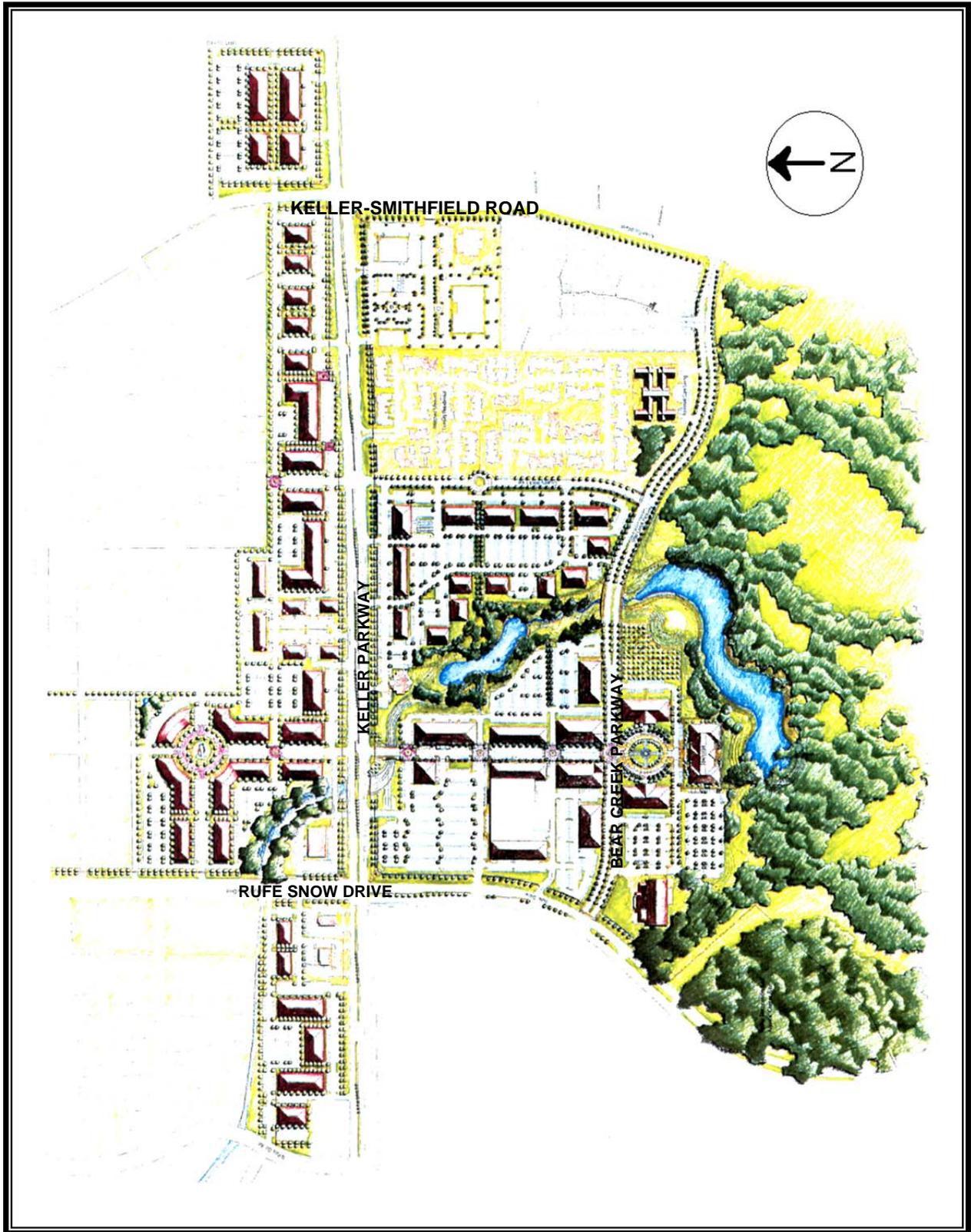


Figure 1 - Town Center Master Plan

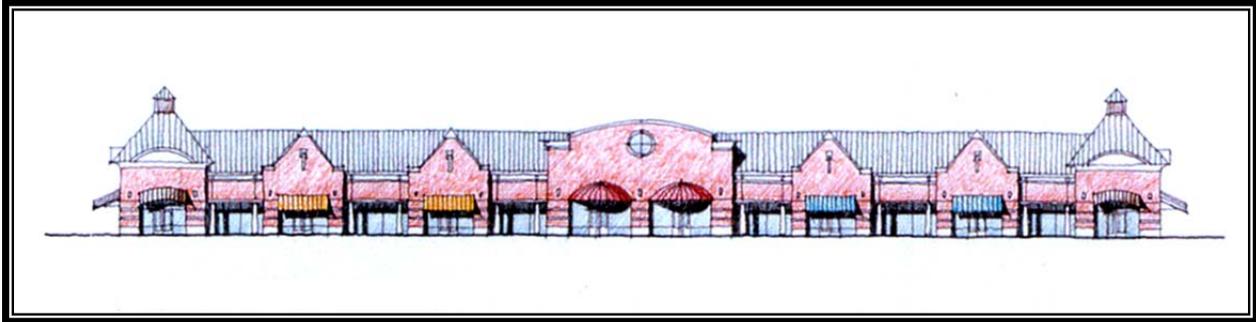


Figure 2 - Single Story Building Elevation



Figure 3 - Two Story Building Elevation

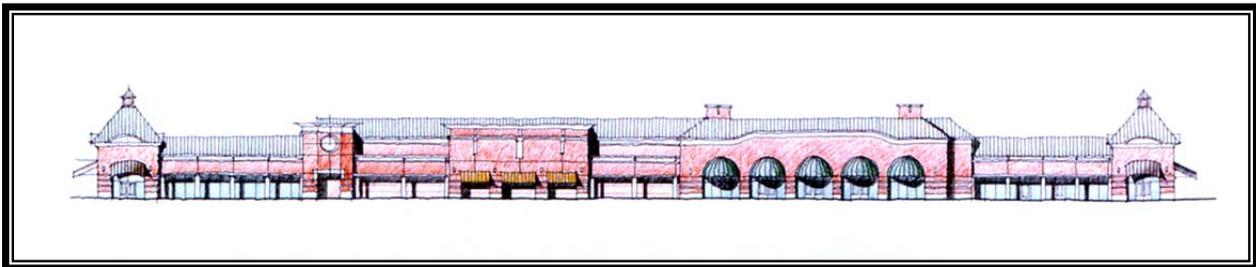


Figure 4 - Grocery/Retail Building Elevation

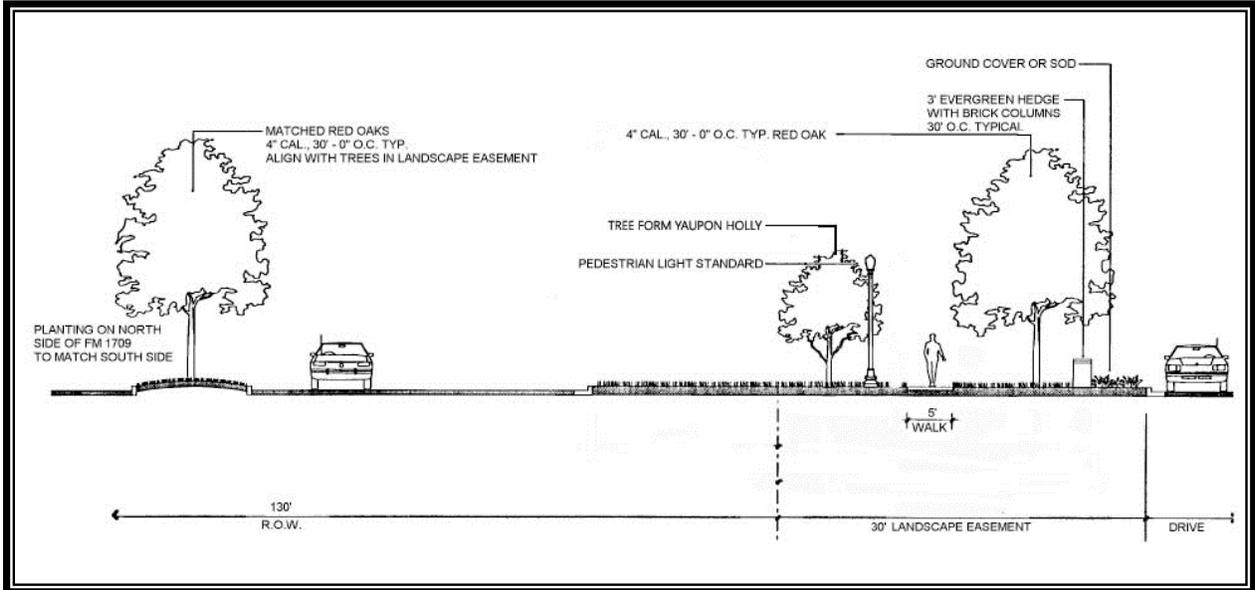


Figure 5 – FM 1709

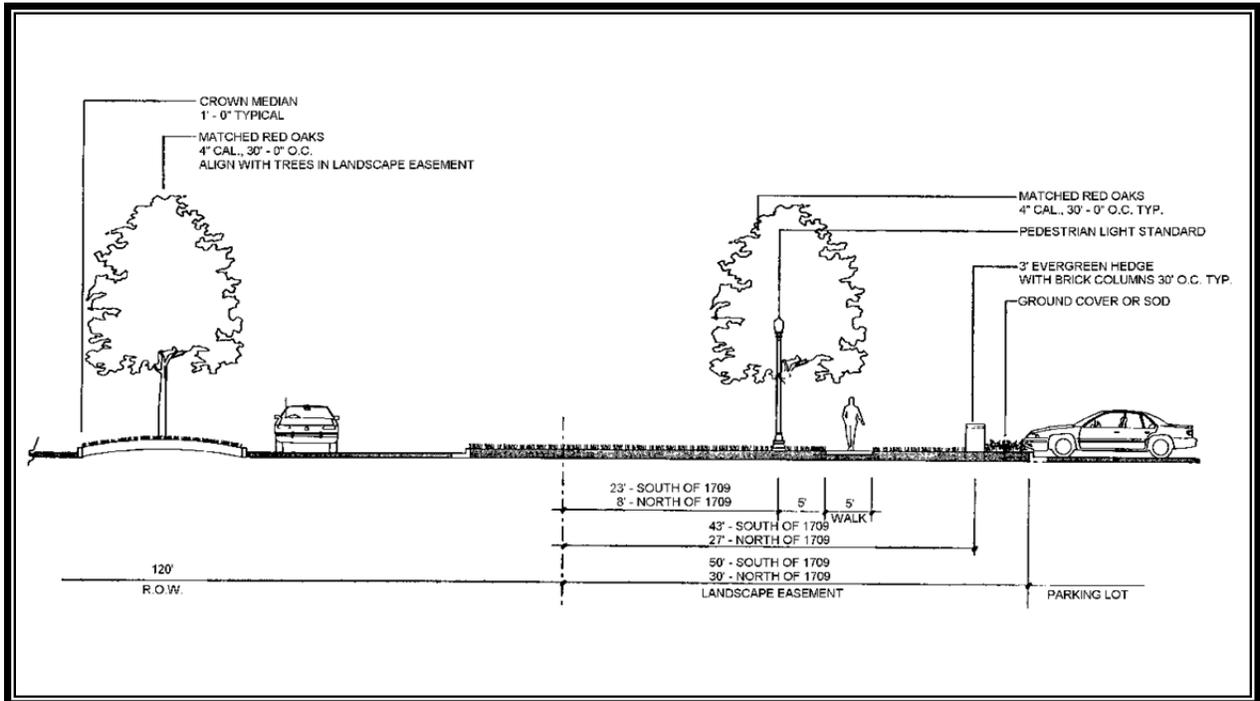


Figure 6 – Rufe Snow Drive / Keller-Smithfield Road With Retail Frontage

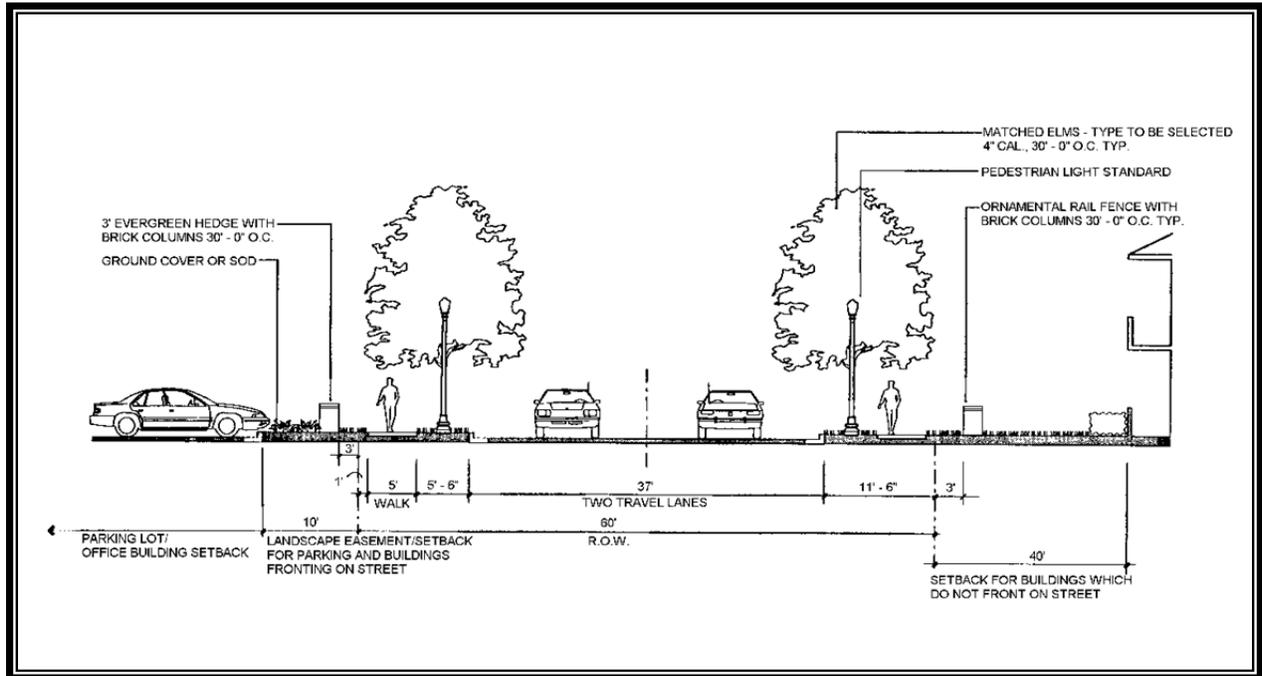


Figure 7 – Country Brook Lane

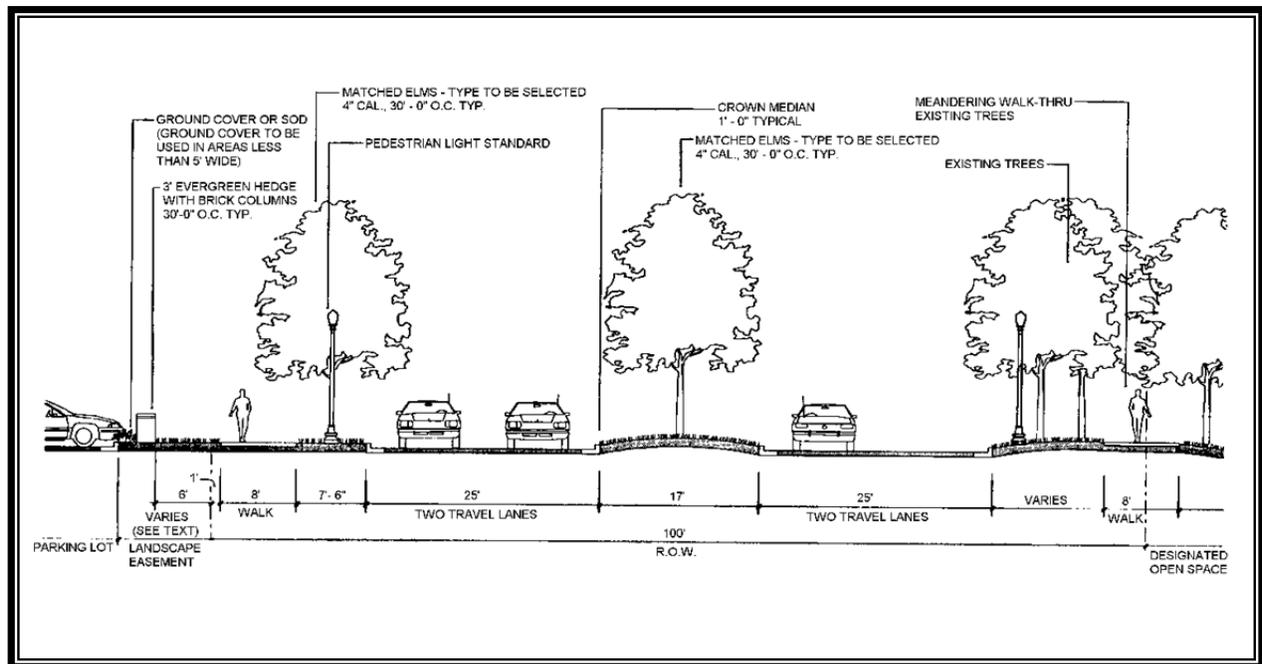


Figure 8 – Bear Creek Parkway (Divided Cross Section)

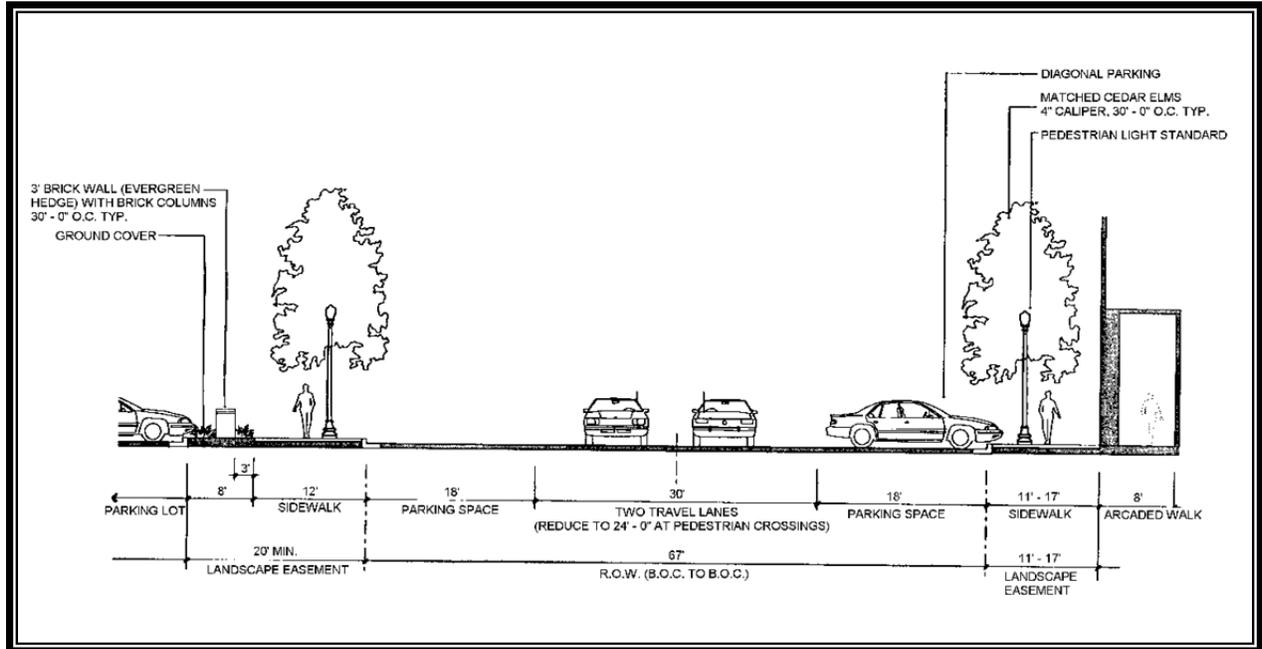


Figure 9 – Town Center Lane

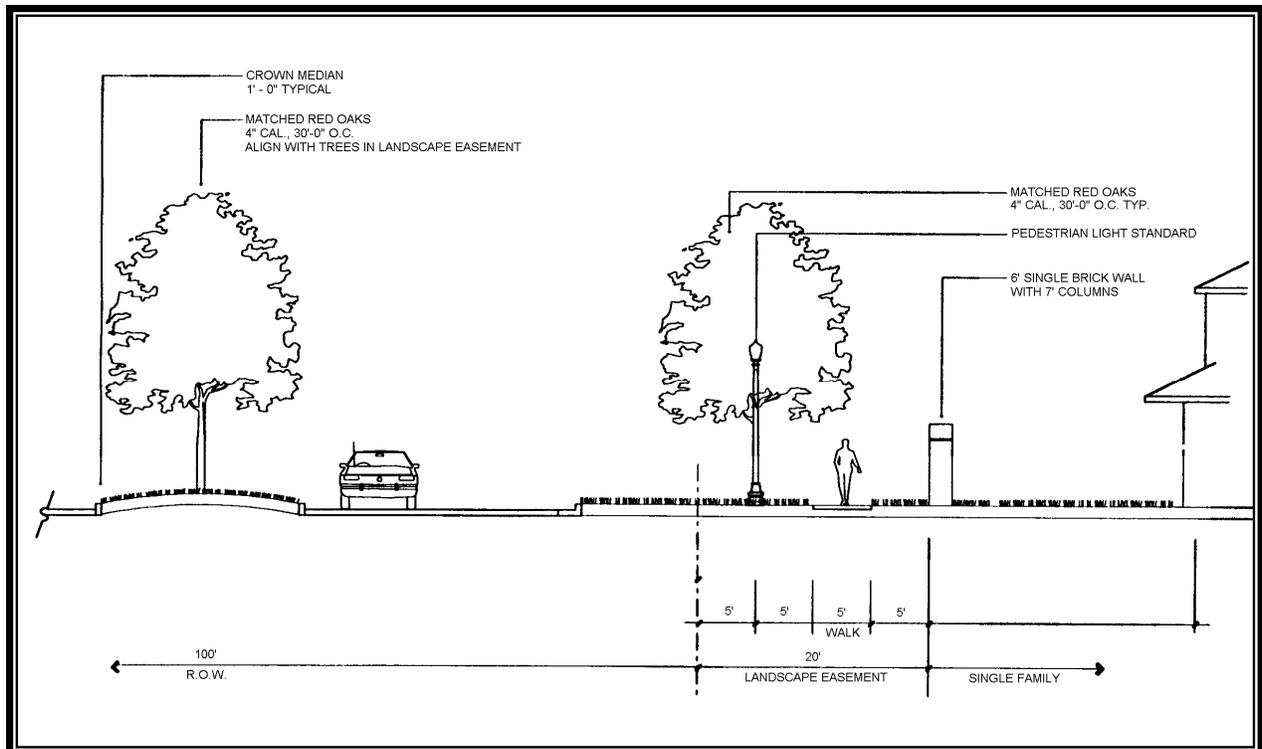


Figure 10 – Keller-Smithfield Road With Single Family Frontage

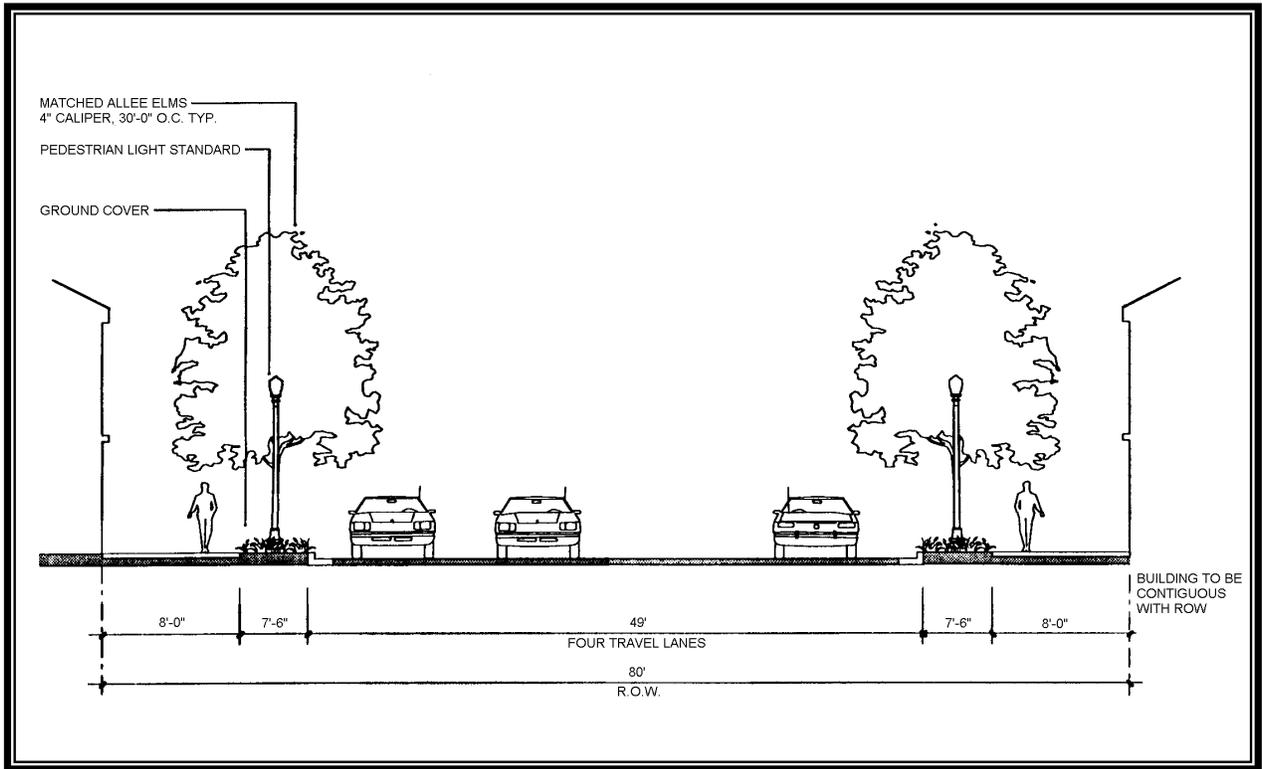


Figure 11 – Bear Creek Parkway at Town Center (Undivided Cross Section)

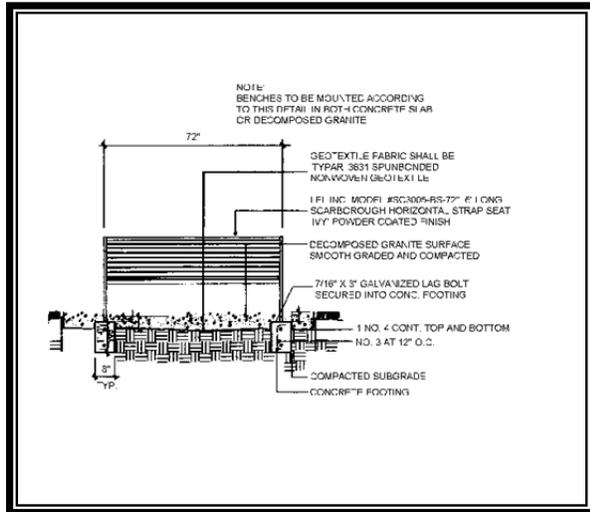


Figure 12 – Bench Details

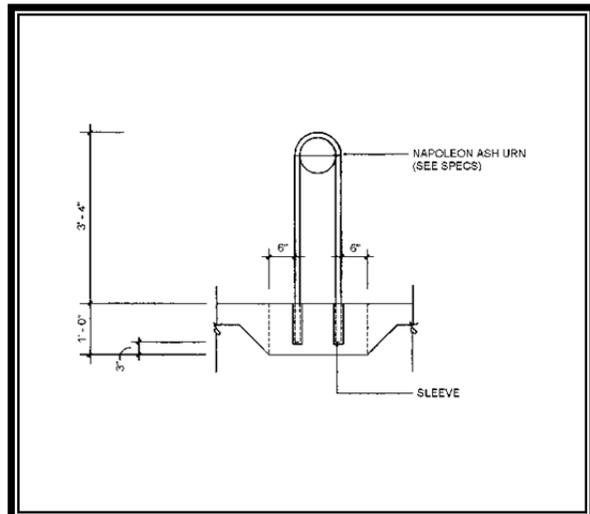


Figure 13 – Ash Urn Details

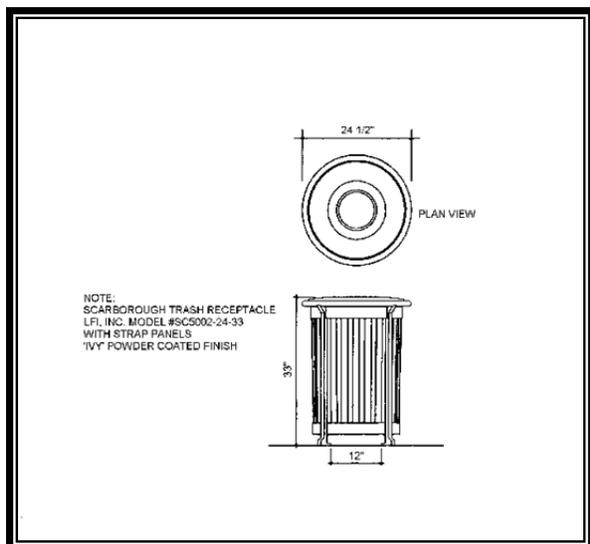


Figure 14 – Trash Receptacle Details

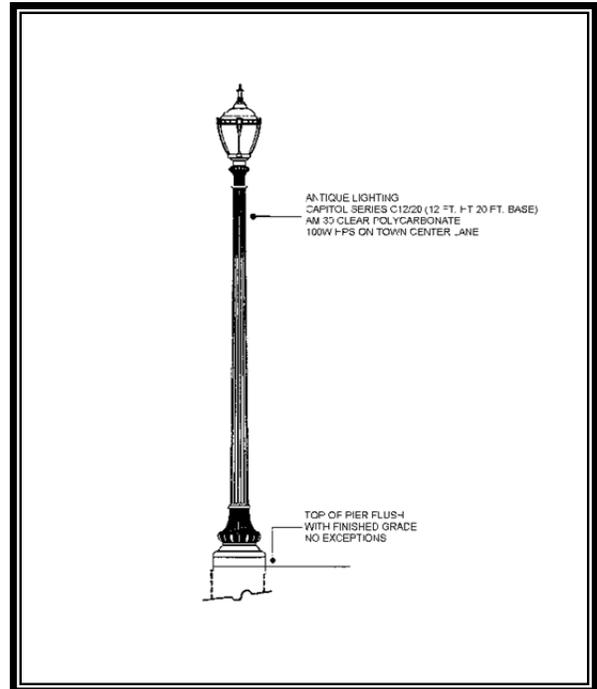


Figure 15 – Pedestrian Light Pole Details

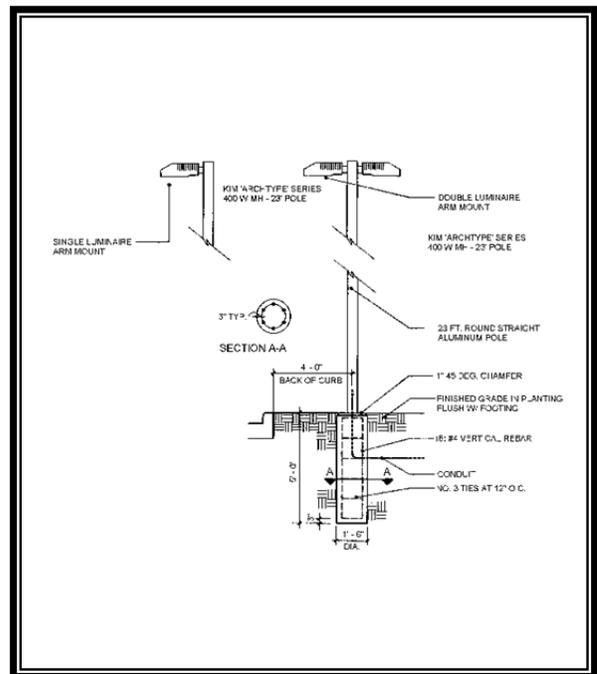


Figure 16 – Parking Light Details

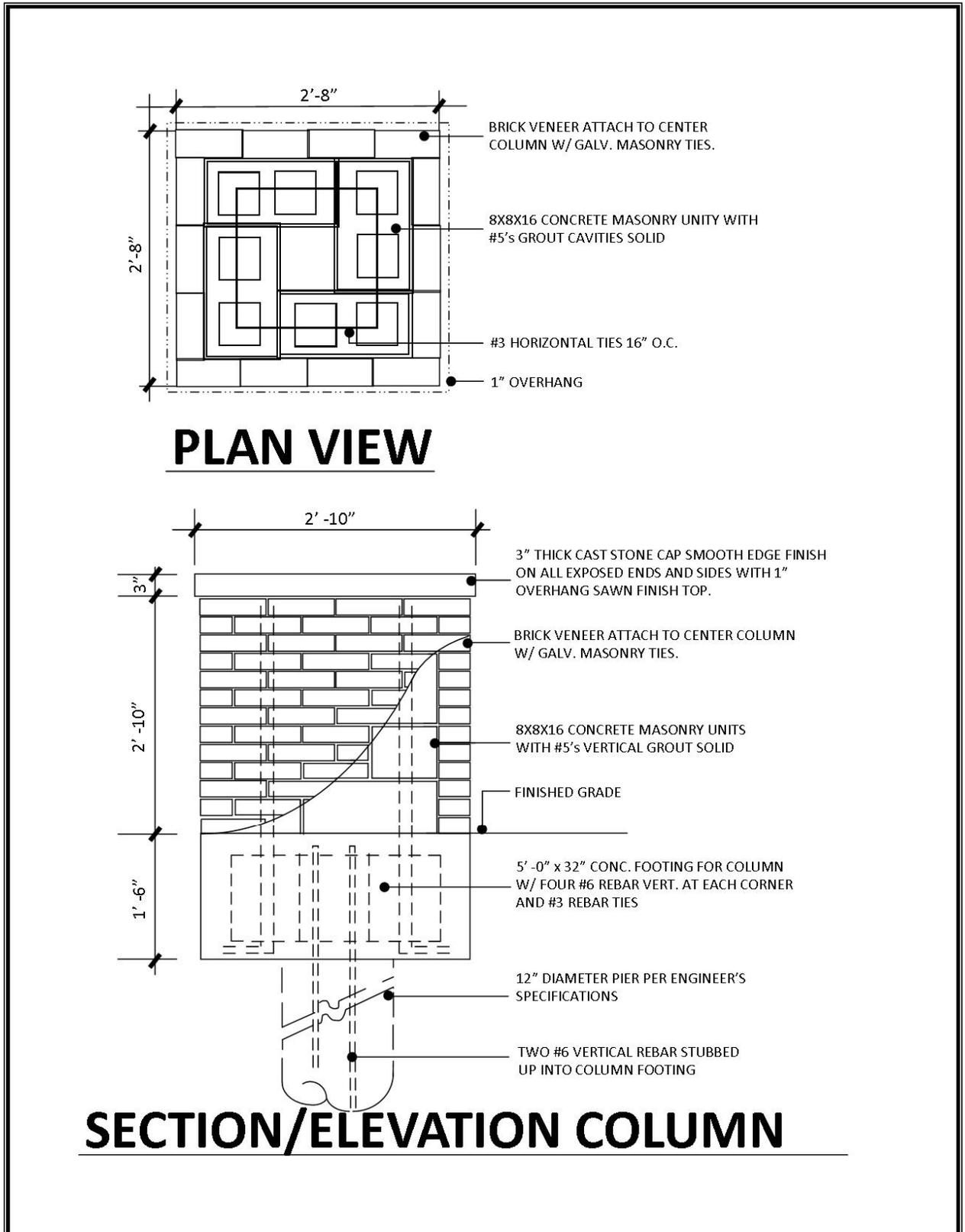


Figure 18 – Brick Columns Details

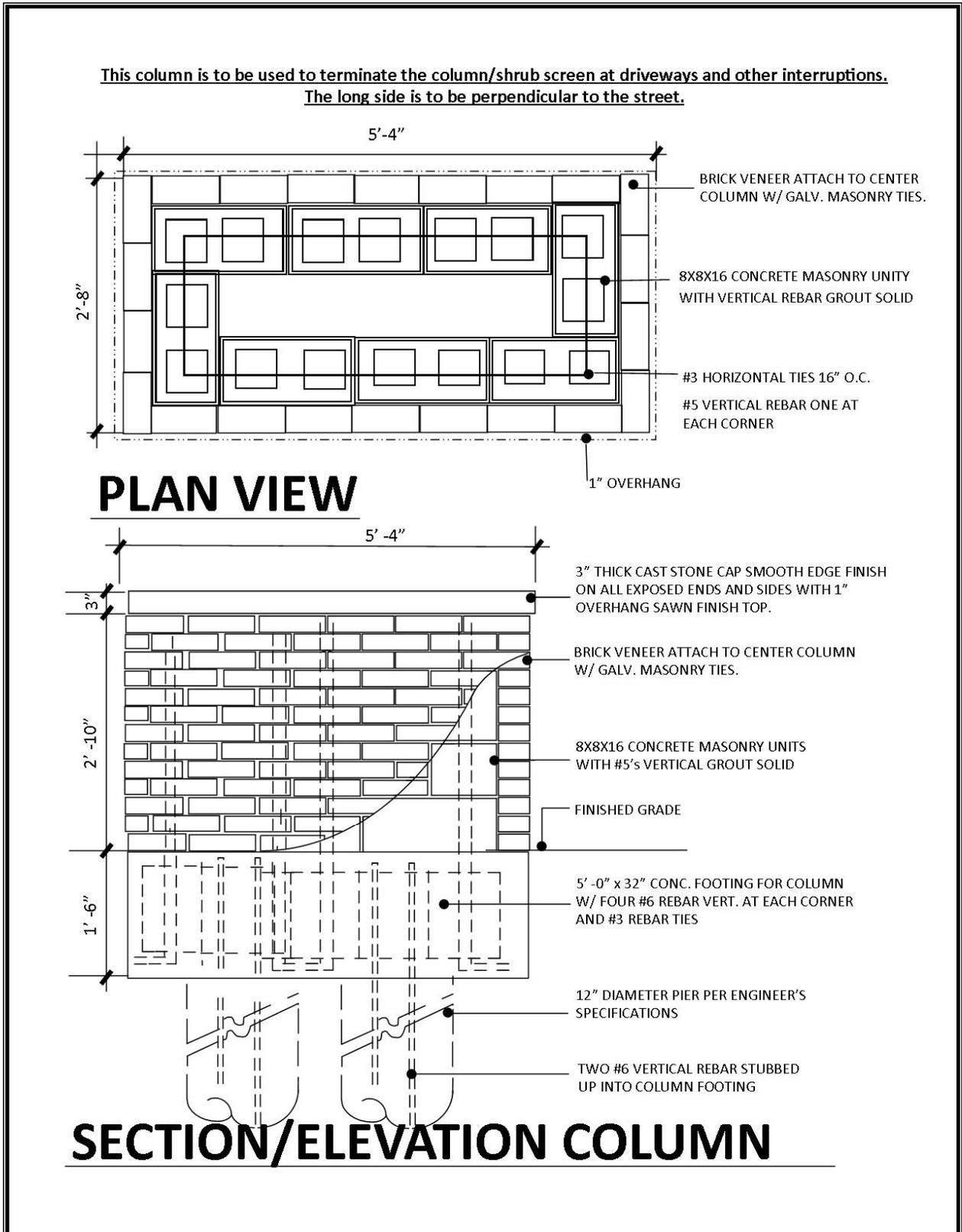


Figure 19 – Brick Columns Details

Q. OTK - Old Town Keller District

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 Bear Creek Parkway 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.

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 unchanges 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 accomodating 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

- 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

All new buildings and newly renovated buildings shall have a defined base, a clear 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 (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.

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.
- 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.
 - 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) Monument signs are not permitted in OTK
- 4) Only one 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 8.09](#). *(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) Wall murals shall be considered on a case-by-case basis and approved by the City Council as an element of a site plan application.
- 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 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).

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 (<i>Amended by Ord. No. 1805 on August 16, 2016</i>)	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	-
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
Dry cleaning free-standing building	SUP	SUP
Entertainment Facility (Indoor)	SUP	SUP
Grocery store or food market	SUP	SUP
Gunsmith (repair only)	SUP	SUP
Hotel	SUP	SUP
Light Manufacturing, wholly enclosed in a building	SUP	SUP
Medical Offices (<i>Amended by Ord. No. 1805 on August 16, 2016</i>)	SUP	SUP
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

ARTICLE EIGHT
Unified Development Code

Adopted: July 7, 2015



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
Veteranarian Clinic (no outdoor pens) includes grooming facility	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

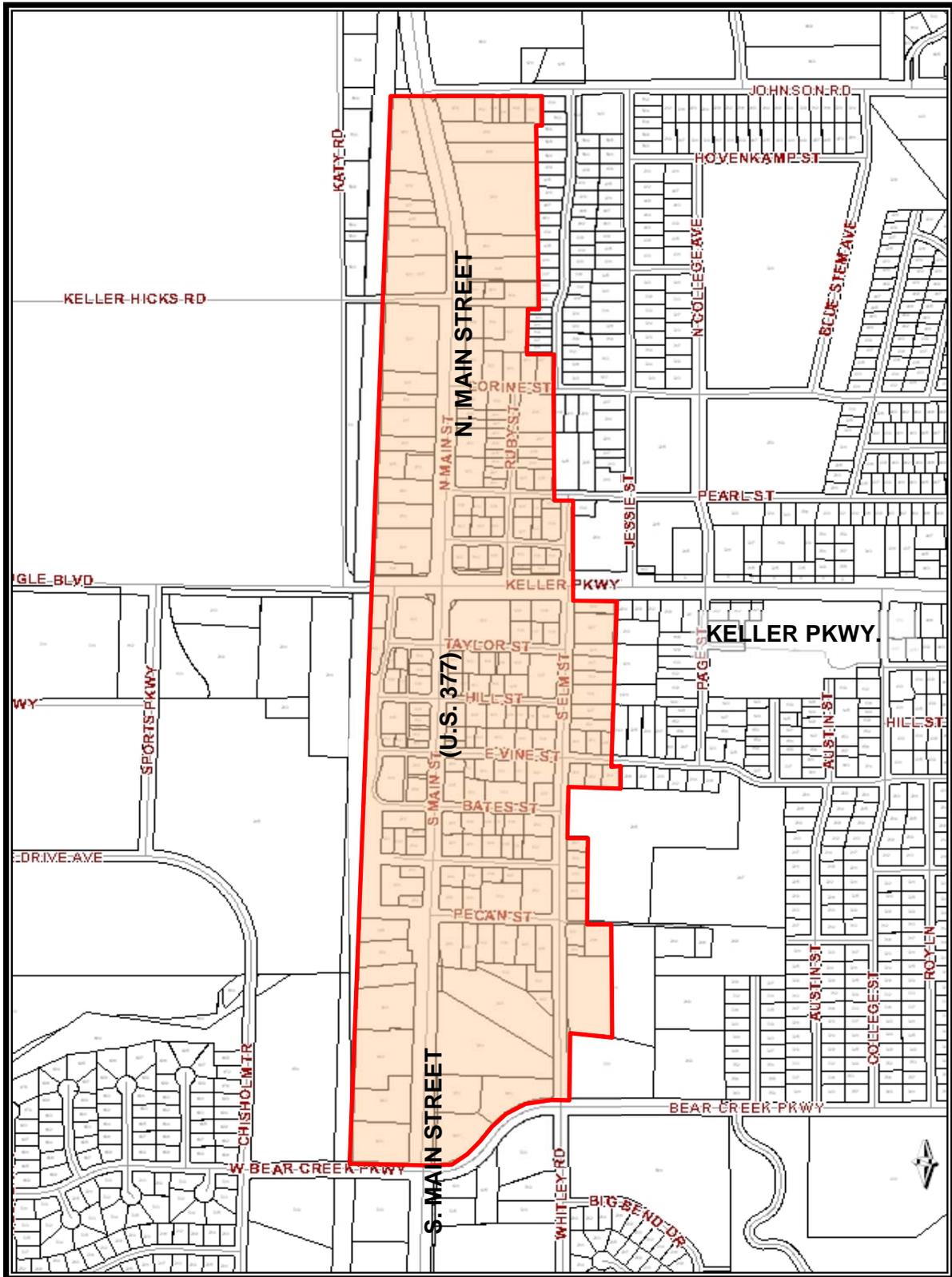


Figure 1 - Old Town Keller Boundary

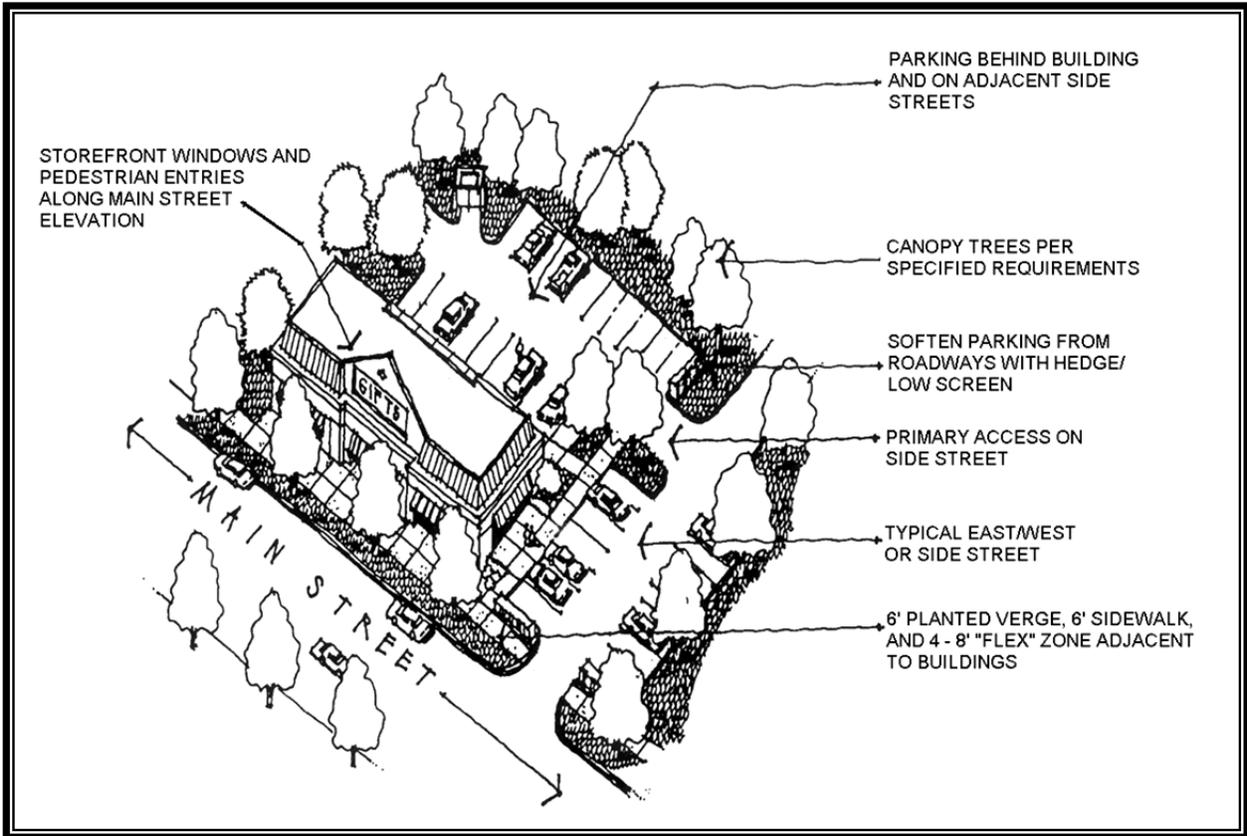


Figure 2 - Building Relationship to Main Street

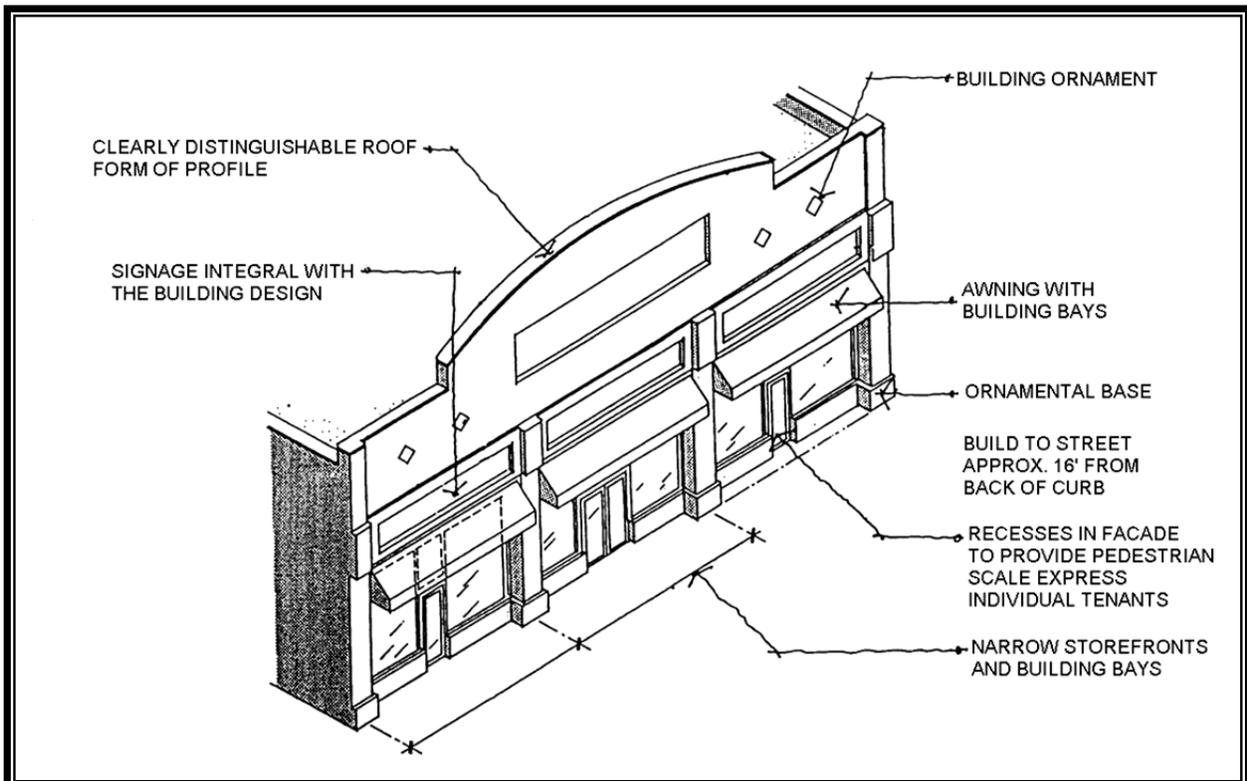


Figure 3 - Main Street Facade Treatments

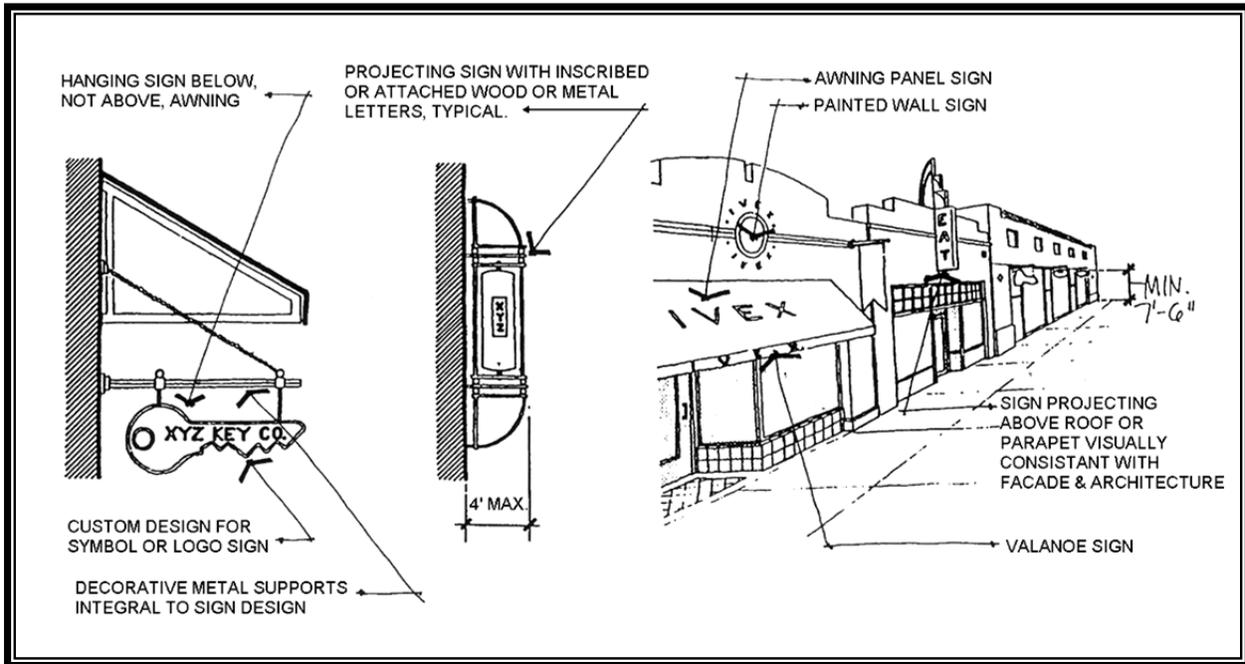


Figure 4 - Projecting Signs & View From Main Street

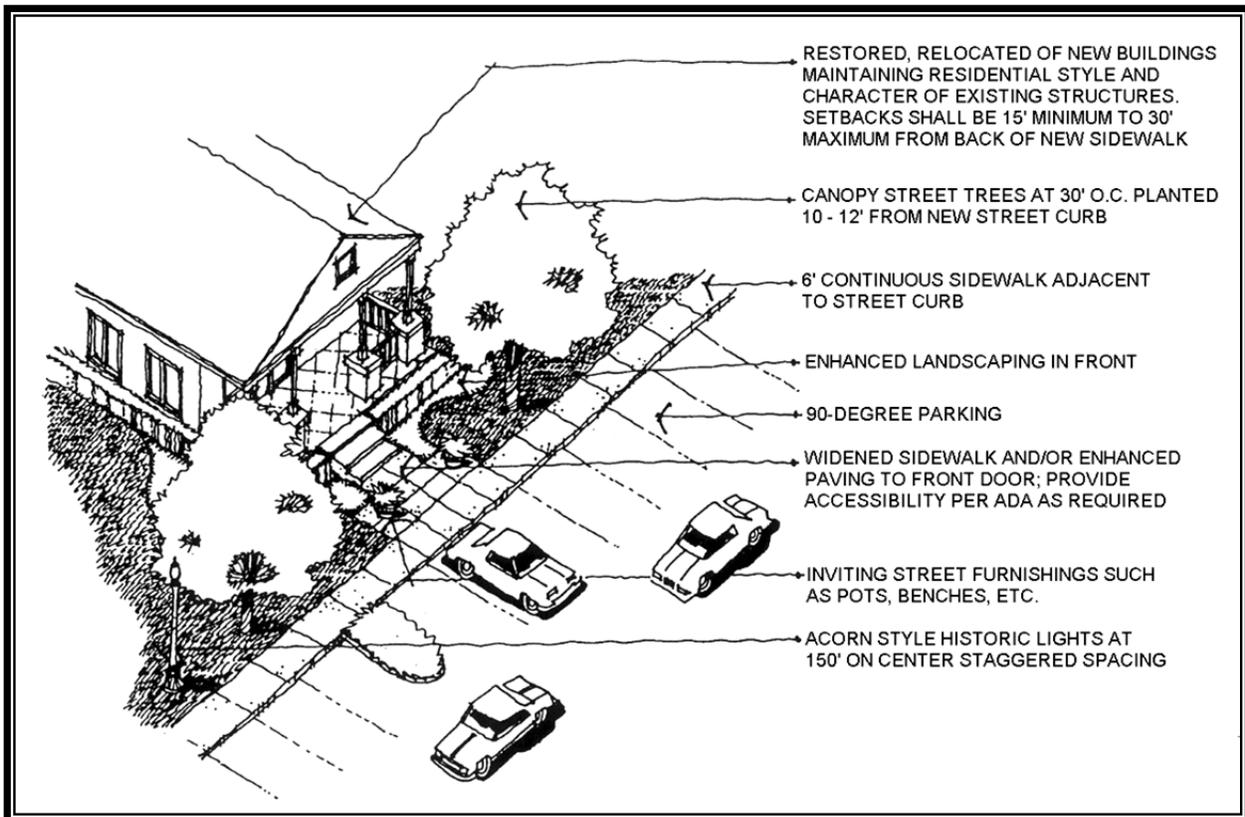


Figure 5 - Typical Neighborhood Street

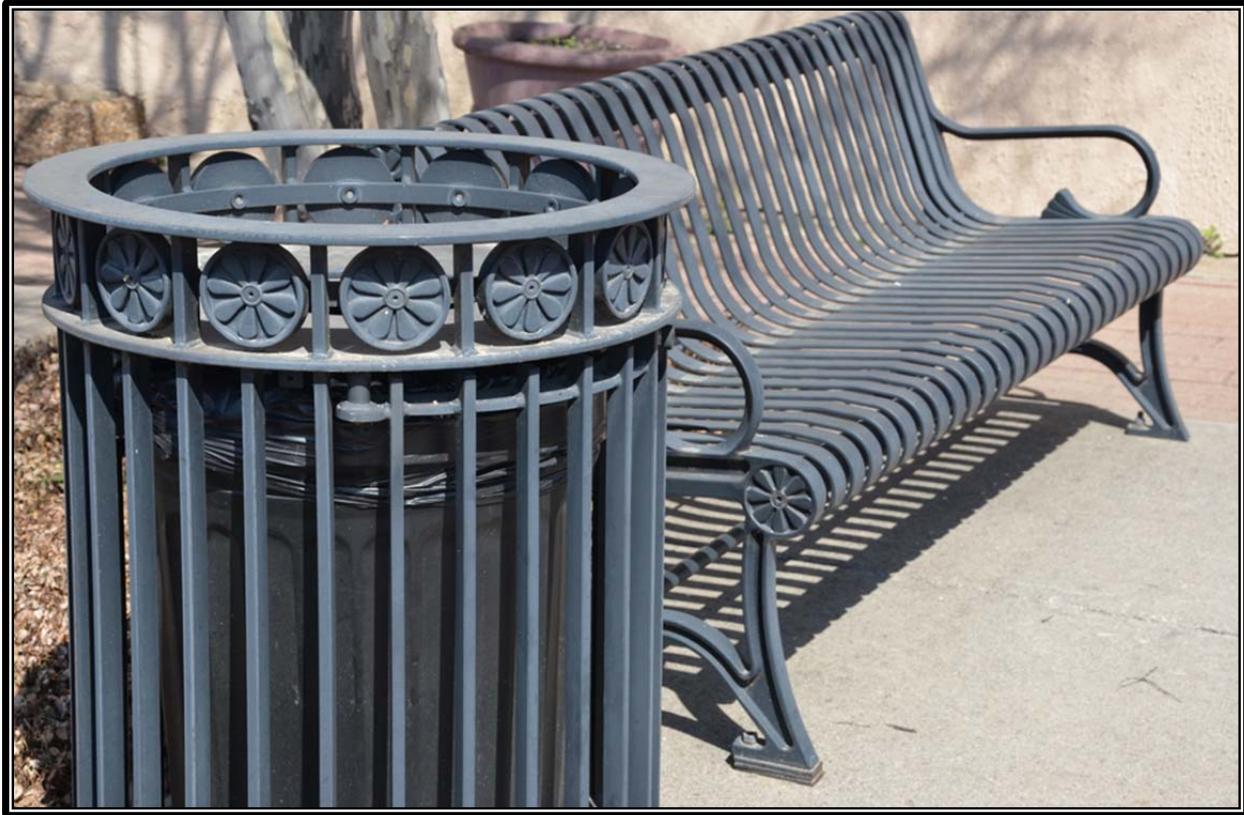


Figure 6 – Trash Receptacles and Street Furniture

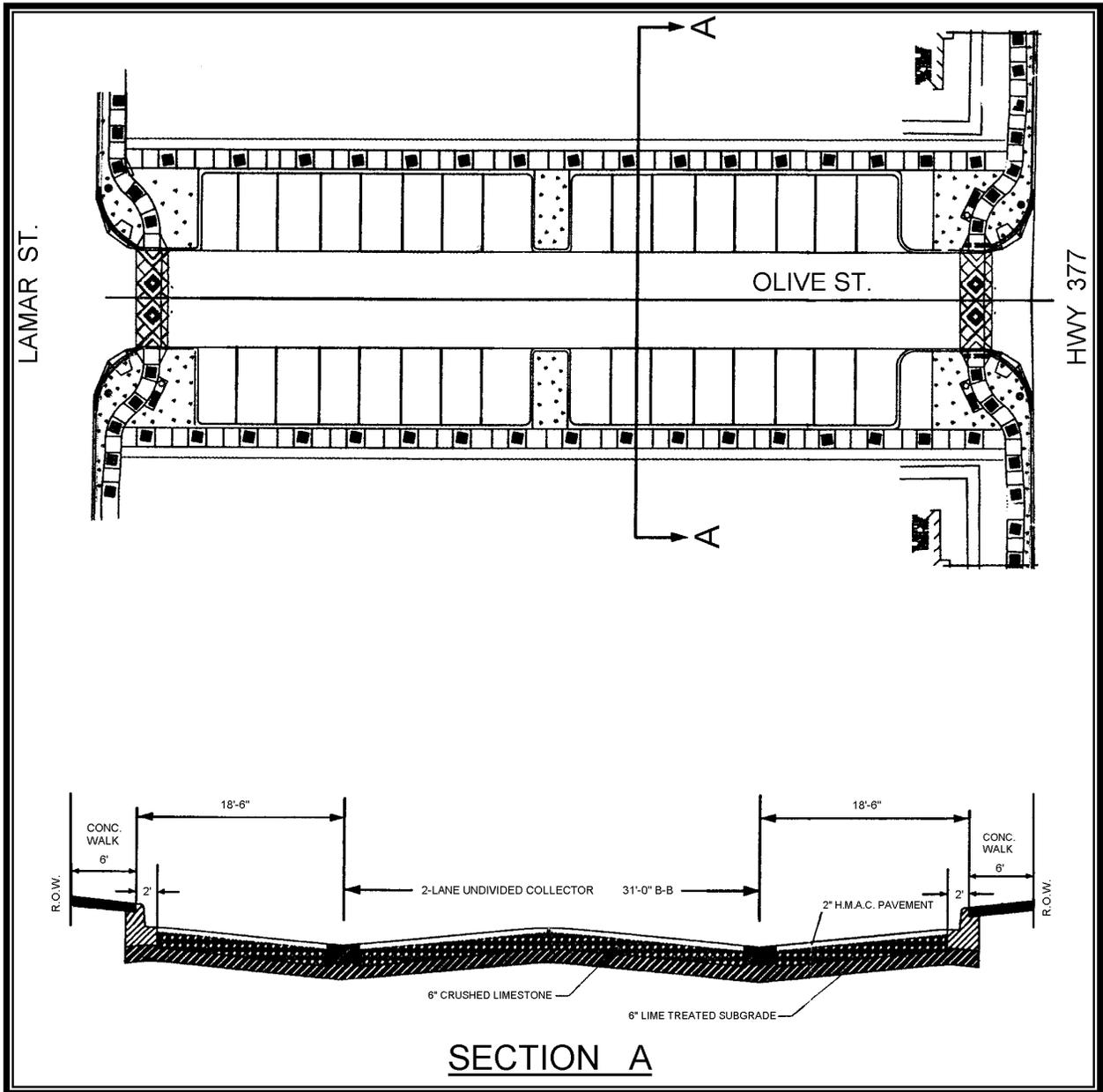


Figure 7 - Typical Cross Section of Street in Old Town Keller

R. KR - 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 <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	SUP
Automobile Repair, Minor <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	P
Automobile Repair, Sales and Service <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	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
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

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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
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
Pet grooming, no outside pens	P
Pet grooming with outside pens	SUP

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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 (with outdoor pens) may or may not include grooming facility	SUP
Veterinarian Clinic (no outdoor pens) may or may not include grooming facility	P
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.
- 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 8.03 (R.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 8.07](#) 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.
- 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 8.09 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) Wall murals shall be considered on a case-by-case basis and approved by City Council as an element of a site plan application.

2) Detached or Ground Mounted Signage

- a) Detached or ground mounted signs are allowed in accordance with the sign provisions in Section 8.09 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 8.09 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 8.09 of this Code.
- b) Temporary banner signs are allowed in accordance with the sign provisions in Section 8.09 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 8.13](#) 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 8.16 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.
- 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 8.03 (R.5.g) and (R.5.h) of this Code.

l. 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.

7. Illustrations

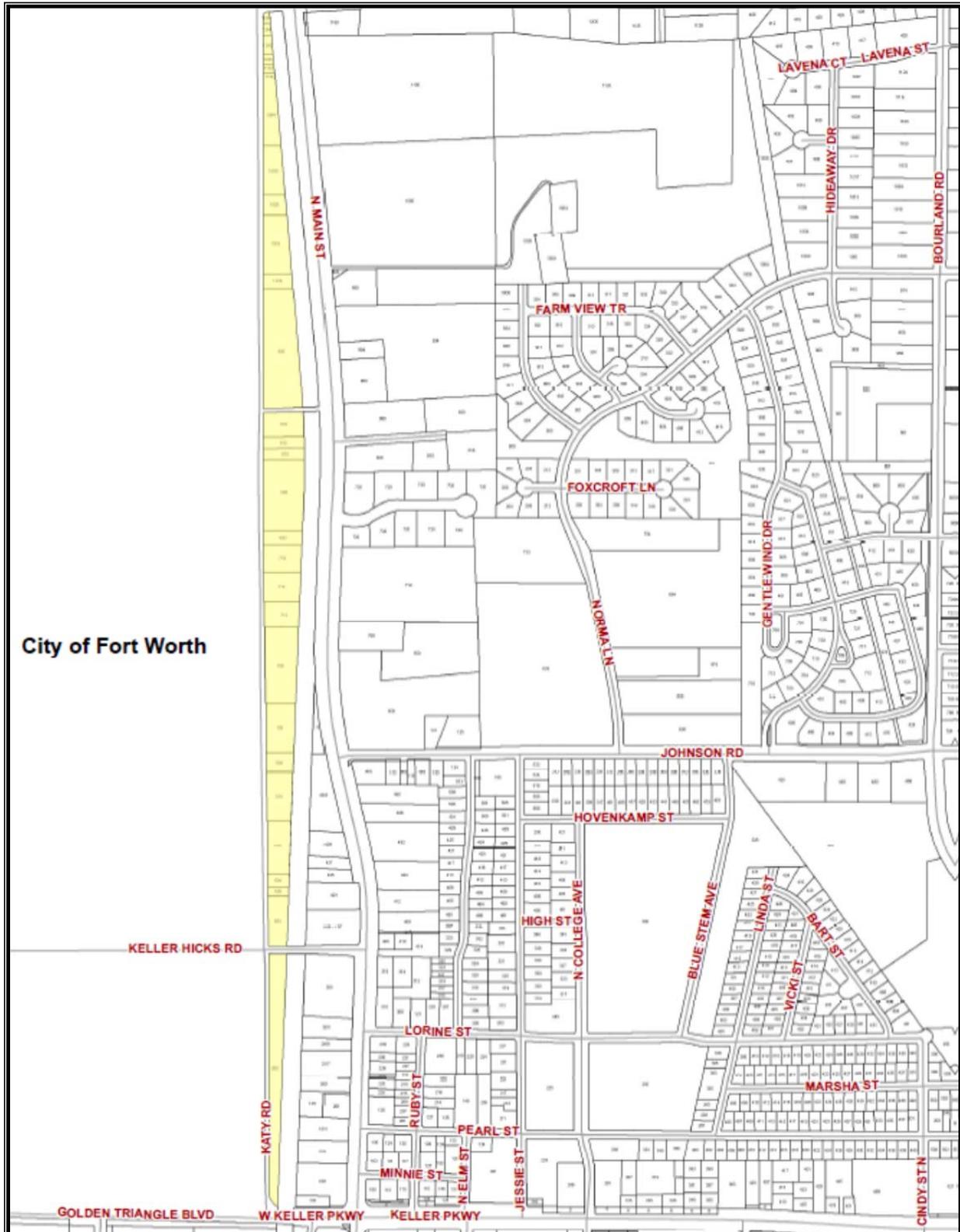


Figure 1 - Overall Katy Road District Boundary

S. 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 8.07 - 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 8.04(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 <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	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	P
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
Pet grooming, no outdoor kennels	P
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

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Radio broadcasting without tower	SUP
Religious institution	P
Research and scientific laboratories	P
Retail uses and services wholly enclosed within a building	P
Veteranarian Clinic (with or without outdoor pens) includes grooming facility	SUP
* All uses listed in Retail Zoning District with the same conditions.	P

T. 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 8.07 - 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 8.04(I)

- = 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 <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	SUP
Automobile Repair, Sales and Service <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	P
Batching plant (temporary)	Permit
Heliports and helistops	SUP
Hospital	P
Hotel/Motel	P
Light Manufacturing wholly enclosed within a building	P
Medical clinic, office, or laboratory	P
Offices, City, County, State, and Other Governmental	P
Public Parking Garage associated with a building	P
Religious institution	P
Research and scientific laboratories	P
Technology/Research and Development	P
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P

U. 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 8.07 - 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 8.04(I)

- = 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 <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	SUP
Automobile Repair, Sales and Service <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	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
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
Minor medical emergency clinic	P
Religious institution	P
Sexually oriented uses	SUP
Truck rental or leasing	SUP
* All uses listed in Retail and Commercial Zoning District with the same conditions.	P

V. FP – Flex Space District

1. General Purpose and Description

The purpose of the Mixed Use Flex Space District is to encourage the mixing of residential, retail, office and warehouse uses within an urban framework which is small in scale and compatible with adjacent developments. This section is also intended to promote flexibility in the development process.

2. Permitted Uses

The attached uses are permitted in the “FP” District, provided that such manufacturing or industrial operation shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence 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. Flex Space zoning shall permit development only in accordance with a Site Plan, in accordance with this UDC, that has been approved by the City Council. Property zoned Flex Space may only be used and/or developed in accordance with its approved Site Plan. No amendment(s) to an approved Site Plan are permitted without City Council approval. A request to amend a Site Plan in a Flex Space district is a request to re-zone the tract. Uses permitted under an approved Site Plan are only permitted in strict accordance with the corresponding, approved Site Plan.

The following uses of Land are authorized as permitted uses within the Flex Space District, strictly in accordance with an approved Site Plan as provided for herein below and within the UDC. Uses are further classified according to general categories of land uses. To the extent expressly authorized by these district regulations, a general use category shall be identified on a Site Plan. Upon approval of such plan, any use appearing in the use list, which is classified under such general category, is authorized to be established in accordance with the Site Plan, and any conditions attached thereto.

a. Principal Uses (as provided in the FP Land Use Table):

- 1) Residential uses
- 2) Commercial uses
- 3) Retail uses
- 4) Office uses
- 5) Warehouse uses
- 6) Light Manufacturing uses
- 7) Light Industrial uses

b. Accessory Uses: The following uses shall be permitted as accessory uses, strictly in accordance with an approved Site Plan as provided for herein below:

- 1) Community, social, hobby or laundry facilities for use by occupants of a development within the district.
- 2) Recreation space and facilities including exercise facilities and weight rooms, tennis courts, racquetball, handball and volleyball courts, spas and swimming pools, for use by occupants of a development within the district.
- 3) Parking and parking structures.
- 4) Daycare.

5) Other uses customarily incidental to the permitted uses.

3. Height Regulations

Maximum Height - No building shall exceed fifty (50) feet in height unless the additional height is set back from the setback line/build to line one (1) additional foot for each two (2) feet of height above the 50-foot limit.

A turret, spire or tower may exceed maximum height of a building provided that any such structure is no more than 15-feet higher than the maximum permitted height and has a floor area which is ten percent, or less, of the ground floor area of the building of which it is a part.

4. Density and Area Regulations

The density and area standards shall apply:

- a. **Maximum Lot Coverage:** The combined area occupied by all impervious coverage (main structures, accessory structures and ground surfaces) shall not exceed eighty percent (80%) of the total lot area.
- b. The area of an above grade parking structure is included in the calculations of lot coverage
- c. The area of a porch or arcade fronting a public street is included in the calculation of lot coverage.
- d. **Minimum Density/Floor Area Ratio (FAR)** – The gross minimum density/ FAR for the Mixed Use District shall be 1.5.
- e. **Minimum Floor Area per Dwelling Unit:**
 - Efficiency - 600 square feet
 - 1 Bedroom - 750 square feet
 - 2 Bedroom - 900 square feet
 - 3 Bedroom - 1,000 square feet
- f. **Size of Lots**
 - 1) **Minimum Lot Width** - two hundred feet (200’).
 - 2) **Minimum Lot Depth** – two hundred feet (200’).
- g. **Size of Yards**
 - 1) **Build-to line:** The build-to line for accessory and primary buildings, structures, walls and fences shall be ten feet (10’) on all public street frontages except where landscape buffers are greater, then they shall meet the landscape buffer. Twenty-five (25) percent of any street frontage of a building shall be located five feet (5’) from the front property line.
 - a) The zone between the right-of-way line and the build-to line shall be landscaped in accordance with the UDC.
 - b) There shall be no build-to-line/setback for temporary buildings, structures or tents erected in accordance herein, provided sidewalks are not obstructed.
 - 2) **Perimeter Setbacks:** Primary buildings and parking structures shall be setback from the district boundary lines a minimum of ten feet (10’).

- 3) Overhangs and fireplaces: The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof stairways located above the first floor may extend up to a maximum of five feet (5') into the required setbacks.
- 4) Patios: Patios may not be constructed within the required setback zones. This limitation, however, does not apply to sidewalk cafes.

5. Other Regulations

a. Parking: Off-street facilities shall be provided for all uses, in accordance with this section.

- 1) Parking garages shall be located behind and be wrapped (joined on three sides) by the proposed primary uses.
- 2) Parking space count shall be passed on proposed uses, as described in Section 8.07 of the UDC with credit being given for shared parking as described herein.
- 3) Parking garages shall not have frontage on public streets.
- 4) Ramps shall not be placed on the face of parking structures fronting, or visible from, public streets.
- 5) Steel parking garages and steel guard cables on garage facades are prohibited.
- 6) Off-street below grade parking is permitted to the lot lines, but must be designed to allow planting of landscape as defined in the UDC.
- 7) Shared Parking: Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two or more specific uses occurs at alternating time periods. Required parking shall be determined based on parking demand for the peak parking period, as determined by a parking analysis study approved by the Planning Manager.

b. Exterior Appearance

- 1) Materials: At least ninety percent (90%) of the exterior cladding of all exterior walls fronting or visible from public streets (including above grade parking structures) shall be of masonry construction exclusive of doors and windows. An applicant however may submit a design that employs alternative construction materials for exterior cladding with an application for a Flex Space District designation. The alternative may be approved by the City upon determination that such construction will result in an appearance that is compatible with surrounding buildings and the overall character of the district.
- 2) Upon a finding that the alternative design will result in an appearance that is compatible with surrounding buildings and the overall character of the district, waivers may be granted for alternatives employing a minimum of forty percent (40%) masonry cladding, provided that the ground floor of the structure (up to a height of twelve [12] feet), is a minimum of ninety percent (90%) masonry.
 - a) At least eighty percent (80%) of the exterior cladding of all walls not fronting, or not visible from public ways (including above grade parking structures) shall be masonry construction.
 - b) The exterior cladding, (excluding doors and windows), of all buildings, (including above grade parking structures), shall be composed of not more than three (3) materials, (excluding roofs).
 - c) The following materials are prohibited as primary cladding materials:

- i. Wood or plastic siding.
 - ii. Wood roof shingles.
 - iii. Architecturally finished concrete block is permitted as a cladding material.
 - iv. Corrugated panels; galvanized steel, corrugated aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish are prohibited, however architectural metal is permitted.
 - d) The following materials are prohibited as primary roofing materials:
 - i. Wood roof shingles.
 - ii. Composition shingles on any portion of a roof visible from any adjacent street.
 - iii. Corrugated panels; galvanized, corrugated aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish are prohibited, however architectural metal is permitted.
- 3) Colors
 - a) The dominant color of all buildings (including above grade parking structures) shall be shades of red, beige, gray with red tones (warm gray) and/or brown. Black and stark white shall not be used. There are no restrictions on accent colors, except that fluorescent colors are prohibited.
 - b) The roof colors shall be a shade of cool gray, warm gray, brown or red.
- 4) Windows:
 - a) Where a retail use occupies the first floor, at least seventy percent (70%) of the first floor exterior wall facing a thoroughfare, street, boulevard or parking plaza shall be transparent glazing.
 - b) The exterior wall surface of all buildings above the first floor shall not be more than fifty percent (50%) non-reflective, non-glare glass.
 - c) Glass is to be non-glare, clear or tinted, not reflective.
- 5) Walls attached to buildings shall be developed as architectural extensions of the buildings, constructed of the same material and in the same style.
- 6) All on-site lighting, landscaping and signs must meet the requirements of the UDC.
- 6. Screening: Screening within the Flex Space District shall comply with the provisions of the UDC and the following:
 - a. Mechanical equipment shall be screened from view of all public roadways and located to minimize noise intrusion off the lot. The required screening must be composed of the same exterior materials as the buildings on the lot, or through the use of masonry walls, ornamental fence (eighty [80] percent opaque), evergreen landscape material, or combination thereof.
 - b. All roof-mounted mechanical elements must be screened from view of the public right-of-way and neighboring properties. Screening must be architecturally compatible with the building design.

- c. Loading, service and trash storage areas shall be screened from all public roadways. Refuse containers must be placed on a designed, reinforced concrete pad and approach, per the UDC. The required screening must be composed of the same exterior materials as the buildings on the lot.
7. Outside Sales and/or Commercial Promotions:
- a. Any temporary outside sales shall be required to obtain a permit and be subject to the requirements of this section.
 - b. Temporary outside sales may be permitted for a period of fourteen (14) days each event with a maximum two (2) permits allowed per calendar year, providing such goods, products or merchandise is displayed on a sidewalk within ten feet (10') of the business building.
 - c. Temporary outside sales shall be deemed to include merchandise-dispensing units placed adjacent to, and outside of, a business building.
 - d. In order to qualify for a permit, the applicant must:
 - 1) Provide a plan showing the location of the outside display.
 - 2) Provide the City with a Site Plan showing location(s) of all tents (if applicable). Submit documentation showing compliance with all building and fire codes including, but not limited to, flame spread certificate(s).
 - 3) Provide a map, plan, or drawing to indicate adequate off-street parking for patrons, employees and delivery trucks; such map, plan or drawing should also indicate that no fire lanes, streets or other public rights-of-way will be blocked as a result of the sale or promotion.
 - 4) Provide for adequate trash and waste removal and cleanup of the area.
 - 5) Comply with all other reasonable conditions imposed by the City.
8. Outside Storage or Outside Display: Except for the equipment and/or the materials stored on a construction site and used for a temporary construction project, the outside storage or outside display of equipment, building and/or other materials, goods and products shall be prohibited within the district, with the exception of outside dining shown on an approved Site Plan.
9. Flexible Standards
- a. Alternative Uses or Phases: In order to encourage an integrated development pattern of mixed uses over time within the district, it is understood that flexibility in the development of phases or sites may be necessary. Whenever an applicant of a Flex Space District proposes alternative land uses or phases of an approved Flex Space District, such alternative uses or phases shall be incorporated in a zoning amendment to the Flex Space District. The zoning amendment for alternative land uses or phases shall constitute a zoning change and shall follow the procedures. In no case, however, may the Council approve an alternative use not allowed in the Use Tables for the Flex Space District.
 - b. Flexible Design Standards: It is intended that the general conditions, as well as the dimensional and design standards set forth herein be flexible in order to encourage development in the Flex Space District. In some cases, the standards set forth may be varied. For requests other than those set out in herein, developer must request a waiver from a specific standard. The Council may approve such waiver in conjunction with its decision to establish or amend the district in those cases where the waiver addresses a standard applicable to the Site Plan.

10. Waiver Procedure

- a. Procedure: An application for a waiver to a development standard authorized under this article must be made by a property owner, lessee, or contract purchaser at the time of submission of an application to establish a Flex Space District. A contract purchaser or lessee must file with the application, a copy of the contract, or lease, or other form of written statement containing the property owners' endorsement of the application. The application shall be filed in duplicate with Community Development Department on forms provided by the City. Upon a determination that the waiver application is complete, the Planning Manager shall forward the request to the Planning and Zoning Commission and the City Council for decision in conjunction with its decision on the application to establish a Flex Space District.
- b. Standards for Granting Waiver: The Planning and Zoning Commission in making its recommendations, and the City Council in deciding whether to grant the request for waiver, shall determine that the following standards are met:
 - 1) The waiver for the specific development site is in harmony with the policies in the Comprehensive Master Plan.
 - 2) The waiver is in harmony with the general purpose and intent of this article and the zoning ordinance.
 - 3) The waiver shall not adversely affect the use of neighboring property, and the public's use and enjoyment of public areas, in accordance with the provisions of this article.
 - 4) The waiver is in conformity with the approved Site Plan.
- c. Lapse of Waiver: A waiver granted under this section shall lapse with the lapse of the approved Site Plan or amendment to the Flex Space Mixed Use District, in accordance with this article.

11. Amendments of a Site Plan

General Requirement: Amendments of any Site Plan shall be made in accordance with the procedure required for approval of the initial plan. Amendments to a Site Plan shall be considered amendment to the Flex Space Zoning District.

12. Design Requirements

- a. Day Care Facility:
 - 1) Freestanding day care facilities shall not be permitted.
 - 2) Day care facilities shall only be permitted on the ground floor level as an accessory use to (a) primary use(s).
 - 3) Maximum allowable size for a day care facility shall be 5,000 square feet.
 - 4) Parking for a day care facility shall be counted as shared parking except that daycare employees must be provided parking in conformance with the UDC parking standards.
- b. Restaurant: A restaurant may be permitted in the Flex Space District as a conditional use, however, drive-through restaurants shall not be permitted.
- c. Outdoor Seating Area: Use Patio Dining Criteria from Old Town Keller.

13. 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.

Flex Space 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 8.04(I)

Use	SUP or P
Administrative, professional or corporate office	SUP
Accessory Dwelling as part of a primary structure	SUP
Assembly of light electronic instruments and devices (enclosed building)	SUP
Assembly of products including packaging	SUP
Assembly of radios/audio/visual equipment/communication equipment	SUP
Automobile Repair, Minor <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	SUP
Automobile Repair, Sales and Services <i>(Amended by Ord. No. 1828 on January 17, 2017)</i>	SUP
Batching plant (temporary)	Permit
Commercial engraving/printing (including newspapers)	SUP
Heating and air conditioning sales and services	SUP
Light Manufacturing wholly enclosed within a building	SUP
Office Warehouse	SUP
Offices, City, County, State, and Other Governmental	SUP
Overnight delivery and service center	SUP
Public Parking Garage associated with a building	SUP
Religious institution	SUP
Research and scientific laboratories	SUP
Restaurants	SUP
Retail	SUP
Technology/Research and Development	SUP

Section 8.04 - Planned Development Districts

Planned Development Districts shall be used in conjunction with base zoning district, unless changed by zoning amendment. New base districts or changes in existing base districts may be requested at the same time planned development districts are requested. Unless otherwise specified, all uses in the base district are applicable for a planned development district.

A. General Purpose and Description

The Planned Development District is a district which accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed, or operated as integral land use units either by a single owner or a combination of owners. A Planned Development (PD) District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this Code. While greater flexibility is given to allow special conditions or restrictions, which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility. The minimum area for a Planned Development (PD) District shall be one (1) acre.

B. Permitted Uses

An application for a PD District shall specify the base district(s), the use or the combination of uses proposed. Uses which may be permitted in a PD must be specified if not permitted in the base district. In the case of residential PD districts for single-family or duplex categories, the proposed lot area shall be no smaller than the lot sizes allowed in the base zoning district except for minor reductions in a small percentage of the lots in order to provide improved design. In selecting a base zoning district, the uses allowed in the base district must be similar or compatible with those allowed in the PD. A PD designation may not be applied to the TC, Town Center district except for residential developments. PD designations shall not be attached to Specific Use Permit (SUP) requirements. Specific Use Permits allowed in a base zoning district are allowed in a PD only if specifically identified at the time of PD approval.

C. Planned Development Requirements

1. Development requirements for each separate PD District shall be set forth in the amending Ordinance granting the PD District and shall include, but may not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, building material coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, hours of operation, project phasing or scheduling, management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.
2. In the PD District, uses shall conform to the standards and regulations of the base-zoning district to which it is most similar. The base zoning district shall be stated in the granting Ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Code (applications without this list will be considered incomplete) specifically any deviation not requested is deemed to comply with this Code even if shown graphically on a Site Plan. The Planned Development District shall conform to all other sections of this Code unless specifically excluded in the granting Ordinance.
3. The Ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and general statement citing the reason for the PD request.

D. In establishing a Planned Development District in accordance with this section, the City Council shall approve and file as part of the amending Ordinance appropriate plans and standards for each Planned Development District. To facilitate understanding of the request during the review and public hearing process, the Planning and Zoning Commission and City

Council shall require, at minimum, a Conceptual Plan. A Detailed Site Plan may be submitted in lieu of a concept plan. All PD applications shall have a written proposal explaining all aspects of the requested PD including any deviations from this Code.

1. Conceptual Plan - This plan shall be submitted by the applicant at the time of the PD request. The plan shall show the applicant's intent for the use of the land within the proposed Planned Development District in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s), which further describe and explain the following requirements:
 - a. General use;
 - b. Preliminary lot arrangements;
 - c. Size, type, height and location of buildings and building sites;
 - d. Building elevations;
 - e. Access;
 - f. Density;
 - g. Fire lanes;
 - h. Topography;
 - i. Boundary of PD area;
 - j. Existing physical features of the site, including existing streets, alleys and easements;
 - k. Location of future public facilities including streets, water, sanitary sewer, etc.;
 - l. Parking ratios;
 - m. Conceptual landscaping plans showing turf areas, screening walls, ornamental planting areas, wooded areas, and treed areas; and
 - n. Other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final Detailed Site Plan.
2. Detailed Site Plan - This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the Conceptual Plan. Changes of detail on the Detailed Site Plan, which differ from the original Concept Plan, but do not alter the basic relationship of the proposed development to adjacent property, the uses permitted, or increase the density, building height or coverage of the site, the off-street parking ratio or reduce the yards provided at the boundary of the site, or does not significantly alter the landscape plans as indicated on the approved Conceptual Plan may be authorized by the City Council. Approval of the Detailed Site Plan shall be the basis for issuance of a building permit, but does not release the applicant of the responsibility to submit plans to the Building Official for a building permit. The detailed site plan shall describe and explain the following requirements in addition to those required in Sections 4.13 or 4.15 of this Code:
 - a. Specific uses and density;
 - b. Final lot arrangements including the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with a topographical contour interval of not more than two feet (2');

- c. Site inventory analysis including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.
 - d. Scaled drawing showing proposed size, type, height and location of buildings and building sites for non-residential, multi-family or mixed used developments;
 - e. Scaled drawing showing proposed building lots and pad elevations for single family residential developments;
 - f. An architectural plan (elevations, etc.) showing elevations and signage style to be used throughout the development. Planned developments intended for custom single-family homes shall provide a summary of architectural requirements that will guide the design and construction of the homes.;
 - g. Scaled drawing of traffic circulation including points of egress and ingress;
 - h. A dimension control plan showing property lines and all dimensions for rights-of way, easements, setbacks (the minimum distance between buildings and property lines), the location of separate buildings and the minimum distance between buildings. Also to be included on the dimension control plan is the arrangement and number of off-street parking.;
 - i. Scaled drawing of fire lanes and emergency access if other than standard egress and ingress;
 - j. Topography;
 - k. Boundary of PD area;
 - l. Existing physical features of the site, including existing streets, alleys and easements;
 - m. Scaled drawing showing location of planned public or private streets and alleys, street widening or any street changes, curb cuts (width and curve radii);
 - n. Scaled drawing showing general location and description of proposed utility services including water lines/mains, sanitary sewer lines/mains, storm sewer, etc. Indicate whether these service lines are located in easements or rights-of-way;
 - o. Scaled drawing showing location of planned parks, playgrounds, school sites;
 - p. Parking ratios;
 - q. Conceptual landscaping plans showing turf areas, screening walls, ornamental planting areas, wooded areas, and treed areas; and
 - r. Other information to adequately describe the proposed development and to provide data describing standards, regulations, or other data pertinent to the development of the Planned Development District as appropriate to adequately explain or understand the request.
- E. Approval Process and Procedure - The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in [Section 8.02 \(D\)](#). This procedure is further expanded as follows for approval of Conceptual and Detailed Site Plans.
- 1. If a Detailed Plan is submitted with the PD request, then a Conceptual Plan is not required. A Conceptual Plan or Detailed Site Plan, whichever is submitted with the PD request, shall be heard before both Planning and Zoning commission and City Council in public hearings. The Planning and Zoning Commission shall consider the request

and make its recommendation to the City Council. The City Council shall consider the request and make the final determination.

2. If a Concept Plan is submitted with the PD request, then a Detailed Plan will also be required. If the Detailed Site Plan conforms substantially to the conceptual Site Plan as approved by the City Council, then a public hearing on the Detailed Site Plan is not required. The staff shall review the Detailed Site Plan for conformance to the Concept Plan and other requirements set forth for a Detailed Site Plan. Approval of a Detailed Site Plan is required prior to issuance of a building permit.

If the Detailed Site Plan is not in conformance with the Conceptual Plan, then additional public hearings are required by the Planning and Zoning Commission and City Council prior to approval of the Detailed Site Plan. If additional public hearings are required, additional processing fees will be assessed. After approval by the City Council, a building permit may be issued for the project.

3. The amending Ordinance establishing the Planned Development District shall not be approved until the Conceptual and/or Detailed Site Plan is approved.
 - a) The Detailed Site Plan may be approved in sections. When a Site Plan is approved in sections, then separate approvals for subsequent sections or phases will be required.
 - b) A Detailed Site Plan shall be submitted for approval within one (1) year from the date of approval of the Conceptual Plan for all or some portion of the Concept Plan. If a Detailed Site Plan is not submitted within one (1) year, the Concept Plan is subject to review by the Planning and Zoning Commission and City Council. If some portion of the project is not started within two (2) years, the Planning and Zoning Commission and City Council may review the original Concept Plan or Detailed Site Plan to ensure its continued validity. If the City determines the Concept Plan is not valid, a new Concept Plan must be approved prior to a Detailed Site Plan for the PD District. Although a new Concept Plan or Detailed Site Plan may be required to be approved, this does not effect the validity of the PD in terms of uses, density, and other development standards permitted in the PD.

F. When a PD District is being considered, a written report from the Planning Manager or his/her designated representative, discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic, and written comments from the applicable public agencies shall be submitted to the Planning and Zoning Commission prior to the Commission making any recommendations to the City Council.

G. All Planned Development Districts approved in accordance with the provisions of this Code in its original form, or by subsequent amendments thereto, shall be referenced on the Zoning District Map, and a list of such Planned Development, together with the category of uses permitted therein, shall be maintained as part of this Code.

H. Planned Development Ordinances Continued

Prior to adoption of this Code, the City Council has established various Planned Development Districts, some of which are to be continued in full force and effect. The ordinances or parts of ordinances approved prior to this Code specified in [Article Eight](#) shall be carried forth in full force and effect and are the conditions, restrictions, regulations, and requirements which apply to the respective Planned Development Districts shown on the Zoning Map at the date of adoption of this Code.

I. Uses or Developments Allowed Only by PD - Because of the uniqueness of the following uses in Keller, they shall be permitted by PD designation only. All planned developments shall provide for fifteen percent (15%) of the development in usable open space exclusive of street yard landscaping. This includes, but not limited to, landscaped hike/bike trail, open area recreational facilities, parks and playgrounds, water features and decorative

objects such as fountains. Usable open space shall not include rooftops, accessory buildings, parking areas, driveways, turnaround areas, or the right-of-way or easement for streets or alleys.:

1. Single-Family Attached Dwelling (Townhouse)
2. Patio Homes
3. Mobile Home Development
4. Private Street Residential Development
5. The following uses shall only be permitted in a Planned Development (PD) District that is specifically designated for such a use:
 - a) Airport.
 - b) Athletic stadium or field (private).
 - c) Theater-outdoor.
 - d) Batching plant (concrete or asphalt).
 - e) Wrecking yard, auto salvage, junkyard, or outside reclamation.
 - f) Industrial processing uses such as:
 - 1) Canvas
 - 2) Cellophane
 - 3) Cement or hydrated lime manufacture
 - 4) Clay products utilizing previously pulverized clays and gas or electric kilns
 - 5) Cork
 - 6) Feathers
 - 7) Felt
 - 8) Fiber
 - 9) Fur
 - 10) Glass
 - 11) Horn
 - 12) Industrial manufacturing
 - 13) Leather
 - 14) Meat packing plant
 - 15) Oil or gas extraction
 - 16) Paint, not employing boiling process
 - 17) Paper

- 18) Plastics
- 19) Precious/semi-precious metal or stone
- 20) Shell
- 21) Textiles
- 22) Tobacco
- 23) Wood
- 24) Yard

Section 8.05 – U.S. Highway 377 North Overlay District

A. General Purpose and Description

The purpose of the U.S. Highway 377 North Overlay District is to implement additional development regulations within the U.S. Highway 377 North Corridor Plan. The regulations and standards of this overlay district are reflective of the high visibility and traffic volumes of the corridor. They are intended to create unique site design, building architecture, and streetscape that enhance the overall image of the corridor while remaining compatible with adjacent developed and planned residential neighborhoods.

1. Boundary

The U.S. Highway 377 North Overlay District encompasses land parcels on the east side of U.S. Highway 377 from Johnson Road north to the southern rights-of-way line of Marshall Ridge Parkway. The boundary of the District is shown in Figure 1.

2. Marshall Ridge Subdistrict

The U.S. Highway 377 North Overlay District contains one subdistrict – Marshall Ridge. The common boundary between the subdistrict and the rest of the overlay district is Mt. Gilead Rd. as depicted in [Figure 3](#).

B. Permitted Uses

The U.S. Highway 377 North Overlay District amends the permissible uses of the base or underlying Commercial or Light Industrial zoning districts. Permissible uses within the U.S. Highway 377 North Overlay District are allowed in the same manner, by right or with approval of a Specific Use Permit, as in the underlying zoning district except as noted in “1.”, “2.”, and “3.” below.

1. The following uses are prohibited within the U.S. 377 North Overlay District: Cemetery or Mausoleum (new or expansion); Fraternal Clubs, Lodges, Sororities and Fraternities, etc.; Freight or Truck Terminal Yard; Heavy Machinery Sales and Service; Heavy Vehicle Storage; Metal Recycling Collection Center; Monuments and Headstone Sales with Outside Storage; Newspaper Printing; Portable Building Sales with Outside Storage; Veterinarian Office with Outside Pens.
2. The following additional uses are permitted by right within the U.S. 377 North Overlay District: Retail, Office, Office-warehouse, Restaurant (without Drive-thru), Minor Medical Emergency Clinics, Public Parking Garage.
3. The following additional uses may be permitted with approval of a Specific Use Permit within the U.S. 377 North Overlay District: Restaurant (including Drive-thru); Uses not specifically provided here-in.

C. General Standards

The standards within this section apply to the entire U.S. 377 North Overlay District.

1. Access Management

In addition to the Design and Technical Construction Standards in Article Nine of this Code, the following shall apply:

- a. Each site must have access to a median opening via private drive aisles, private streets, or public streets. The Director of Public Works may waive this requirement if topography, hydrology, or existing buildings or improvements make access to a median opening impractical.

- b. In the event that access to a median opening is not available, each site must have two (2) points of access. One or both points of access may be off-site.

2. Parking

- a. Parking for all uses shall be provided in accordance with [Section 8.07](#) of this Code; however, for developments with multiple uses with dissimilar parking demand characteristics, smaller parking ratios may be considered at the time of site plan approval. The minimum number of spaces shall be determined by a study following the procedures of the Urban Land Institute or Institute of Traffic Engineers parking reduction guidelines.
- b. The maximum allowable number of off-street parking spaces shall be the minimum number of required off-street parking spaces plus ten percent (10%). Parking spaces in excess of the maximum allowable number of parking spaces may be provided in accordance with the one of the following conditions:
 - 1) The parking in excess of maximum is constructed to mitigate storm water runoff. At a minimum, permeable paving and grassy swales/buffer strips, to convey storm water runoff from parking area to point of collection, shall be used to provide filtration and infiltration of storm water.
 - 2) Additional landscaping is provided to mitigate the negative aesthetics of large fields of parking. In addition to the required landscape area and landscape improvements in [Section 8.08](#) of this Code and in "3. Landscape Requirements" below, additional landscape areas and landscape improvements are provided as follows:
 - a) For each parking space constructed in excess of maximum, additional landscape area at the rate of seven (7) square feet per parking space shall be provided.
 - b) One additional canopy tree shall be provided for each three (3) parking spaces constructed in excess of maximum. The additional trees and landscape area shall be distributed in landscape areas within parking areas or adjacent to buildings and not in the landscape buffer.
 - c) No storm water mitigation measures or additional landscaping is required if excess parking is in elevated or below-grade parking structures. Parking structures are subject to area, yard, and bulk requirements of this Code.

3. Landscape Requirements

In addition to the required landscape area and landscape improvements in [Section 8.08](#) of this Code, the following shall apply:

- a. The required canopy trees for landscape buffers adjacent to thoroughfares shall not be placed in a linear arrangement with consistent spacing, but shall be in a random, free-form, and/or clustered arrangement.
- b. Up to one-half (1/2) of the required canopy trees for landscape buffers adjacent to thoroughfares and parking lot landscaping may be substituted with ornamental trees at a ratio of two (2) ornamental trees for each canopy tree. Ornamental trees shall be a minimum of eight feet (8') in height at the time of planting.
- c. Ornamental grasses may be used instead of shrubs for required foundation plantings. Similarly, ornamental grasses may be used for required parking lot screening provided the variety of the ornamental grass can satisfy the mature height and coverage requirements for such screening. Acceptable ornamental grasses are adapted or native ornamental grasses with low or medium water demand as listed for the North Central Texas region in the Texas Smartscape plant database.

- d. Buffalo grass or other native turf grasses with a mature height of twelve inches (12") or less may be used for up to fifty percent (50%) of the total turf area.
 - e. Masonry screening walls, three feet (3') in height, may be used in place of or supplement the required parking lot screening.
4. Energy Conservation Incentive

This incentive applies to any new or existing development within the overlay district. For buildings with minimum energy performance ratings that meet the requirements of the 2009 International Energy Conservation Code or that exceed the requirements of the 2006 International Energy Conservation Code by fifteen percent (15%), the required number of parking spaces may be reduced by fifteen percent (15%) or two (2) spaces whichever is greater.

D. Marshall Ridge Subdistrict Standards

The standards within this section apply to only the Marshall Ridge Subdistrict.

1. Development Standards

Site orientation and layout, size of lot, size of yards, and building heights shall be in accordance with the standards of the underlying Commercial zoning district.

2. Design Standards

The purpose of these design standards is that buildings and sites should reflect a modern, contemporary interpretation of Prairie Style architecture. The overall building forms, materials, and colors of Prairie Style architecture should be maintained; however, bold colors, metal finishes, and building ornamentation may be utilized as noted below.

a. Architectural Character

- 1) Buildings shall have a long and low building form with strong horizontal lines. Windows in geometric shapes and/or glass storefront may be arranged in ribbons to emphasize the horizontality of the overall building design.
- 2) Buildings shall contain or incorporate a minimum of two (2) of the following Prairie Style architectural elements: arcades, towers, foundation planter boxes, freestanding low masonry walls, mansard roofs, overhanging eaves, porticos, or awnings or canopies.
- 3) Building facades that face or front public streets or public ways shall comply with both of the criteria listed below. Building facades that do not face or front public streets or public ways shall comply with either criteria "a)" or "b)" below.
 - a) No building façade shall exceed a length of one-hundred feet (100') without a horizontal and vertical break or articulation in the façade. The horizontal and vertical break or articulation shall be a minimum depth/height of three feet (3') for a minimum length of twenty feet (20').
 - b) Facades shall contain patterns of contrasting materials, material colors, and material textures that visually break up the horizontal and vertical expanse of the façade.

b. Building Materials

- 1) The building materials for a minimum of ninety percent (90%) of the area of each building façade excluding the area of windows, storefront and/or other glass areas shall be: natural clay brick, integrally-colored split-face concrete masonry units,

glass block, native or manufactured stone, rough-sawn or hewn wood, wood logs, fiber-cement materials, or cement or synthetic stucco. The remaining ten percent (10%) of each façade area may be any material allowed by building codes.

- 2) Integrally-colored split-face concrete masonry units, fiber-cement materials, ceramic tile, or cement or synthetic stucco shall not be used on more than fifty percent (50%) of each building façade area excluding the area of windows, storefront, and/or other glass.
- 3) Synthetic stucco shall only be used on portions of facades six feet (6') or greater above finish floor elevation.
- 4) Window and storefront glass shall be clear or tinted. The use of reflective glass is not allowed. Mullions and muntins shall be clear anodized or mill finish, or earth tone colors as detailed in "c. Building Exterior Colors" below.
- 5) Roof or mansard roof materials, visible from public or private streets and drive aisles, shall be standing seam metal, or metal, stone, clay, or concrete roof tiles.
- 6) Awning and canopies shall be metal, glass, fiberglass, or fabric. Plastic or similar materials for awnings and canopies are not allowed.

c. Building Exterior Colors

The natural materials used in Prairie Style architecture established a color palette of primarily earthen tones. A minimum of seventy percent (70%) of the exterior building colors shall be grey, green, beige, tan, orange, red, rust, brown or other earth tone colors. The remaining exterior building colors may be non-earth tone colors or metallic finishes.

3. Lighting, Street Furniture, and Sidewalk Requirements

a. Lighting

- 1) Streetlight lighting shall be Sternberg "Prairie" lighting with either single arm or double arms. Streetlights shall be installed along all public streets at street corners, drive approaches, and between drive approaches and street corners at a spacing of not more than eighty feet (80') on center.
- 2) Parking lot lighting, where used, shall be the same as streetlight lighting.
- 3) Decorative building-mounted lighting shall be Sternberg "520 Tinley" fixtures.
- 4) For required lighting in "1)", "2)", and "3)" above, other light standards and fixtures of similar Prairie, Mission, or Arts and Crafts styles may be used if found to be consistent with the design of this overlay district at the time of site plan review.
- 5) Canopies and awnings shall not be backlit.

- b. Street furniture is encouraged at building entrances and along walks. Street furniture, if used, shall be Prairie, Mission, or Arts and Crafts styles.

E. Site Plan/Design Review Required

A detailed site plan as outlined in this Code shall be submitted for any new building or addition to existing buildings within the U.S. Highway 377 North Overlay District. Design review shall be a part of the site plan review process. The purpose of the design review is to ensure that buildings and sites are in conformance with site and architectural standards of this overlay district.

F. Variances to Standards

When special conditions exist that prevent strict compliance with the regulations in Section "C", General Standards, Section "D", Marshall Ridge Subdistrict 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.

G. Illustrations

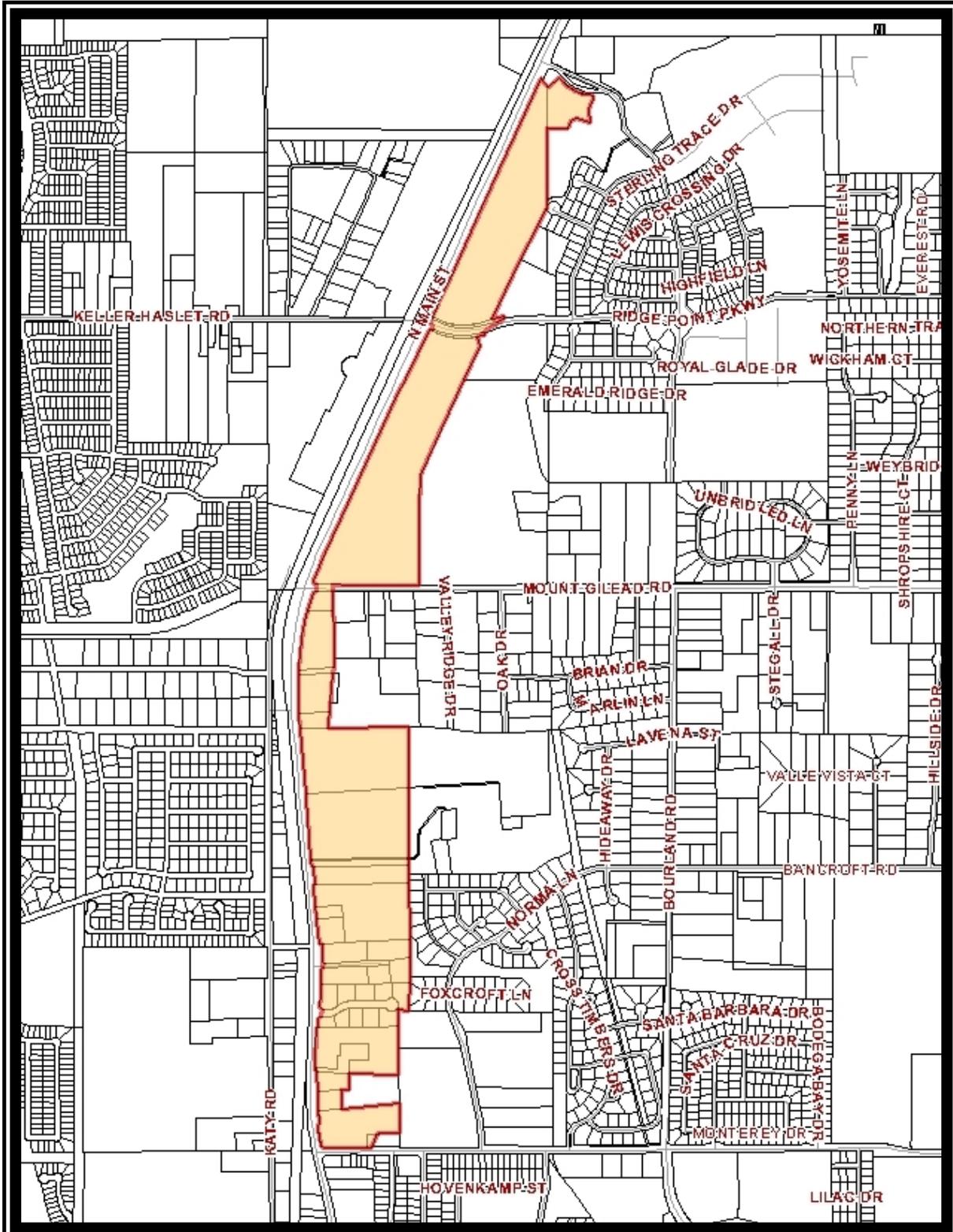
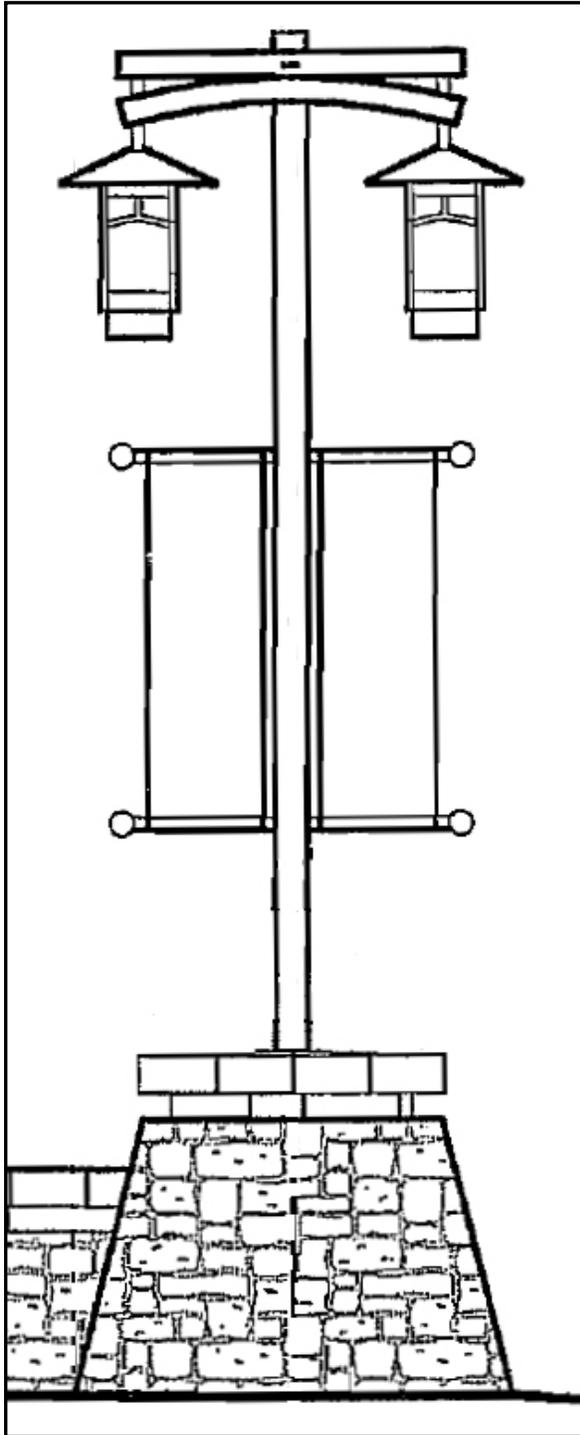


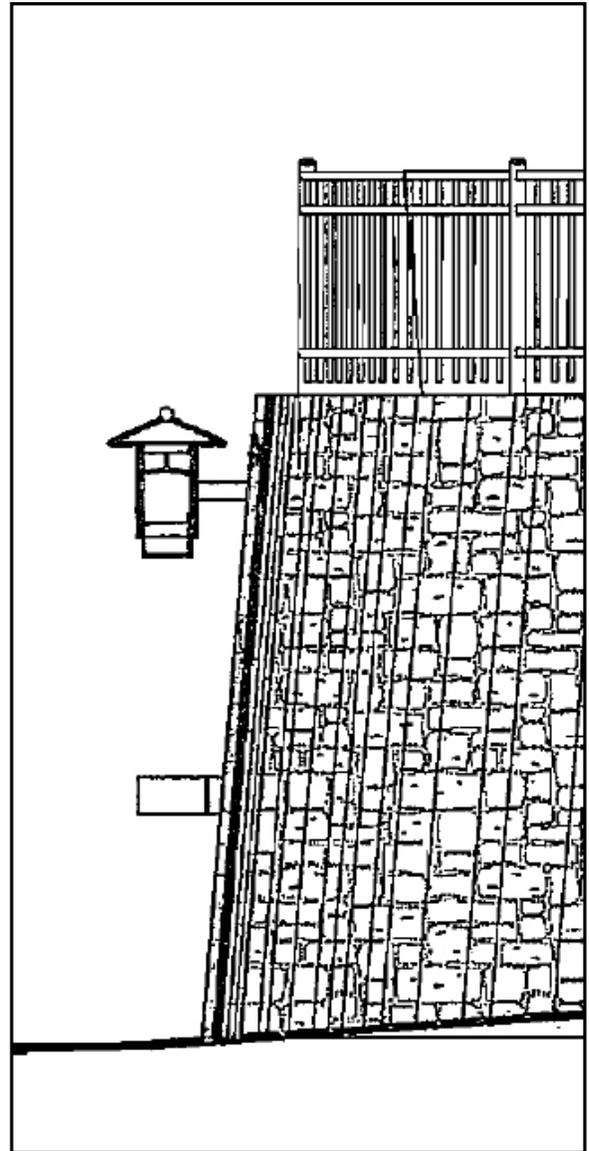
Figure 1 - Overall U.S. Highway 377 North Overlay District Boundary



Figure 3 - Marshall Ridge Subdistrict Boundary



Sternberg "Prairie" (Double Arm)



Sternberg "Tinley"

Figure 4 - Site and Parking Lot Lighting



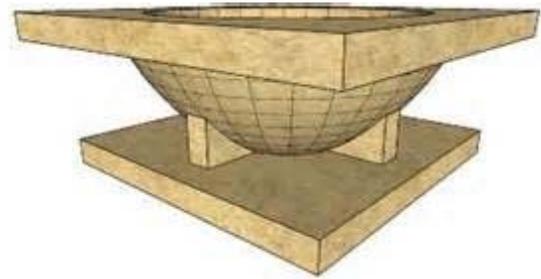
Arts and Crafts Style Bench



Prairie Style Bench



Mission Style Chair



Prairie Style Planter



Prairie Style Chair



Prairie Style Address Plate

Figure 5 - Furniture

Section 8.06 - Building Design and Development Standards

A. Exterior Construction Requirements

1. Residential Construction Standards

- a. SF-36 through 2F: All residential buildings and structures located in the residential districts SF-36, SF-30 through SF-8.4, and 2F shall be of exterior fire resistant construction having at least eighty percent (80%) of the total exterior walls above grade level and below the first floor plate line, excluding doors and windows, consisting of brick, stone, stucco, or material of equal characteristics as approved by the City in accordance with the City's building code and fire prevention code. Exterior Insulated Finishing System (EIFS) shall not be permitted. Strict adherence to this rule shall not be such as to prevent architectural creativity.
- b. Multi-family (MF): All multi-family residential buildings shall meet the requirements as outlined within the MF district.
- c. Manufactured homes shall meet all the above requirements for single-family residential construction standards.
- d. Mobile Homes & Temporary Buildings shall adhere to the following standards:
 - 1) Mobile homes shall be permitted only in a mobile home park and are exempt from the above construction requirements.
 - 2) All other temporary buildings for dwelling or storage purposes may be permitted by an SUP with approval of the City Council.
 - 3) Temporary Buildings for Keller Independent School District for classroom or other activities will be allowed with a site plan review by staff and a permit from the Community Development Department and shall be exempt from the construction standards requirements. All applicable building codes above shall be met for these structures.
- e. Accessory buildings shall adhere to the following standards:
 - 1) Accessory buildings one hundred twenty (120) square feet or less are excluded from the construction standards for residential construction.
 - 2) Accessory buildings, larger than one hundred twenty (120) square feet up to two hundred (200) square feet may be constructed using lightweight masonry siding and/or lightweight masonry soffit boards as defined in the Definitions section of this Code and/or manufactured pre-finished wood siding, in lieu of other masonry construction materials.
 - 3) All accessory buildings, larger than two hundred (200) square feet, in residential districts shall meet all requirements of this Code.
 - 4) In Single Family-Low Density zoning districts (SF-36), accessory buildings of five hundred (500) square feet or less may be constructed using lightweight masonry siding and/or lightweight masonry soffit boards as defined in the Definitions section of this Code and/or manufactured pre-finished wood siding, in lieu of other masonry construction materials.
 - 5) The use of exposed metal exterior walls and finishes shall be allowed only for barns and agricultural structures in the SF-36 zoning district. The use of storage containers shall not be allowed.

- f. Detached carports shall adhere to the following standards:
 - 1) Carports constructed entirely out of metal may be permitted if architectural metal is proposed. Columns and roof structure must be compatible with materials on main structure. Detached carports shall be located at the rear of the property and observe all building setback requirements.
 - 2) The construction of one carport per lot, as an accessory building to a mobile home, will be permitted within legally platted mobile home parks or subdivisions and may be constructed entirely of metal. The location of the carport may be within the front, side or rear yard; and the maximum size shall not exceed four hundred (400) square feet. The carport structure, including poles and overhangs, shall have a setback of a minimum of three (3) feet from all property lines; and the carport roof shall not drain onto the adjacent lot. A building permit shall be required for the construction of a carport.
 - g. Exceptions to the construction requirements may be considered by the City Council, as applicable, based only on the following:
 - 1) Architectural design and creativity.
 - 2) Compatibility with surrounding developed properties.
 - 3) Architectural variances may be considered for, but not limited to, Queen Anne, Victorian, English Tudor, Italian Villa, or Log designs.
2. Non-Residential Construction Standards
- a. All non-residential uses shall be of exterior fire-resistant construction in accordance with the City's building code and fire prevention code.
 - b. Building facades, excluding doors, windows and glass wall construction, shall be constructed with a minimum of seventy-five percent (75%) of stone or brick. Portland cement stucco shall be allowed as noted in "c" below. Strict adherence to this rule shall not be such as to prevent architectural creativity. Other materials or a combination of brick, stone, stucco and other materials may be considered based on architectural creativity at the time of site plan review by the City Council.
 - c. The use of three-quarter inch (3/4") Portland cement stucco with a minimum fire rating of one hour shall be permitted provided the area of the Portland cement stucco does not exceed fifty percent (50%) of the total façade area excluding doors, windows and glass wall construction.
 - d. The use of textured concrete blocks (quick brick), colored split-face blocks, or any other wall surface material shall be noted on the site plan elevations and may be approved by the City Council at the time of site plan review.
 - e. Exposed concrete, concrete block, or metal finishes shall not be permitted.
 - f. The use of exposed metal exterior walls and finishes may be allowed, in the Light Industrial (LI) zoning district if approved by Specific Use Permit (SUP). Exposed metal exterior walls fronting or siding on public streets shall be prohibited. When metal exterior finishes are permitted, the use of corrugated panels is prohibited; profiled panels, deep ribbed panels and 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. The use of galvanized, corrugated aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish is prohibited. Metal exterior walls shall be compatible in color with the principal buildings and existing surrounding structures.

- g. Roof material shall be asphalt composition, standing seam metal, stone, clay or concrete roofing tile. The roof material shall be shown on the site plan and any future changes to the roof material or color shall be approved by an amended site plan. Adjacent buildings within a development shall have similar roof materials to provide for compatibility among individual buildings. Pad sites within a development shall have consistent roof material and color to create a consistent theme for the development.
- h. Carports constructed entirely out of metal may be permitted if architectural metal is proposed. 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.
- i. Temporary Buildings shall adhere to the following:
 - 1) Temporary buildings to be used for field office or other construction purposes may be permitted for a specific period of time in accordance with a permit issued by the Community Development Department and subject to periodic renewal for cause shown. Temporary buildings are exempt from the construction standards requirements. Upon completion or abandonment of construction or expiration of permit, such field offices and building shall be removed at the satisfaction of the Community Development Department.
 - 2) Temporary Buildings for Keller Independent School District for classroom or other activities will be allowed with a site plan review by the Development Review Committee and a permit from the Community Development Department.
 - 3) All other temporary buildings shall be allowed only with a Specific Use Permit approved by the City Council.
- j. Building Colors and Exterior Light Effects for Non-Residential Buildings
 - 1) Building colors shall be compatible with one another. Preferred colors of buildings and accessory structures are earth tones (red, brown, tan, off-white, green). 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.
 - 2) Service doors, down spouts, utility boxes and panels, and other similar features on the buildings shall be painted to match the primary masonry material on the building.
 - 3) The use of lighted stripes, exposed neon tubular lights or similar material on buildings or accessory structures shall not be permitted.
 - 4) Back-lit canopies or awnings shall not be allowed. Hard plastic awnings are prohibited. Suspended metal, masonry and fabric awnings are allowed.

B. Design Standards for Non-Residential Buildings

1. Purpose of Design Review

The standards for architecture within the City of Keller are intended to reflect its Master Plan goal that new development will be "high quality" and "an aesthetic asset to the community." To ensure a consistent appearance of development, certain criteria are addressed. To create a positive overall development character, all structures within a development shall share an attractive and uniform appearance. Key issues for all buildings within a development include:

- a. A unified design theme.
- b. A standard of high quality construction and consistency in appearance.

- c. Respect for the contextual setting of the development within its district.
 2. Review and approval of all architectural design shall be conducted by the Development Review Committee as part of the development review process. The submission of all building elevations, and material/color samples as determined necessary to evaluate compliance is required. A detailed site plan as outlined in this Code shall be submitted for each use in the development. The Planning Manager or the City's consulting architects may also require any other reasonable and pertinent information necessary for design review. Design review of non-residential projects is required to ensure that community-wide development is in conformance with design guidelines for the Master Plan and the Unified Development Code.
- C. Design Standards and Site Layout
 1. The following concepts apply to non-residential development site design review process:
 - a. Formal Streetscape along Street Frontages
 - b. Compatible Architectural Styles
 - c. Create Street Edge with Architecture
 - d. Shared Access – Reduce Curb Cuts
 - e. Low Monument Signage
 - f. Parking to Side and/or Rear of Building Preferred
 - g. Hip or Mansard Roof
 - h. Rear and Side Yard Landscaping Required
 2. Site layout shall reinforce street edge and create pedestrian-scaled open spaces. Large parking lots in front of buildings, along the street frontage, shall be avoided when possible.
 3. Building fronts and entries shall be oriented toward streets, unless otherwise approved. If a building sides to a street, the side façade shall be treated in the same architectural style and material as the front façade. Service entrances fronting on streets are prohibited.
 4. Buildings shall have a recognizable main entry, which should relate directly to the primary street frontage. Entry points may be indicated by a change of materials, roof or canopy features, a variation in wall planes, or other acceptable means which relate to pedestrian scale.
 5. All buildings shall have horizontal and vertical façade articulations every fifty feet (50'), which may be expressed as offset wall planes, pier and column effects, or other acceptable means.
 6. Buildings with façades longer than fifty feet (50') shall have their façades broken up into smaller areas through the use of varying facades setbacks, arcades, awnings, canopies, architectural features such as plazas, columns, or other acceptable means.
 7. Retail uses and buildings shall have as much storefront glass on the ground floor as possible so as to enliven the façade and open it up to pedestrian involvement. For uses over ten thousand (10,000) square feet with expansive facade areas without windows, an expression of windows with elements such as display windows or opaque windows with canopies and awnings may be considered.

8. Rooflines shall be interrupted with gables or other architectural elements to break up the building profile.
9. At the intersection of the facade and roof planes, there shall be a projecting cornice element of brick, or cast stone. Cornice detailing shall be added around the entire building.
10. Windows along streets shall be equally spaced with a specific rhythm and shall not create long areas of flat solid spaces along streets. Varying window size and height based on the interior functions is discouraged.
11. All façades of a building that are visible from a street, adjacent developments, public open spaces or parking lot, shall have the same architectural features as the front facade. This shall not only be limited to the same roof treatment, but shall also include building materials, façade articulation and window treatment.
12. All buildings, at minimum, shall carry the same roof treatment around the entire building including the rear side.
13. The design of visible roof structures shall be of shed, hip, gambrel, mansard and gable styles. Roofs should be of such height, bulk and mass as to appear structural even when the design is non-structural. Flat roofs may be considered when incorporated with acceptable design or mansard roof. Mansard roofs shall have a pitch of not less than 1:1.
14. Roof top mechanical/electrical equipment shall be screened with an extension of the facade or a compatible roof design such as mansard roof. The screening of equipment with metal screening or other material shall not be allowed.
15. All non-residential buildings shall have window head and sill details which, utilizes either projecting elements or materials of a contrasting color and texture, which will highlight the window treatment.
16. Elements of franchised architecture may be permitted, but only if they complement or are otherwise compatible with adjacent development.
17. Outside storage is prohibited unless approved as part of a Site Plan. This includes vending machines, ice machines, and similar uses.
18. Uses utilizing shopping carts may have cart returns in parking lots. This area shall be contained with 6" curbs. Metal corrals are not allowed.

D. Service Area Design and Requirements

1. To reinforce the professional image of each development site, all service areas and mechanical equipment, noise and odors shall be located at the rear of the property and screened from views using walls, berms, shrubs, trees and/or a combination of materials.
2. Service areas and trash receptacles shall be located at the rear of the property and shall not face a street. The dumpster shall be screened with a masonry wall compatible in material and color with the primary building. Solid metal doors shall be utilized for dumpster screening closure. A pedestrian access point shall be provided for access to a dumpster location to facilitate access without opening the gate (see [Section 8.18 - Figure 19](#)).
3. Loading docks, truck service entrances, service entrances/overhead doors for automobile/boat oriented uses or any use requiring overhead service doors shall not face a street. These areas shall be designed to blend into the site and have low visual impact.
4. Unless otherwise noted, the screening requirement shall be masonry screening. Any alternatives shall be shown on the site plan and be specifically approved based on the visual impact for the use. The following uses shall be screened:

- a. Trash compactors and bins
- b. Stored equipment or manufactured items
- c. Storage tanks and pumps
- d. TV, microwave, radio and cell phone antennas
- e. Irrigation controllers and backflow preventers (may be live screening)
- f. Electrical transformers and control boxes (may be live screening)
- g. Air-conditioning units
- h. Loading and truck service areas
- i. Shipping and receiving dock doors must blend with the architecture of the building they serve
- j. Truck dock and trash bin areas
- k. Ground-mounted mechanical equipment
- l. Sound equipment
- m. Sources of odor must be contained

Reference: [Sections 8.11](#), [8.12](#), and [8.13](#) for guidelines on screening

Section 8.07 - Off-Street Parking and Loading Requirements

A. Purpose

To secure safety from fire, panic, and other dangers; to lessen congestion on public streets; to facilitate the adequate provision of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land. Minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions. Parking for uses not provided here-in shall be considered by the DRC based on studies produced by the Institute of Transportation Engineers, Traffic Impact Analyses provided and professional observation.

B. General Provisions for Off-Street Parking

1. All off-street parking shall be provided on the same site as the use it is to serve.
2. Unless otherwise noted in this Code, all parking spaces, driveway approaches, driveways, and drive aisles shall be located on a paved concrete, asphalt or alternative surface. Permissible alternative surfaces are concrete, brick, or natural stone pavers on compacted sub-grade and base sufficient to support the vehicle's Gross Vehicle Weight Rating. The paved parking surface area must encompass the entire footprint of the vehicle.
3. No parking space, garage, carport, or other automobile storage space shall be used for the parking or storage of any heavy load vehicle (see [Article Three - Definitions for Heavy Load Vehicle](#)).
4. No vehicle, including boats, camper trailers, trailers, or other similar vehicle shall be parked within the street rights-of-ways of major thoroughfares as shown on the Thoroughfare Plan, including state controlled roads.
5. Parked vehicles on private property shall not encroach on any right-of-way, sidewalks, or parkways (unpaved portion of rights-of-way).
6. In all zoning districts, parking and loading areas shall not be used for the sale, repair, storage, dismantling or servicing of vehicles or equipment; or for the storage of materials or supplies, or for any other use in conflict with the parking and loading areas (i.e., advertising or open storage of materials). A maximum of two (2) vehicles, owned by the property owner or with the permission of the property owner, may be displayed for the purpose of sale, lease, or similar purposes on private property.

C. Residential Districts

In all subdivisions platted after December 15, 1992, garages shall not face or be in view from a public street unless allowed with a Planned Development zoning district or the following provisions of this Code.

1. J-Swing garages are permitted only in the SF-8.4 (Single Family-8,400 square foot lots) and smaller zoning classifications and when permitted by a PD (Planned Development) district. The maximum garage area, including any accessory uses associated with the garage, shall not exceed seven hundred (700) square feet.
2. Side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage to the side or rear property line for maneuvering.
3. Side entry garages on a corner lot where the driveway is from the side street shall have a minimum of twenty feet (20') from the door face of the garage to the side property line.
4. A detached front facing garage located behind the main structure is permitted. The garage door(s) exposure to the street shall not exceed one hundred forty-four square feet (144').

5. An attached front facing garage is permitted, in lieu of a detached garage, if located at the rear of the lot, with a minimum of forty-five feet (45') behind the property line. The garage door(s) exposure to the street shall not exceed seventy-two square feet (72').
6. An attached front facing garage is permitted with a porte-cochère design that shields a part of the garage door(s) exposure.
7. Detached carports shall be allowed only in the rear yard meeting all setback requirements. A building permit is required and shall be approved by the Community Development Department.

D. Non-Residential and MF Districts - Special Off-Street Parking Provisions

1. All off-street parking, maneuvering, loading, and storage 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 alternative section approved by the Director of Public Works. Approaches 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.
2. Each standard off-street surface parking space size shall be in accordance with the City design standards (see [Section 8.18 – Illustrations](#) for parking design standards).
3. All parking and loading spaces, and vehicle sales areas on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any required landscaped areas, to prevent vehicles from hitting buildings, and to prevent any parked vehicle from overhanging a public right-of-way line, or public sidewalk. Parking shall not be permitted to encroach upon the public right-of-way in any case. All vehicle maneuvering shall take place on-site. No public right-of-way shall be used for parking, backing or maneuvering into or from a parking space.
4. Handicap parking space(s) shall be provided according to the City's adopted Building Code and be in addition to the minimum parking requirements.
5. Storage of motor vehicles, other than the property owners' vehicles, in any zoning district is prohibited. Motor vehicles sales lots or any lot/area used for such a purpose shall be allowed only by approval of a Specific Use Permit (SUP).
6. To ensure that all requirements set forth in this section are carried forward, it will be the responsibility of the owner of the property to adequately maintain the facility and comply with this Code. All parking areas shall be kept free of trash, debris, vehicle repair operation or display and advertising uses. The parking area layout, location and number of provided spaces shall not change without approval of the Community Development Department.
7. Off-street stacking requirements for drive-through facilities.
 - a. A stacking space shall be an area on a site measuring eight feet (8') by twenty feet (20') with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area. The following stacking requirements may be used as a guide but may be modified at the time of site plan review based on use and design of this facility:
 - 1) For financial institutions with drive-through facilities, each teller window or station, human or mechanical five (5) stacking spaces.
 - 2) For each service window of a drive-through restaurant, a minimum of six (6) spaces.
 - 3) For kiosks, a minimum of two (2) stacking spaces for each service window.

- 4) For each full service car wash, vacuum or gas pump lane, a minimum of seven (7) stacking spaces.
- 5) For each self-service (drive-through/automated) wash bay, a minimum of three (3) stacking spaces in addition to the wash bay.
- 6) For each self-service (open bay), a minimum of two (2) stacking spaces in addition to the wash bay.
- 7) For automobile quick lube facilities, a minimum of three (3) stacking spaces in addition to the service bay.

E. Off-Street Loading Spaces - All Districts

1. All retail, commercial, and industrial structures, on an as needed basis, shall provide and maintain an off-street area for the loading and unloading of merchandise and goods at a ratio of at least one (1) space for the first twenty thousand (20,000) square feet of gross floor area and one (1) space for each additional twenty thousand (20,000) square feet of gross floor area or fraction thereof. A loading space shall consist of an area of a minimum of twelve (12) by thirty (30) feet. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks off-street. Each site shall provide a designated maneuvering area for trucks. These requirements may be modified based on use at the time of site plan review.
2. All loading areas and service bay doors shall be designed where loading doors or docking areas are not directly visible from streets. These areas shall be fully screened with a screening wall. Live landscaping may be allowed based on use or location.
3. All loading areas shall be designed to minimize the impact on adjacent uses. If loading areas are adjacent to residential (single-family, duplex, or multi-family) developments or zoning districts, loading and unloading hours shall be restricted to 6:00 A.M. to 10:00 P.M.
4. Garage doors or service bays for auto/boat motor vehicle related uses shall not face a street.

F. Parking Access from a Public Street - All Districts

1. In the approval of a Detailed Site Plan, consideration shall be given to providing entrance/exit drives which extend into the site to provide adequate queuing of vehicles on the site. If a deceleration lane is not provided, a minimum distance of 100' from a major thoroughfare must be included as shown on the Thoroughfare Plan.
2. In all Districts (except all Single-Family and Townhome Zoning Districts) building plans shall provide for entrance/exit drive(s) appropriately designed and located to minimize traffic congestion or conflict within the site and with adjoining public streets as approved by the City.
 - a. Based upon analysis by the City, if projected volumes of traffic entering or leaving a development are likely to interfere with the projected peak traffic flow volumes on adjoining streets, additional right-of-way and paving in the form of a deceleration lane or turn lane may be required of a developer in order to reduce such interference.
 - b. The determination of additional right-of-way or paving requirements shall be made at the time the final site plan is submitted for approval.
3. Vehicular access to non-residential uses shall not be permitted from alleys serving residential areas.

G. Parking Requirements Based on Use

At the time any building or structure in any district is erected, structurally altered, or changes use needing additional parking, there shall be provided off street parking spaces in accordance with the following requirements. Any parking space(s) necessary to meet the requirements of the Americans with Disabilities Act (ADA) do not count toward the fulfillment of the parking requirements of this Code. The below requirements may be modified at the time of site plan review on a case by case basis.

1. **Assisted Living** - One (1) space per two (2) units.
2. **Art gallery/museum** - Three (3) spaces per one thousand (1000) square feet of gross floor area.
3. **Automobile parts sales (indoors)** - One (1) space per four hundred (400) square feet of floor area.
4. **Automobile sales or service** - One (1) space per five hundred (500) square feet of floor area.
5. **Bank, Savings and Loan, or similar institution** - One (1) space per three hundred (300) square feet of gross floor area.
6. **Bed and breakfast facility** - One (1) space per guest room in addition to the requirements for a normal residential use.
7. **Bus or truck repair, parking, storage area, or garage** - One (1) space for each five hundred (500) square feet of floor area or repair garage with a minimum of five (5) spaces.
8. **Business or professional office** -

<u>Gross Floor Area (sq. ft.)</u>	<u>Parking Requirements</u>
• less than 10,000 sq. ft.	1 per 330 sq. ft.
• 10,000 to 75,000 sq. ft.	1 per 400 sq. ft.
• 75,000 sq. ft. & over	1 per 450 sq. ft.
9. **Car wash (self-service)** - One (1) space per washing bay and one (1) space per vacuum cleaner bay.
10. **Car wash (full-service)** - One (1) space per one hundred fifty (150) square feet of floor area.
11. **Church, rectory, or other place of worship** - One (1) parking space for each three (3) seats in the main auditorium.
12. **College or University** - Four (4) spaces per one-thousand (1000) square feet of gross floor area.
13. **Community Center**- Three (3) spaces per one-thousand (1000) square feet of gross floor area.
14. **Commercial Amusement (indoor)** - Three (3) spaces per one-thousand (1000) square feet of gross floor area, or as follows:
 - a. Billiard - Five (5) spaces per thousand (1000) square feet of gross floor area.
 - b. Bowling - Four (4) spaces for each alley or lane.
 - c. Bingo - One (1) space for three (3) seats (design capacity) or one (1) per one hundred (100) square feet of total floor area, whichever is greater.
 - d. Gymnasium - Five (5) spaces per thousand (1000) square feet of gross floor area.
 - e. Indoor jogging - Five (5) spaces per thousand (1000) square feet of gross floor area.

- f. Indoor Tennis - Three (3) spaces for each court.
 - g. Movie theater - One (1) for every three (3) seats.
 - h. Raquetball - Two (2) spaces for each court
 - i. Roller skating or Ice skating rink Five (5) spaces per thousand (1000) square feet of gross floor area.
 - j. Soccer complex - Thirty eight (38) spaces per field.
 - k. Swimming pool - Five (5) spaces per thousand (1000) square feet of gross floor area.
 - l. Weight lifting - Five (5) spaces per thousand (1000) square feet of gross floor area.
 - m. All areas for subsidiary uses not listed above or in other parts of this section (such as restaurants, office, etc.), shall be calculated in with the minimum specified for those individual uses.
15. **Commercial amusement (outdoor)** - Ten (10) spaces plus one (1) space for each five hundred (500) square feet over five thousand (5000) square feet or as follows:
- a. Golf course - Twelve (12) spaces per hole.
 - b. Water park - Seventy eight (78) spaces for each acre.
16. **Commercial wedding/event center** - One (1) space for three (3) persons (design capacity).
17. **Condominium** - One and a half (1.5) space per unit.
18. **Convenience store (with fuel pumps)** - One (1) space per one hundred forty (140) square feet of floor area plus one (1) space for each three (3) gasoline pump units (a unit may have up to six (6) nozzles for gasoline disbursement). Spaces in pump areas qualify as spaces for the parking requirement.
19. **Convenience store (without fuel pumps)** - One (1) space per three hundred (300) square feet of gross floor area.
20. **Convention center** - One (1) space for three (3) persons (design capacity).
21. **Copy shop** - One (1) space per three hundred thirty (330) square feet of floor area.
22. **Child Care** - One (1) space for four (4) students (design capacity).
23. **Dry cleaner** - One (1) space per three hundred (300) square feet of floor area.
24. **Dance Hall, Aerobics, Assembly or Exhibition Hall Without Fixed Seats** - One (1) space for three (3) persons (design capacity).
25. **Flea Market** - One (1) space for each five hundred (500) square feet of site area. Dirt or gravel parking lots are not permitted.
26. **Fraternity, Sorority, or Dormitory** - One (1) parking space for each two (2) beds on campus, and one and one-half (1½) spaces for each two beds in off campus projects.
27. **Furniture or Appliance Store, Wholesale Establishments, Clothing or Shoe Repair or Service** - Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000).
28. **Hardware Store** - Two (2) parking spaces plus one (1) additional parking space for each five hundred (500) square feet of floor area over one thousand (1,000).
29. **Hospital** - Two and a half (2.5) spaces per one thousand (1,000) square feet of gross floor area.
30. **Hotel** - One (1) per room for the first two hundred fifty (250) rooms and .85 space per room for each room over two hundred fifty (250), plus one (1) space per five (5) restau-

- rant/lounge area seats, plus one (1) space per three hundred (300) square feet of meeting/conference areas.
31. **Industrial Uses** - One (1) space for each one thousand (1000) square feet of gross floor area.
 32. **Library** - Three and a half (3.5) spaces per thousand (1,000) square feet of gross floor area.
 33. **Lodge or Fraternal Organization** - One (1) space per two hundred (200) square feet of gross floor area.
 34. **Machinery or Heavy Equipment Sales** - One (1) space per five hundred (500) square feet of gross floor area.
 35. **Manufacturing** - One and one-third (1.3) spaces per one thousand (1,000) square feet of gross floor area.
 36. **Medical or Dental Office** - One (1) space per two hundred (200) square feet of gross floor area. Facilities over 100,000 square feet shall use the parking standards set forth for hospitals.
 37. **Mini-Warehouse** - One (1) space per five thousand (5,000) square feet of gross storage area plus one (1) space per three hundred (300) square feet of gross floor area.
 38. **Mobile Home or Mobile Home Park** - Two (2) spaces for each mobile home plus additional spaces as required herein for accessory uses.
 39. **Mortuary or Funeral Home** - One (1) parking space for each two hundred (200) square feet of floor space in slumber rooms, parlors or individual funeral service rooms.
 40. **Motel** - One (1) per room for the first two hundred fifty (250) rooms and .85 space per room for each room over two hundred fifty (250), plus one (1) space per three hundred (300) square feet of meeting/conference/business office areas.
 41. **Motor-Vehicle Salesroom and Used Car Lots** - One (1) parking space for each five hundred (500) square feet of sales floor for indoor uses, or one (1) parking space for each one thousand (1,000) square feet of lot area for storage, sales and parking area, whichever is greater.
 42. **Multi-family** - One (1) space per each efficiency or one (1) bedroom unit; One and a half (1.5) spaces per each two (2) bedroom unit; Two (2) spaces per each three (3) bedroom unit; half (0.5) a space per each additional bedroom
 43. **Nursing Home** - One (1) space per per thousand (1000) square feet of gross floor area.
 44. **Office, general** - One (1) space per three hundred fifty (350) square feet of gross floor area.
 45. **Office, government** - One (1) space per two hundred fifty (250) square feet of gross floor area.
 46. **Pharmacy without drive-thru** - One (1) space per three hundred fifty (350) square feet of gross floor area.
 47. **Pharmacy with drive-thru** - One (1) space per four hundred fifty (450) square feet of gross floor area.
 48. **Places of Public Assembly Not Listed** - One (1) space for each three (3) seats provided.

49. **Race track, horses or dogs** - One (1) for each three (3) seats plus one (1) space for each employee. Stable areas shall provide storage areas for horse trailers.
50. **Retail or Personal Service Establishment, Except as Otherwise Specified Herein** - One (1) space per two hundred (200) square feet of gross floor area.
51. **Retirement Home** - One and a third (1.3) space for each dwelling unit.
52. **Restaurant (Full-Service), Private Club, Night Club, or Cafe** - One (1) parking space for each one hundred fifty (150) square feet of gross floor area.
53. **Restaurant (Fast-food or Drive-In Type)** - One (1) parking space for each one hundred (100) square feet of seating and waiting area.
54. **Rooming or Boarding House** - One (1) parking space for each sleeping room.
55. **Sanitarium, Convalescent Home, Home for the Aged or Similar Institution** - One (1) parking space for each five (5) beds.
56. **School, Elementary (grades K-6)** - One (1) parking space for each five (5) students (design capacity).
57. **School, Secondary, or Middle (grades 7-8)** - One (1) parking space for each ten (10) students (design capacity).
58. **School, High School (grades 9-12)** - One space for each two (2) students, faculty and staff (design capacity).
59. **Supermarket** - Three and eight tenths (3.8) spaces per thousand (1,000) gross floor area.
60. **Theater, Indoor or Outdoor (live performances), Sports Arena, Stadium, Gymnasium or Auditorium (except school auditorium)** - One (1) parking space for each three (3) seats or bench seating spaces.
61. **Townhouse, Patio Home, or Single Family Residential** - Two (2) spaces per dwelling unit.
62. **Truck stops** - One (1) truck parking space for each ten thousand (10,000) square feet of site area plus one (1) vehicle parking space per two hundred (200) square feet of building area.
63. **Veterinarian Clinic** - One and three quarters (1.75) space per thousand (1000) square feet of gross floor space.
64. **Warehouse or Wholesale Type Uses** - One (1) space for two thousand (2,000) square feet of gross floor area.

H. Rules for Computing Number of Parking Spaces

In computing the number of parking spaces required for each of the above uses, the following rules shall govern:

1. "Floor Area" shall mean the gross floor area of the specific use.
2. Where fractional spaces result, the parking spaces required shall be constructed up to the next whole number.
3. The parking space requirements for a new or unlisted use not specifically mentioned herein shall be the same as required for a use of similar nature. If the proposed use is not similar to any of the uses listed herein, a determination shall be made by the Planning

Manager in accordance with the requirements for the most closely related use specified in this section.

4. For buildings that have mixed uses within the same structure (such as retail and office), the parking requirement shall be calculated for the most intensive use. In cases where the design of the interior of the structure is not practical for alteration, the parking requirement may be calculated for each use within a structure for buildings over 40,000 square feet.
5. In the case of mixed uses (different buildings) in the TC and PD Districts, only the parking spaces required shall equal the sum of the requirements of the various uses computed separately. Up to thirty percent (30%) of the parking spaces required for a theater, stadium or other place of evening entertainment (after 6:00 P.M.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening. Shared parking must be on the same parking lot. Reduction due to shared parking shall be determined by the Planning Manager. To assure retention of the shared parking spaces, the parties concerned shall properly draw and execute a document expressing the same and shall file this agreement with the application for zoning variance.

I. Location of Parking Spaces

All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

1. Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located on a remote lot if approved at the time of site plan review.
2. On-street parking as approved on a site plan.
3. Public parking spaces as provided by the City of Keller.

J. Use of Required Parking Spaces, Non-Residential Districts

Off-street parking and loading spaces shall be used only for their respective purposes and shall not be used for storage, sales, or display of boats, trailers, campers, motor vehicles or other goods, materials, products for sale, advertising or other purposes. Temporary displays as part of a special event may be approved by the Community Development Department.

Section 8.08 - Landscape Requirements

A. Purpose

Landscaping is accepted as adding value to property and is in the general welfare to the City. Therefore, landscaping is hereafter required of all new development.

B. Scope and Enforcement

The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new developments and existing developments that require building permits for additions and alterations. Additionally, any use requiring a Specific Use Permit or a Planned Development zoning designation must comply with these landscape standards. The provisions of this section shall be administered and enforced by the Planning Manager or his/her designee.

C. Permits

No permits shall be issued for any non-residential and multi-family development until a detailed landscape plan is submitted as part of a Site Plan as required in [Section 4.15 - Non-Single Family Residential Construction Process](#). Prior to the issuance of a Certificate of Occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the approved landscape plan.

D. Maintenance

The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not to be limited to, mowing (of grass of six inches (6") or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size, within ninety (90) days. Trees with a trunk diameter in excess of six inches (6") measured twenty-four inches (24") above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches (3") measured twenty-four inches (24") above the ground. A time extension may be granted by the Planning Manager if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent. Failure to maintain any landscape area in compliance with this section shall result in the disapproval and revocation of any issued certificate of occupancy associated with the occupancy of said area.

E. General Standards

1. All required landscaped open areas shall be completely covered with living plant material. Artificial landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants.
2. Plant materials shall conform to the standards of the recommended plant list for the City of Keller (see [Article Nine - Recommended List for Required Landscape Areas](#)). Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
3. Grass areas shall be sodded, plugged, sprigged, hydro-mulched or seeded except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
4. Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one (1) year of planting.

5. All required landscaped open areas shall be provided with adequate and inconspicuous irrigation systems.
 6. Earthen berms shall have side slopes not to exceed 33.3 percent (three feet (3') of horizontal distance for each one foot (1') of height). All berms shall contain necessary drainage provisions as may be required by the City Engineer.
 7. Small shrubs shall be trimmed to a height no greater than three feet (3'). Ornamental trees shall be trimmed from the base up to a minimum height of three feet (3').
- F. Minimum Landscaping Requirements for Non-Residential and Multi-Family
1. Buffers
 - a. Minimum thirty-foot (30') landscape buffer adjacent to all thoroughfares with four (4) or more lanes as classified on the current Comprehensive Thoroughfare Plan.
 - b. Minimum fifteen-foot (15') landscape buffer adjacent to all other public streets.
 - c. Minimum thirty-foot (30') landscape buffer adjacent to all properties with residential uses or zoning or when residential zoning or uses are across the street from the side or rear yard of a non-residential or multi-family development.
 - d. Minimum ten-foot (10') landscape buffer adjacent to side and rear property lines when adjacent to non-residential uses or zoning. This provision does not apply in cases of shared driveways or parking between lots.
 2. Buffer Trees
 - a. Minimum four inch (4") caliper canopy trees in a straight spaced based on projected mature tree canopy widths near the center of the thirty-foot (30') landscape buffer adjacent to thoroughfares with four (4) or more lanes. To allow visibility of signage, trees may be planted in clusters to allow spacing between trees to be a maximum of sixty feet (60'). *(Amended by Ord. No. 1799 on July 5, 2016)*
 - b. Minimum two (2) ornamental trees per fifty linear feet (50') of frontage planted in clusters or linear arrangement within the thirty-foot (30') landscape buffer adjacent to thoroughfares with four (4) lanes or more.
 - c. Minimum three inch (3") caliper canopy trees spaced based on projected mature tree canopy widths in a straight line near the center of all other required buffers. To allow visibility of signage, trees may be planted in clusters to allow spacing between trees to be a maximum of sixty feet (60'). *(Amended by Ord. No. 1799 on July 5, 2016)*
 - d. Existing trees of equal or greater size located within a required buffer may be counted toward the buffer tree requirement. New trees must be added to barren areas within buffer and trees may be arranged in formal masses instead of a straight line if existing trees are present anywhere inside the buffer.
 3. Landscaping Requirement for Parking Lots
 - a. Parking lots shall be 100% screened with shrubs or berms adjacent to all public streets. Berms shall be a minimum of three feet (3') in height and shrubs shall be a minimum of two feet (2') in height at time of planting. Shrubs shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be three feet (3') high within one (1) year after time of planting.
 - b. All parking lot islands must be a minimum of nine feet (9') in width and twenty feet (20') in length.

- c. No more than twelve (12) consecutive parking spaces shall be allowed without the interruption of a landscaped island.
- d. For large parking lots with several rows of parking spaces, a minimum ten-foot (10') wide continuous landscaped island shall be provided at various locations to break up the expanse of paving.
- e. The ends of all parking aisles must be terminated with a landscaped island.
- f. An island the size of one (1) parking space shall contain one (1) large three-inch (3") caliper canopy tree and an island the size of two parking spaces shall contain two (2) large three-inch (3") caliper trees.
- g. Continuous islands perpendicular to parking spaces must contain large three-inch (3") caliper canopy trees spaced at one (1) tree per forty feet (40').
- h. A minimum of 15% of all parking lots shall be landscaped.
- i. If the number of parking spaces exceed the Code requirements by more than ten percent (10%), a fifty (50) square foot of additional landscaping shall be provided for each additional parking space.
- j. Foundation planting a minimum of five feet (5') in width shall be provided at the fronts and sides of buildings and shall consist of a combination of groundcovers, shrubs, and ornamental trees.

G. Minimum Landscaping Requirements for Residential

- 1. A minimum of two (2) large canopy trees with a minimum three-inch (3") caliper shall be planted in the required front yard of all new single-family uses. Existing trees of equal or greater size within the required front yard may be counted toward this requirement.
- 2. A minimum of two (2) large canopy trees with a minimum three inch (3") caliper shall be planted in the required side yard adjacent to a street of all new single-family uses on corner lots. Existing trees of equal or greater size within the required side yard adjacent to a street may be counted toward this requirement.

H. Tree Preservation

All new developments must fully comply with the requirements of [Section 8.19 - Tree and Natural Feature Preservation](#).

I. Sight Distance and Visibility

- 1. Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an accessway intersects a public street or when two (2) public streets intersect, a triangular visibility area, as described below, shall be created. Landscaping within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between three (3) and six (6) feet. Trees may be permitted in this area provided that they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. The triangular areas are:
 - a. The areas of property on both sides of the intersection of an accessway and public right-of-way shall have a triangular visibility area with two (2) sides of each triangle being a minimum of ten feet (10') in length from the point of intersection and the third side being a line connecting the ends of the other two (2) sides.
 - b. The areas of property located at a corner formed by the intersection of two (2) or more public rights-of-way shall have a triangular visibility area with two (2) sides of each triangle being a minimum of twenty-five feet (25') in length from the point of

intersection and the third side being a line connecting the ends of the other two (2) sides

2. Landscaping, except required grass and low ground cover, shall not be located closer than three feet (3') from the edge of any accessway pavement.
3. In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the City Engineer, the requirements set forth may be reduced to the extent to remove the conflict.

Section 8.09 - Sign Regulations

- A. Purpose - This section provides standards for the erection and maintenance of signs within the City of Keller. All signs erected, altered, changed, constructed, relocated, or replaced after the effective date of this Code shall comply with the requirements of this Code at the time of sign permit. The general objectives of these standards are to promote health, safety, morals, general welfare, convenience, and enjoyment of the public.
 - 1. To promote the safety of persons and property.
 - 2. To allow orderly sharing of commercial and non-commercial messages.
 - 3. To enhance the appearance and economic value of the streetscape.
 - 4. To protect the public welfare.
- B. Administration - The provisions of this Code shall be administered by the Planning Manager or designated representative and enforced by City Staff.
 - 1. Permit Required. No sign shall be erected, altered, changed refaced, constructed, relocated, replaced or repaired until a permit has been issued. It shall be an affirmative defense to this requirement that the sign type is listed as not requiring a permit elsewhere in this chapter.
 - a. Permit Fee. A permit shall not be issued until the permit fee has been paid. The permit fee for a sign permit shall be the fee set out in the current fee schedule adopted by the City. A fee shall be charged for temporary signs for non-profits and religious institutions.
 - b. Permit Application. A permit application must be made to the Community Development Department in order to obtain a permit. All applications for permits shall include;
 - 1) A drawing to scale of the proposed sign, that labels the type of material, height and width dimensions, and lighting specifications.
 - 2) All existing signs maintained on the premise.
 - 3) A drawing of the lot plan and building façade and dimensions indicating the proposed location of the sign, and sign specifications.
 - c. All new permanent signs require an inspection. Inspections may be completed with the Site Final, Certificate of Occupancy Inspection, or separately, as appropriate.
 - 2. Sign Exemptions. The provisions of this section do not apply to the following and no permit shall be required:
 - a. A sign or marker giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers, or water lines or other public utilities.
 - b. Signs as governed by State law. When a City Ordinance is pre-empted by state law, state law will govern.
 - c. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other similar materials.
 - d. Flags, emblems, and insignia of any governmental body.

- e. Decorative displays for holidays or public demonstrations which do not contain advertising.
 - f. Indoor signs that are at least three feet (3') from window.
 - g. Signs approved with a Special Event Permit, Seasonal Sales or Temporary Vendor Permit. Special Event signs may be located in the Median of Bear Creek Parkway between Rufe Snow Drive and Keller Smithfield Road.
 - h. Street number signs not exceeding one (1) square foot in area.
 - i. Government signs including national flag or state flag, or to limit flags, insignia, legal notices, or informational, directional, or traffic signs which are legally required or necessary to the essential functions of government agencies (State, Federal, Keller Independent School District, and the City of Keller).
 - j. Signs on temporary construction trailers.
3. Nonconforming Signs
- a. Nonconforming signs shall not be enlarged, extended, structurally reconstructed, or altered in any manner, except that the sign face may be replaced or altered to reflect a change in ownership, business name or logo, or other message.
 - b. Nonconforming signs may remain, provided that they are maintained in good repair, except as follows:
 - 1. A nonconforming sign or the structure supporting the sign which is damaged or destroyed to the extent of fifty percent (50%) or more of the current replacement value shall be removed or brought into compliance with this Code.
 - 2. A nonconforming sign or the structure supporting the sign shall be removed if the sign is damaged or destroyed to the extent of fifty percent (50%) or more.
 - 3. If the damage or destruction is less than fifty percent (50%), the sign must be under repair within thirty (30) days and all repairs must be completed within three (3) months. The sign shall not be enlarged in any manner.
 - 4. When a nonconforming sign, or a substantial part of the sign is damaged, destroyed, taken down, or removed, it may not be re-erected, reconstructed, or rebuilt except in full compliance and conformance with this Code. For purposes of this section, substantial shall mean if the cost of repair exceeds fifty percent (50%) of the cost of a new sign of the same construction and size. A nonconforming, on-premise, detached sign which is required to be relocated due to expansion of public right-of-way may be relocated on the same lot or tract, provided there is no more than one (1) detached sign per lot or tract. The relocation shall occur within six (6) months following completion of the road.
4. Special Exception
- a. Any exception to this Code shall be presented in writing to the Planning Manager and shall be not be allowed unless approved by City Council after receiving a recommendation from the Planning and Zoning Commission. In reviewing a requested special exception to the sign code the Planning and Zoning Commission and City Council may consider:
 - 1. Whether the requested exception will not adversely affect public safety,
 - 2. Whether the requested exception will not adversely affect surrounding properties,

3. Whether the requested exception will be in harmony with the spirit and purpose of this sign code,
 4. Whether special conditions exist which are unique to the applicant or property,
 5. Whether the requested exception demonstrates increased quality and standards, and
 6. Whether the requested exception will be aesthetically appropriate in the area.
5. Special Sign Districts
- a. A Special Sign District may be established for the purposes of promoting the character a unique area with separate and specific sign regulations.
 - b. A Special Sign District may be established as part of a Planned Development Zoning District or separately. If established separately from a Planned Development Zoning District, a Special Sign District shall be approved by City Council after receiving a recommendation from the Planning and Zoning Commission.
- C. Sign Measurements
1. Sign Area. For the purposes of this section, sign area shall be measured as follows:
 - a. Square or rectangular signs shall be measure as the length times the height of the sign (Figure 26, Section 8.18).
 - b. Irregular shaped signs shall be measured as the sum of the areas of rectangles, triangles, circles, or combination thereof necessary to enclose the sign face (Figure 27, Section 8.18).
 - c. Signs composed of individual cutout letters or figures shall be measured as the sum of areas of rectangles, triangles, circles, or combination thereof necessary to enclose the letters or figures (Figure 28, Section 8.18).
 - d. For double-faced signs with less than thirty inches (30") between faces, and less than a thirty-degree interior angle between faces, only one side shall be counted as the total area. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area (Figure 29, Section 8.18).
 - e. Total sign area shall include all masonry supports and frames.
 2. Sign Height. Sign height shall be measured as follows:
 - a. When measuring sign height, the height of the entire structure, including decorative and structural elements must be included. Monument and freestanding signs shall be measured from the base of the sign. Wall and attached signs will be measured from the lowest point of the sign or its supporting structures to the highest point of the sign or its supporting structures.
 - b. Berming or increasing the ground height to increase sign height is not permitted. Height measurement shall be from average grade if berms are used.
 - c. Clearance for a projecting sign is measured from the base of the building, or sidewalk passing under the sign to the lowest point of the sign or its supporting structure.
 3. Distance
 - a. Whenever a minimum distance between signs is indicated, it means the horizontal distance measured from the closest points of each sign as if each sign's closest point touched the ground.

- b. Whenever a minimum setback distance is indicated, it means the horizontal distance measured from the closest two points as if the sign's closest point touched the ground.

D. General Standards

1. Prohibited Signs

- a. Moving, flashing, intermittently-lighted, changing colors, beacons, revolving or similarly constructed signs are not allowed in any zoning district. It shall be an affirmative defense if such signs are otherwise allowed in this Code.
- b. No person shall attach any sign, paper, or material, or paint, stencil, or write any name, number (except house or street address numbers) or otherwise mark on any sidewalk, curb, gutter, or street.
- c. No person shall attach or maintain any sign upon any tree, utility pole, light pole or similar structure.
- d. Signs shall not display gestures or words that are obscene, profane, or pornographic in nature or any other manner that is illegal under State or Federal law.
- e. Signs over or in public rights-of-way are prohibited, except movement control, traffic control devices, street signs, way-finding, entry-way or portal signs, or directional signs placed by the City or State. Projected banner signs over the U.S. Highway 377/Main Street right of way are allowed in Old Town Keller district if part of a special event and in compliance with Texas Department of Transportation guidelines.
- f. All off-site (off-premise) signage is prohibited unless specifically allowed by this Code.
- g. Pole signs are prohibited. Monument sign bases must be at least the width of the sign.
- h. Signs attached to or upon any a trailer, skid, or similar mobile structure or vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location, or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service, or product.
- i. Internally illuminated boxed cabinet wall signs are prohibited.
- j. Exposed neon tubing is prohibited unless used in reverse can letters.
- k. Abandoned signs' sign copy should be removed when the tenant leaves the space. The supporting structure may remain for future tenants.
- l. Off-premise signs are prohibited unless specifically allowed elsewhere in this code.

2. Hazards & Nuisances

- a. Signs shall not create a hazard due to collapse, fire, collision, decay, disrepair, location, or abandonment.
- b. Signs shall not obstruct firefighting or police surveillance.
- c. Signs shall not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
- d. Signs shall not obstruct or create a nuisance to persons using the public rights-of-way.
- e. Sign shall not be located in a manner that could constitute a hazard or nuisance.

- f. No sign shall be illuminated to an intensity or brightness to a degree that could constitute a hazard or nuisance.
3. Maintenance
- a. Signs shall be kept in well-maintained condition at all times to prevent deterioration, oxidation, rust, discoloration, or other unsightly conditions and in a safe condition free from all hazards including but not limited to faulty wiring and loose fastenings so as not to be detrimental to public health and safety. Signs that are not well-maintained, including but not limited to signs that are weathered, shall be removed.
 - b. Signs shall not create urban blight due to lack of maintenance.
4. Design Standards
- a. Signs may be internally or externally illuminated unless stated otherwise in this code.
 - b. No internally illuminated sign shall be erected within one hundred and fifty feet (150') of a single family or two-family residential development, unless the lighting is shielded from view of the residential development by the building, walls, or other permanent features. The distance shall be measured in a straight line.
 - c. All permanent signs shall be constructed of quality materials including aluminum, masonry stone, brick, stucco, molded plastics and acrylic.
 - d. All temporary signs shall be made of professional materials including plastic, wood, metal, corrugated plastics. Temporary banner signs shall be made of cloth, plastic or other fabric-like flexible material.
 - e. All supporting hardware shall be concealed from view or integrated into the sign design.
 - f. All signs, including temporary signs, must be printed and professional in appearance. No handwritten or spray painted signs are allowed, except window signs may be hand painted or applied directly to the window using paints or similar media.
 - g. Signs shall be located a minimum of five feet (5') from the public right-of-way and shall comply with require visibility triangles.
 - h. Signs for buildings in a multi-use development approved as part of one preliminary site evaluation or zoning application shall be compatible in design, size, material and lighting.
 - i. The Old Town Keller (OTK) and Town Center (TC) zoning districts have additional design standards and sign allowances. Please see Section 8.03 (Q) for Old Town Keller Standards and Section 8.03 (P) for Town Center Standards.
5. Temporary Sign Regulations

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Section 8.09 (D.5) Table 1 - Temporary Sign Regulations					
Type	Max. Size (in square feet)	Number permitted	Duration	Zoning	Additional Standards
Banners	24 sf	1 per building or lease space elevation	7 days	All	Allowed four times per calendar year. Banners must be attached to buildings.
Grand Opening	50 sf	No limit	30 days	All	Must use within 180 days of Certificate of Occupancy. Banners, pennants, flags, small balloons and yard signs may all be used.
Weekend Real Estate Directional Signs	4 sf	1 per intersection, 8 total per listing	5:00 pm Friday to 10:00 pm Sunday	All	Signs must be on private property and not in the ROW. No permit required.
Real Estate Directional Signs	4 sf	1 per intersection, 8 total per listing	8:00 am to 7:00 pm Monday-Friday	All	Signs must be on private property and not in the ROW. No permit required.
Yard Signs (for sale, garage sale, etc.)	8 sf	1 per lot	None specified	All Residential	No permit is required. The sign may not be illuminated. 1 may be located outside of gated subdivisions
Neighborhood Event Signs	24 sf	1 per neighborhood entrance	7 days	All Residential	Signs must be removed 24 hours after event. This permit may only be issued twice per calendar year per subdivision.
Residential Construction and Development Signs	32 sf and 8' tall	2	Until 80% of homes sold or apartments rented	All Residential	Signs may be located off-site if permission is granted from the property owner.
Searchlights	Not Applicable	1	72 hours	All Non-Residential	Allowed only in conjunction with a grand opening sign permit.
Inflatable Signs	50 sf	1	72 hours	All Non-Residential	Allowed only in conjunction with a grand opening sign permit.
Commercial Construction and Development Signs	32 sf and 8' tall	1	Until Certificate of Occupancy is issued	All Non-Residential	Sign may only be erected on undeveloped property or on property which is currently under development.
Portable Signs	50 sf	1 per intersection	7 days	All Non-Residential	Only allowed for non-profit institutions based in Keller to advertise events. Only allowed five permits per calendar year
Directional Signs	12 sf	12	7 days for annual events 1 day for more frequent events	All Non-Residential	Only allowed in conjunction with events open to the public. 3' max height. Allowed in ROW to direct people to events open to the public.
Signs at Polling Places	See Sub-Section D.5.d below				

- a. Signs at Polling Places. This subchapter is specific to Town Hall as a polling location. Signs are allowed at Town Hall only during the time it is used as a polling location during voting periods and only insofar as required by state law and the the following time, place and manner requirements are met:
 - 1) Time - In accordance with Texas Election Code §61.003, signs shall be allowed at polling sites during early voting periods or on Election Day. Signs so posted must be removed within forty-eight (48) hours after the close of the early voting period or the close of the polls on Election Day, whichever is applicable.
 - 2) Place
 - a) No signs or campaign literature are permitted on City property, except as required by Texas Election Code section 61.003 or 85.036. This prohibition includes all locations, so long as there is no polling site at that location, including city hall, city service center, library, Keller Pointe, public parks, fire stations, police departments and water pumping stations.
 - b) For so long as required by Texas Election Code section 61.003 and 85.036, all public property upon which there is located a polling place, outside the area described in §61.003, and within the area which is allowed to have signs posted shall meet the following requirements:
 - i. The sign shall only be allowed to be located in the granite bed around the fountain on the North side of Keller Town Hall.
 - ii. The sign cannot be a traffic or safety hazard.
 - iii. The sign should be attached to a stake not to exceed a 9 gauge diameter (American Wire Gauge standard (AXG) driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures.
 - 3) Manner
 - a) Only three (3) signs per candidate or ballot measure proposition.
 - b) Signs must be self-supporting.
 - c) Signs cannot be illuminated.
 - d) Signs shall not have any moving elements.
 - e) Signs shall not exceed four feet (4') in height.
 - f) The sign shall not exceed three (3) square feet in area.
6. Attached Signs General Standards

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Section 8.09 (D.6) Table 2 – Attached Signs Wall Signs						
<i>Wall Signs*No combination of attached signage shall exceed twenty percent (20%) of the area of the façade on which it is mounted. For the purpose of multitenant buildings, only the individual lease space shall be considered.</i>						
Type (per Transportation Plan)	Setback	Max. Size	Max. Width	Number	Zoning Districts	Additional Standards
Local Streets	≤ 100'	40 sf	75% of building or lease space width. Sign must be a minimum of 1 foot from the edge of the lease space.	1 per building elevation or lease space elevation visible from a public street or with a public entrance	Non-residential, Multi-Family or Commercial Buildings in Residential Districts	Signs must be mounted parallel to walls and may not project above the roof or project more than eighteen inches (18”) from the wall, see Figure 11 Section 8.18. Staff may approve signs mounted on the roof if there is no other feasible area and the sign does not project about the roofline.
	>100'	60 sf				
Collector and Arterials with four lanes	≤100'	80 sf				
	>100'	100 sf				
Arterials with six or more lanes	≤100'	180 sf				
	>100'	200 sf				

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Section 8.09 (D.6) Table 3 – Attached Signs Additional Types				
<i>Additional Attached Sign Types *No combination of attached signage shall exceed twenty percent (20%) of the area of the façade on which it is mounted. For the purpose of multitenant buildings, only the individual lease space shall be considered.</i>				
Type	Max. Size	Number	Zoning Districts	Additional Standards
Building Identification	Not Applicable	2 per building	Multi-family	No signs or words shall be over 18" in height. Signs shall not be mounted on roofs and shall not project above the roof.
Incidental	4 sf	1 per elevation	All	Permitted in addition to primary sign, no permit required
Protective	1 sf	1 per premise	All	4" letter height maximum. No permit required.
Auxiliary Signage	50 sf (all Auxiliary Signs combined)	3 per building	All Non-Residential	Only permitted on commercial buildings of twenty-five thousand (25,000) square feet or larger or restaurants of five thousand (5,000) square feet or larger.
Window Signs	Not Applicable	Not Applicable	All Non-Residential	May not cover more than twenty five percent (25%) of the window area per building elevation or lease space elevation. No permit required.
Awning Sign	20 sf	1 per awning face	All Non-Residential	Maximum 9" tall lettering. Awning must be an attached fabric awning and signage must be on the valance.
Canopy Sign	None	2	All Non-Residential	Maximum 24" tall lettering. Canopy must be a free-standing structure.
Projecting sign	20 sf	1	OTK	The premise or occupancy may not have to detached sign on the premise. The sign shall have a minimum of ten feet (10') clearance. The sign may project up to 4' from building surface Applicable but not over any public right-of-way, except on Main Street in OTK with a TXDOT permit, see Figure 10 Section 8.18.
Shingle Sign	4 sf	1 allowed per street frontage	OTK	The sign shall have a minimum of ten feet (10') clearance. May project up to 4' from building surface. Sign shall not project over any public right-of-way, except on Main Street in OTK with a TXDOT permit.
Movement Control	6 sf	Not Applicable	All Non-Residential	Maximum 4" letter height. No permit required.
Murals	There are no set standards for murals. All proposed murals must be approved by City Council after recommendation from the Public Arts Board.			

7. Detached Signs General Standards

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Section 8.09 (D.7) Table 4 – Commercial District Detached Signs						
Detached Type	Max. Size	Number	Height	Width	Zoning Districts	Additional Standards
Single Tenant Building (<25,000sf) Monument Sign	60 sf	1	6'	None	All Non-residential except TC (Town Center)	<ul style="list-style-type: none"> • Signs shall have a minimum 6" masonry frame on sides, bottom and top, or a minimum of 50% of the sign area shall be masonry material matching the primary building material in color and finish. • Individual lots that have more than 600 feet of frontage along a public right-of-way, other than an alley, may have 1 additional detached sign. • Manually changed message boards are allowed as part of a sign but shall not occupy more than 50% of the sign copy area and are included in the total sign area. • An electronic message board sign may be permitted as part of a monument sign for religious institutions and governmental entities only (federal, state, county, city, and school district) provided that the area of the electronic message board sign does not exceed 50% of the total allowable monument sign area and meets setbacks from residential property for internally illuminated signs. Electronic message boards shall include automatic dimmers so that brightness does not exceed 0.3 foot-candles above ambient light conditions and timers to turn signs off between 10 p.m. and 7 a.m.
Single Tenant Building (≥25,000sf) Monument Sign	75 sf	1	8'			
Multi-Tenant Building (<5,000 ft) Monument Sign	60 sf	1	6'			
Multi-Tenant Building (≥5,000 ft and <15,000 sf) Monument Sign	70 sf	1	8'			
Multi-Tenant Building (≥15,000 ft and <25,000 sf) Monument Sign	90 sf	1	10'			
Multi-Tenant Building (≥25,000 sf) Monument Sign	96 sf	1	12'			
Menu Board Sign	32 sf combined	2	8'	None	All Non-residential	Allowed only in conjunction with a drive-thru facility. Size may be increased to 40 square feet if one sign is utilized. Signs shall not face a public right-of-way that serves the front of the building.
Movement Control Sign	6 sf	No Limit	4'	None	All Non-residential	The letters shall not exceed 4" in height.
Landmark Sign	490 sf per side	1 per 500' frontage	35'	14'	TC	See Section 8.03 (P) for additional standards.
Sandwich Board	8 sf	1	48"	None	TC and OTK	Must be placed inside at the end of each business day. No permit required.
Flags	60 sf	No Limit	No Limit	None	All Non-residential	Private logos, business logos, or advertisements are not permitted on flags in all non-residential districts. If height is equal to or exceeds 30' then engineered plans are required.
Protective	1 sf	1	2'	None	All Non-residential	Maximum letter height 4". No permit required.
Unified Lot Sign	See Sub-Section E.7.c, below.					

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Section 8.09.(D.7) Table 5 – Residential District Detached Signs						
Monument or Detached Type	Max. Size	Number	Height	Width	Zoning Districts	Additional Standards
Multi-Family	32 sf	1 per entry point	8'	None	Multi-family	A minimum 6" masonry frame and 2' masonry base matching the primary building material in color and finish is required, see Figure 12 Section 8.18.
Business, Religious institution, or non-residential use Located in Residential Zoning	32 sf	1 per lot	8'	None	All Residential	<ul style="list-style-type: none"> • A minimum 6" masonry frame and 2' masonry base matching the primary building material in color and finish is required. • An electronic message board sign shall be permitted as part of a monument sign for religious institutions and governmental entities only (federal, state, county, city, and school district) provided that the area of the electronic message board sign does not exceed 50% of the total allowable monument sign area and it meets the 150' setback from residential property for internally illuminated signs. Electronic signs of any kind shall include automatic dimmers so that brightness does not exceed 0.3 foot-candles above ambient light conditions and timers to turn signs off between 10 p.m. and 7 a.m. • Individual lots that have more than six hundred (600) feet of frontage along a public right-of-way, other than an alley, may have one (1) additional detached sign.
Subdivision Entry	32 sf	1 per entry point	8'	None	Single Family and Two-Family Residential	A minimum 6" masonry frame and 2' masonry base is required.
Subdivision Message Board	32 sf	1 per subdivision	8'	None	Single Family and Two-Family Residential	Message boards shall be located internal to the neighborhood. For residential subdivisions with more than one hundred (100) lots, two (2) permanent message boards will be allowed. Internally illuminated signs shall not be permitted.
Flags	60 sf	No Limit	30'	None	All Residential	Private logos, business logos, or advertisements are not permitted on flags in residential districts. If height is equal to or exceeds 30' then engineered plans are required.
Movement Control	6 sf	No Limit	4'	None	All Residential	The letters shall not exceed 4" in height. Internally illuminated signs shall not be permitted.
Protective	1 sf	1	2'	None	All Residential	Maximum letter height 4". No permit required.

- a. Unified-lot signs may be used in lieu of detached monument signs and shall comply with the area, height, setback, spacing, and design standards for detached monument signs.
 - 1) One unified-lot sign per street front may be placed on a premise consisting of two or more contiguous lots and/or tracts of land where each property owner has entered into a binding agreement to treat their separate properties as one lot for the limited purpose of signage. The agreement shall contain a legal description of the properties subject to the agreement; state that the parties, their heirs and assigns forego any rights to additional freestanding signs on the premises covered by the agreement; state that the agreement is a covenant running with the land to be filed and made a part of the Deed Records of Tarrant County, Texas; and that the agreement cannot be amended or terminated without the consent of the Planning Manager or designee.
 - 2) A unified-lot sign agreement shall not be effective until a true and correct copy of the agreement is filed in the Deed Records of Tarrant County, Texas, and a file-marked copy is filed with the Planning Manager or designee.
 - 3) Individual lots or tracts of land that are a part of a unified-lot agreement shall not be entitled to any other free-standing street front signage.

Section 8.10 - Accessory Building and Use Regulations

A. General Provisions

1. In a single-family or multi-family district, an accessory building or use is a subordinate or incidental building or use detached from the main building, not used for commercial purposes. A home occupation may be allowed in an accessory building as a subordinate use. The combined area of all accessory buildings on a lot shall be less than fifty percent (50%) of the main structure, unless approved by a SUP.
2. In non-residential districts, an accessory building or use is a subordinate building or a subordinate use in the primary building, the use of which is secondary to and supportive of the main building. Accessory buildings shall not be permitted without a main building or primary use being in existence. Living quarters may be utilized in non-residential districts if occupied by the owner or manager of the non-residential use and shall not exceed two thousand (2,000) square feet.
3. All accessory buildings shall be complimentary to the main structure, constructed of brick or stone or the same material as the main structure(s).
4. Accessory buildings shall not contain full kitchen facilities unless approved as an accessory dwelling unit.
5. Detached accessory buildings shall be prohibited in front of the main building. Detached carports shall be located at the rear of the property and observe all building setback requirements. Covered parking may be approved in the front of the buildings by SUP.
6. All side and rear setback requirements of the zoning district shall be met.
7. Accessory buildings are not allowed in easement areas or alleys. Accessory buildings one hundred twenty (120) square feet or less are allowed to be a minimum of five feet (5') from the side and rear property lines. Accessory buildings one hundred twenty (120) square feet or less on residential properties zoned for patio homes shall meet the minimum side setback requirements of its respective zoning district
8. Accessory buildings are not permitted without a main structure unless on tracts of two (2) acres or more and used solely for agricultural purposes. Workshops, garages, or similar uses shall not be considered as agricultural purposes. In such case, a minimum of one hundred foot (100') front building setback is required.
9. The maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by the Zoning Board of Adjustment (ZBA) or by a Specific Use Permit (SUP), whichever is applicable, for additional height (see definition of [Building Height](#)). Accessory buildings of less than one hundred twenty (120) square feet shall not exceed ten feet (10') in height.
10. There shall be no more than two (2) detached accessory buildings per single-family lot and they must be separated by a distance of not less than ten feet (10').
11. Wood shingles are not permitted for accessory buildings.
12. Detached carports are considered as accessory buildings and shall meet the requirements of this section.
13. The use of storage containers may be allowed for a limited time such as moving or construction with a permit. Extended use of storage containers may be considered with an SUP.

B. Accessory Dwelling Units

Detached accessory dwelling units in the residential districts shall be allowed as an incidental residential use of a building on the same lot as the main dwelling unit and used by the same person or persons of the immediate family, and meet the following standards:

1. The accessory dwelling unit shall be constructed behind the main dwelling on a lot with a minimum area of one-and-a-half (1.5) acres.
2. All accessory dwelling units require approval of a Specific Use Permit by the City Council.
3. Setback requirements shall be the same as for the main structure.
4. Accessory dwelling units shall be constructed from the same materials as the main building.
5. Accessory dwellings units are not permitted without the main or primary structure.

Section 8.11 - Fencing Requirements in Residential Zoning Districts

- A. A fence permit shall be required for any new fence construction or replacement of an existing fence.
- B. All fences shall be kept in good repair and shall not create urban blight. Dilapidated fences shall be repaired or replaced in accordance with provisions of this Code. Fences may be painted or stained with natural wood colors. No bright unnatural colors are allowed.
- C. Fences shall be constructed of wood, ornamental metal, tubular steel, masonry, or live material. The Planning Manager or his/her agent may consider alternative fencing material for residential-zoned properties on a case-by-case basis. Chain link fencing is prohibited in all zoning districts unless approved by the City Council as a special exception. Existing chain link fences may be replaced with a permit. All new or replacement chain link fencing shall be vinyl clad in black or green. Chain link fencing may be allowed on a temporary basis for construction purposes or special events.
- D. Fences for non-residential uses allowed in residential districts such as schools and churches shall be ornamental metal, tubular steel, masonry or a combination thereof. No wood or chain link fencing shall be allowed unless specifically approved on a site plan by the City Council.
- E. Chain link fencing shall not be allowed for perimeter fencing and shall not be visible from the street. Chain link fencing may be allowed for fencing of dog runs, tennis courts, etc.
- F. No barbed wire, chain link, or electrical fencing shall be allowed except as used for farm or ranching purposes on undeveloped land over two (2) acres in area.
- G. The maximum height requirements, as measured from the grade of the property, shall be as follows:
 - 1. Thirty-six inches (36") for front yard or in front of the main structure.
 - 2. Five feet (5') for front yard or in front of the main structure in SF-36 zoning district if constructed of split rail, ornamental metal, tubular steel, or similar open face material.
 - 3. Eight feet (8') for side or rear yards not adjacent to any street, park, or trail.
 - 4. Six feet (6') for side or rear yards adjacent to any street, park, or trail.
 - 5. Special exceptions for fence heights over these maximums may be made for properties of exceptional topography or necessary finished floor elevations to aid in screening when standard fence heights are inadequate. This determination will be made by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision.
- H. The height of a fence adjacent or perpendicular to a screening wall shall not exceed the height of the subdivision's screening wall or any other fence constructed by the developer at the time of initial development.
- I. All fences adjacent to parks or open space areas shall be constructed of masonry, ornamental metal, tubular steel, or similar material. Wood fencing shall not be allowed behind the required open fencing. The DRC may approve cedar wood fencing adjacent to private trail connections or private open spaces within a development.
- J. Allowable wood fences adjacent to streets, schools, parks, or other public spaces shall have the finished side facing the public space. All fence posts and structural components shall be placed on the interior of the lot.
- K. All replacement wood fences adjacent to a thoroughfare, as shown on the Thoroughfare Plan, shall be constructed of Cedar material with metal posts and Cedar top and bottom caps. The fence shall be stained with Ready Seal or an equivalent wood sealant material. Any new wood

fences permitted adjacent to thoroughfares shall comply with this provision (see [Section 8.18 - Figure 19](#)).

L. Corner lots or double frontage lots shall comply with the following requirements:

1. The location of fences for double frontage lots or corner lots adjacent to a street shall be in accordance with the building setback line as shown on the final plat. If a property is not platted, the location of fences shall comply with the building setback requirements of the zoning district that the property is located in. The distance may be reduced to eight feet (8') from the property line if the fence is constructed of ornamental metal, tubular steel, or similar material with live screening.
2. If a corner lot is adjacent to a subdivision's screening wall, a fence may be placed outside the required setback line. In such cases, the fence shall meet the above requirements.
3. In subdivisions where a fence has been legally permitted to be five feet (5') from the property line, the immediate adjacent lot may also construct the same type fencing to be flush with the existing fence.

M. Swimming Pool Fences

Swimming pool fences shall comply with the following requirements:

1. Swimming pools shall have a fence of a minimum of four feet (4') in height with self-closing, self-latching gates. Openings in the fence shall not allow passage of a 4-inch-diameter sphere.
2. A dwelling, accessory building, or apartment building may be used as part of a fence enclosure, provided that all entrances into the swimming pool area or court are equipped with gates as described herein, or doors with latches or locks.
3. The fence may be constructed of wood, ornamental metal, tubular steel, or other approved material. Chain link fencing shall not be allowed unless it is completely contained within the lot and is not visible from any street or adjacent property.

Section 8.12 - Fencing Requirements in Multi-Family and Non-Residential Districts

- A. A fence permit shall be required for any new fence construction or replacement of an existing fence.
- B. All fences shall be kept in good repair and shall not create urban blight. Dilapidated fences shall be repaired or replaced in accordance with provisions of this Code.
- C. All fencing for multi-family and non-residential districts shall be shown on the site plan for the development and be approved as part of the site plan approval.
- D. Fencing shall be constructed of wrought iron, tubular steel, masonry, live screening, or a combination thereof.
- E. Wood, barbed wire, or chain link fencing is prohibited unless specifically requested on a site plan and approved by the City Council. When a site plan is not applicable, the Planning and Zoning Commission and City Council may consider variances to this requirement.
- F. Fencing shall not exceed eight feet (8') in height unless specifically approved on a site plan by the City Council.

Section 8.13 - Screening Wall Requirements

- A. Screening walls shall be constructed of masonry material such as brick, stone, concrete panels, or similar materials consistent in material, finish, and color with the primary buildings within the development or adjacent buildings in the area. Screening walls shall be a minimum of six feet (6') in height. An eight feet (8') wall may be required on a case-by-case basis at the time of the site plan review. The wall finish shall be consistent on both sides.
- B. Screening walls are required when a non-residential or multi-family development is constructed adjacent to a single-family or two-family residential use or zoning district. The construction responsibility is with the multi-family or the non-residential development.
- C. Screening walls are required between multi-family and non-residential uses or zoning districts. The construction responsibility is with the non-residential use.
- D. Screening walls are required if a single-family development is being constructed adjacent to a developed multi-family or a developed non-residential use without a screening wall in place. The single-family residential development is required to construct a screening wall in accordance with this Code.
- E. Screening walls are required around refuse storage, trash compactor, and loading areas.
- F. Screening walls are required around outside storage areas. Storage of material shall not exceed the height of the screening wall.
- G. Screening walls are required for ground mounted utilities and heating/cooling units.
- H. Alternative screening methods may be requested as part of the site plan review process and may be approved by the City Council.
- I. Screening wall plans are required to be submitted to the City for review and permitting and shall be signed and sealed by a Structural or Civil Engineer licensed by the State of Texas. All screening wall plans shall be submitted at time of Building Permit application in accordance with the application requirements listed in [Section 4.14 - Landscaping and Screening Wall Plans](#).
- J. All screening walls shall be kept in good repair and shall not create urban blight. Dilapidated screening walls shall be repaired or replaced in accordance with provisions of this Code. Repairs or replacements shall match the existing material (brick, panel, stone, etc.) colors.

*** Refer to Section 5.10 for Single Family Residential Thoroughfare Screening.***

Section 8.14 - Public Arts Fee Requirements

A. Purpose

1. The purpose of a public art fee requirement is to establish art for the enjoyment, happiness, welfare, and morals of the public, to provide a variety of cultural opportunities within convenient distances from a majority of the residential and non-residential areas, to heighten awareness and appreciation for the arts, to foster development projects respond to the distinctive characteristics of the community and their specific locals, to enhance economic development and cultural tourism, and to provide a method to implement the City of Keller Public Arts Master Plan.
2. This section is adopted to provide public art and public art areas as a function of land development in the City of Keller. The City Council has determined public art areas are necessary for the public welfare. Furthermore, the only adequate procedure to provide for public art throughout the City is by integrating a requirement for art dedication into the procedures for planning and developing property in the City.

B. General Requirements. These requirements shall apply to all single-family, two-family, multi-family residential, and non-residential developments in the City of Keller.

1. A fee for public art is required for all residential developments of five (5) lots or more, for all new non-residential or mixed-use development projects, and for all redevelopments of non-residential or mixed use projects where the floor area is increased by twenty five percent (25%) or more.

2. Public Arts Fees:

- a. All fees shall be sufficient to acquire public art, at a price set forth in the City of Keller Code of Ordinances Chapter 2, Administration, Article 1, In General, Section 2-270, Administrative Fees.
- b. Payments received may be used only for public art acquisition, installation, and/or administration.
- c. For residential developments, payments shall be received prior to the filing of the final plat for public improvements and prior to the final inspection for individual homes.
- d. For non-residential or mixed-use developments, payments shall be received prior to the final plat or site inspection, as applicable.

Section 8.15 - Supplemental Regulations

A. Front Yards

1. On all corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless approved specifically otherwise on a final plat (see [Section 8.18 - Figure 4](#)). Where single-family, duplex and townhome lots have double frontage, extending from one street to another, or are on a corner, a required front yard shall be provided on both streets unless a side or rear yard building line has been established along one frontage on the plat, in which event only one required front yard need be observed (see [Section 8.18 - Figure 6](#)). The side and/or rear yards in the case of single-family, duplex and townhome uses shall be identified and the front of the structure shall not face the side or rear yard.
2. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage (see [Section 8.18 - Figure 5](#)).
3. The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four feet (4'), and subsurface structures, platforms or slabs may not project into the front yard to a height greater than thirty inches (30") above the average grade of the yard (see [Section 8.18 - Figure 8](#)).
4. Minimum front yard setbacks and lot widths for lots with predominate frontage on the curved radius of a dedicated cul-de-sac street shall be as follows:

<u>Zoning District</u>	<u>Minimum Lot Width*</u>	<u>Minimum Front Yard</u>
SF-36	120'	40'
SF-30	120'	40'
SF-25	120'	40'
SF-20	100'	40'
SF-15	90'	40'
SF-12	80'	40'
SF-10	70'	30'
SF-8.4	60'	30'
Townhome (2F)	60'	30'

*Measured at the front building line

5. Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding or landscaping three feet (3') or higher above the street center line obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection as follows:
 - a. At a street intersection, clear vision must be maintained for a minimum of twenty-five feet (25') across any lot measured from the corner of the property line in both directions (see [Section 8.18 - Figure 21](#)).
 - b. At an intersection with an alley, this clearance must be maintained for ten feet (10') (see [Section 8.18 - Figure 21](#)).
 - c. Shrubs and hedges three feet (3') or less in height, as measured from the centerline of the street, may be located in the visual clearance areas of all districts.
6. Gasoline service station pump islands may not be located nearer than eighteen feet (18') to the property line adjacent to a public street. Pump islands for a gasoline filling station may extend beyond the front building line but shall not be closer than fifteen feet (15') to

any property line not adjacent to a public street provided that other requirements of this Code are met.

7. Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.
8. Satellite dishes are prohibited in the front yard area of any district. Only one satellite dish shall be permitted per residential lot or primary structure.

B. Side Yards

1. On a corner lot used for one or two-family dwellings, both street exposures shall be treated as front yards on all lots platted after July 6, 1960 except that where one street exposure is designated as a side yard. In such case, a building line shall be designated on an approved plat with a minimum side yard of fifteen feet (15') or more. On lots which were official lots of record prior to the effective date of this Code, the minimum side yard adjacent to a side street shall comply with the minimum required side yard for the respective district.
2. Every part of a required side yard shall be open and unobstructed except for accessory buildings as permitted herein (see [Section 8.10](#) for exceptions) and the ordinary projections of window sills, belt courses, cornices, and other architectural features not to exceed twelve inches (12") into the required side yard, and roof eaves projecting not to exceed thirty-six inches (36") into the required side yard. Air conditioning compressors and similar equipment are permitted in the side yard.

C. Special Height Regulations

1. In the districts where the height of buildings is restricted to two (2) or two and one-half (2½) stories towers, antennas, and architectural features may extend for an additional height not to exceed fifty feet (50') above the average grade line of the building.
2. Amateur radio antennas and other transmitting and receiving devices of microwave or electromagnetic waves for broadcasting use, shall not interfere with radio or television reception of adjoining property owners, and shall comply with all regulations of the Federal Communications Commission (FCC). In no manner shall the use of such equipment infringe upon adjoining property owners. Satellite dishes and other similar antennas shall be permitted on the roof as long as satellite dishes do not exceed three feet (3') in diameter and antennas do not exceed fifty feet (50') in height as measured from the ground.

D. Seasonal/Temporary Uses

1. Temporary locations for sale of merchandise are prohibited in the city limits of Keller unless approved by a Specific Use Permit (SUP).
2. Temporary sale of merchandise may be allowed as part of a special event.
3. Seasonal uses and sale shall be limited to may be allowed for 30 days, twice annually by permit in all zoning districts.
4. The following information is required for submittal to the Community Development Department for review at the time of application:
 - a. The full name of the person(s) applying for a permit, address and telephone number, if any, and, if the merchant is selling on behalf of an organization, the name and address of the parent organization.

- b. A letter from the property owner which authorizes the merchant to use the property for the purpose of temporary outdoor sales. Such letter shall bear the property owner's name, address, phone number and signature.
- c. A copy of a limited sales tax permit issued by the state or proof that the goods are not subject to such sales tax.
- d. A statement of the type of goods or wares to be sold.
- e. Provide a copy of a current health certificate of merchandise of edible quality is to be sold; however, this shall not apply to the sale of candy, nuts or other edibles prepared and packaged by a nationally recognized manufacturer or a Texas manufacturer meeting standards imposed by state and local health codes, if such packages are unbroken.
- f. Submittal of two (2) sets of a site plan, drawn to scale and legible, indicating the following:
 - 1) Stands, shelters, trailers, tents and buildings on the property.
 - 2) Lighting and electrical equipment (temporary power pole, generator, etc.)
 - 3) Location and number of parking spaces. Indicate if parking area is paved or unpaved. Indicate all drive approaches. Curb jumping or on-street parking is not permitted.
 - 4) Location, type and size of signage. One (1) temporary sign is allowed and requires a sign permit (32 square foot maximum).
 - 5) If a tent is to be erected, a separate tent permit is required.
 - 6) Electrical permit application for all proposed work. All electrical work shall be performed by a licensed master electrician and shall comply with the electrical Ordinance.
 - 7) Plumbing permit application for all proposed plumbing work. All plumbing work shall be performed by a licensed master plumber and shall comply with the plumbing Ordinance.
- 5. All required permits and inspections shall be completed prior to any seasonal sales lot opening for business.
- 6. At no time shall any fire lane or emergency access be blocked or obstructed.
- 7. Trees, stands, equipment, trash, signs, lighting and shelters shall be removed by permit holder.
- 8. Each temporary seasonal sales permit issued under this division shall be subject to cancellation for violation of any provisions applicable to this policy.

E. Fruit/Vegetable Stands

Fruit and vegetable stands shall be permitted only with a Specific Use Permit and shall follow the requirements of the Seasonal Use Permit prior to operation.

F. Asphalt or Concrete Batching Plant (Temporary)

A temporary asphalt or concrete batching plant permit may be approved by the Development Review Committee, subject to the following conditions. Any exceptions to the following conditions shall require approval of the City Council.

1. The batching plant site shall comply with the applicable provisions of City, State and Federal laws.
2. The batch plant shall not be located within six hundred feet (600') of any inhabited residence, whether in Keller or an adjacent municipality.
3. Hours of operation will be limited to Monday through Friday, 7:00 a.m. to 7:00 p.m., and Saturday, 9:00 a.m. to 5:00 p.m. Aggregate trucks shall be prohibited from hauling to or from the site on Sunday.
4. No portion of the batch plant or its operation shall be located on a public street.
5. The batch plant shall only furnish concrete, asphalt, or both to the specific project for which the temporary permit is issued. The placement of a temporary batching plant for a private project is restricted to the site of the project.
6. The temporary plant shall be operated in a manner that eliminates unnecessary dust, noise and odor (as illustrated by, but not limited to covering trucks, hoppers, chutes, loading and unloading devices and mixing operations, and maintain driveways and parking areas free of dust).
7. The site must be clear of all equipment, material and debris upon completion of the project.
8. All public improvements that are damaged during the operation of the temporary batching plant must be repaired or replaced within thirty (30) days of completion of the project.
9. Upon expiration of the temporary permit and cessation of activities, the Director of Public Works or his designee and permittee shall walk the site to verify compliance with these special conditions.

G. Carnival or Circus (Temporary)

A temporary use permit for a carnival, circus or special event may be issued by the Building Official, subject to the following conditions:

1. Applications for a permit shall be made no less than ten (10) days prior to the date such temporary carnival, circus or special event shall commence operation.
2. The fee for such permit shall be five hundred dollars (\$500.00). Non-profit organizations, school districts, and special events such as political rallies, tent meetings, festivals, revivals, bazaars, and other similar activities, shall be exempt from paying said fee.
3. The application for permit shall contain the following:
 - a. Name, address and telephone number of person, organization or company conducting the event.
 - b. Date or dates of the carnival, circus, or special event.
 - c. A plan showing in detail the different component parts of the temporary carnival, circus, or special event, including all shows, concessions, amusements, businesses and the location of each on the property.
 - d. A written lease or agreement from the owner of such property stating permission to the applicant to operate a temporary carnival, circus or special event on said property.
 - e. Proposed location and size of parking area.
 - f. Location and quantity of sanitary facilities.

- g. The appropriate number of persons who are attending and, if applicable, the number and types of animals and vehicles that will constitute such event.
 - h. The location and orientation of loudspeakers or sound amplification devices, if any.
 - i. Proof of public liability insurance with minimum combined limits of one million dollars (\$1,000,000). However, notwithstanding the foregoing, non-profit organizations, the Keller Independent School District, and special events, such as political rallies, tent meetings, festivals, revivals, bazaars, and other similar activities shall be exempt from providing proof of liability insurance, if there are no mechanical amusement rides or exotic animals, as defined in The City's Code of Ordinances.
 - j. Any other information that the City shall deem necessary under the standards for issuance.
- 4. Safe and orderly movement of normal traffic shall not be substantially interrupted.
 - 5. The temporary use shall not impede the movement of fire fighting equipment or ambulances.
 - 6. Waste from animals shall be removed daily from the premises. Animals shall not be kept closer than three hundred feet (300') to any residence or commercial establishment during non-operating hours of such event.
 - 7. The application shall be reviewed by the Community Development, Police and Fire Departments for security, fire and safety related issues.
 - 8. The permit will be valid for a maximum of five (5) days.

H. Garage Sale

A garage sale shall be subject to the following conditions:

- 1. A garage sale shall only be permitted as a temporary accessory use to a single-family detached or single-family attached dwelling.
- 2. An individual garage sale shall not exceed three (3) consecutive days.
- 3. The number of garage sales shall be limited to two (2) per calendar year per household.
- 4. Subdivision/community wide garage sales shall be allowed two (2) per calendar year.
- 5. Garage sale signs shall comply with sign regulations of this Code (see [Section 8.09](#)).

I. Radio, Television, Telecommunication, and Microwave Towers

- 1. Notwithstanding any other provision of this Code, telecommunications antennas, when such are permitted by federal law and the laws of the State of Texas, shall be regulated and governed by the following use regulations and requirements:
 - a. Telecommunications towers
 - 1) Telecommunications towers shall be permitted only with an SUP in any zoning district after the applicant has filed an application in the form required by the City of Keller for such use.
 - 2) The responses in the application to be submitted shall be complete and satisfy all of the requirements of the application before the application shall be considered to have been submitted and shall also include the following additional requirements:

- a) Tower height, including antenna array, may not exceed one hundred twenty feet (120').
- b) Telecommunications towers must be a minimum of two hundred feet (200') or three (3) to one (1) distance to height ratio, whichever is greater, from structures used for residential purposes.
- c) New telecommunications towers must be a minimum distance of five thousand feet (5,000') from another telecommunications tower.
- d) All guys and guy anchors are located within the buildable area of the lot according to the base zoning of the property on which the tower is proposed to be located and not within the front, rear, or sideyard setbacks and no closer than five feet (5') to any property line.
- e) The base of the tower is enclosed by security fencing.
- f) Equipment buildings must be similar in color and character to the main or adjoining building or structure or blend with the landscaping and other surroundings immediately adjacent to it and be screened by a wrought iron fence with evergreen hedge, or a masonry wall.
- g) The tower is erected and operated in compliance with current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards.
- h) A telecommunications tower must be:
 - i. Used by three (3) or more wireless communications providers; or
 - ii. Designed and built so as to be capable of use by three (3) or more wireless communications providers including providers such as cellular or PCS providers using antenna arrays of nine (9) to twelve (12) antennas each within fifteen vertical feet (15') of each other with no more than three degrees (3°) of twist and sway at the top elevation and the owner of the tower and the property on which it is located must certify to the City that the antenna is available for use by another wireless telecommunications provider on a reasonable and nondiscriminatory basis and at a cost not exceeding the market value for the use of the facilities. If the property on which the tower is proposed to be located is to be leased, the portions of the actual or proposed lease that demonstrate compliance with the requirements of this paragraph shall be submitted with the SUP zoning application.
- i) All towers will be of a tapering monopole construction, except that another type tower shall only be allowed upon a showing that it would cause less visual impact on surrounding property than a similar monopole structure.
- j) No lettering, symbols, images, or trademarks large enough to be legible to occupants of vehicular traffic on any adjacent roadway shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by FCC regulations regarding tower registration or other applicable law.
- k) The need for the requested site and the nature of any existing sites shall be documented as set forth in the application.
- l) Telecommunications towers should be constructed to minimize potential safety hazards. Telecommunications towers shall be constructed so as to meet or exceed the most recent EIA-222 standards and prior to issuance of a building permit the Building Official shall be provided with a Texas

registered professional engineer's certification that the tower's design meets or exceeds those standards. Guyed towers shall be located in such a manner that if the structure should fall along its longest dimension, it will remain within property boundaries and avoid habitable structures, public streets, utility lines and other telecommunications towers.

- m) Telecommunications towers and equipment buildings shall be located to minimize their number, height and obtrusiveness to minimize visual impacts on the surrounding area and in accordance with the following requirements:
 - i. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.
 - ii. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public rights-of-way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.
 - iii. Site telecommunication facilities to minimize being visually solitary or prominent when viewed from residential areas and the public rights-of-way. The facility should be obscured by vegetation, tree cover, topographic features, and buildings or other structures to the maximum extent practicable.
 - iv. Place telecommunication facilities to ensure that historically significant buildings and landscapes are protected. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities.
 - v. The commission may recommend a variance and the council may grant a variance to a requirement for telecommunications towers when it is determined that such a variance better accomplishes the City vision than would a strict application of the requirement. Such variance shall be no greater than necessary to accomplish those policies.
- n) No signals or lights or illumination shall be permitted on a monopole unless required by the Federal Communications Commission, the Federal Aviation Administration, or the City of Keller.
- o) If any additions, changes, or modifications are to be made to the monopole, the Development Review Committee (DRC) shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or modification conforms to structural wind load and all other requirements of the current Building Code adopted by the City of Keller.
- p) Telecommunication tower owners shall submit an annual report of service providers using the tower to the Planning Manager. Telecommunication towers which have not been used for a period of one year shall be removed from a site. The last telecommunication service provider to use a tower shall notify the Planning Manager or designee within thirty (30) days that use of a tower has been discontinued.
- q) Back haul providers shall be identified and have all necessary approvals to operate as such, including holding necessary franchises, permits and certificates and the method of providing back haul, wired or wireless, shall be identified.

- r) The applicant shall fully and accurately complete a questionnaire supplied them by The City of Keller designed to gather information to assist in making a decision regarding the SUP application. In order to assist the staff, the commission and the council in evaluating visual impact the applicant shall submit color photo simulations showing the proposed site of the tower with a photo-realistic representation of the proposed tower as it would appear viewed from the closest residential property and from adjacent roadways.
 - s) The tower complies with all ordinances of the City not in conflict with this section.
- 3) In addition to the usual application fee, the applicant shall reimburse the City for the actual cost to the City for the services of an engineer should one be required to review the application and provide engineering expertise, up to a maximum of five thousand dollars (\$5,000.00).
- b. Antennas mounted on existing structures
- 1) Antennas mounted on buildings
 - a) Roof-mounted telecommunications antennas are allowed on non-residential buildings in all zoning districts without further zoning proceedings, provided a non-whip antenna does not exceed the height of the building by more than ten feet (10') and is screened from view from any adjacent public roadway and provided a whip antenna does not exceed the height of the building by more than fifteen feet (15') and is located no closer than fifteen feet (15') to the perimeter of the building. Prior to installation of a roof-mounted antenna, the department of building inspections shall be provided with an engineer's certification that the roof will support the proposed antenna and associated roof-mounted equipment. Roof-mounted antennas and associated equipment may be screened with enclosures or facades having an appearance that blends with the building on which they are located or by locating them so that they are not visible from an adjacent public roadway. The application process is required for roof-mounted antennas.
 - b) Building-mounted telecommunications antennas of the nonwhip type are allowed on nonresidential buildings in all zoning districts without further zoning proceedings, provided the antenna is mounted flush with the exterior of the building so that it projects no more than thirty inches (30") from the surface of the building to which it is attached; and the antenna's appearance is such as to blend with the surrounding surface of the building. This may not be applicable if the extension of the antenna is fully incorporated into a steeple or other component of the building that exceeds thirty inches (30") and will be considered by the DRC on a case-by-case basis.
 - c) Associated equipment shall be placed either within the same building or in a separate building which matches the existing building in character and building materials or blends with the landscaping and other surroundings immediately adjacent to the separate building housing the equipment. Associated equipment for roof-mounted antennas may be located on the roof of the building if it is screened from view from any adjacent public roadway.
 - i. Telecommunications antennas are allowed without further zoning on existing utility and telecommunications towers and structures exceeding fifty feet (50') in height, provided that the antenna does not exceed the height of the structure by more than ten feet (10') if a non-whip type or fifteen feet (15') if a whip type. Existing utility and

telecommunications towers and structures may be rebuilt if necessary to support the load of the new antenna without further zoning if the rebuilt tower or structure is substantially similar in appearance to the existing tower or structure it replaces. Antennas installed on structures in the right-of-way require a license or other authorization from the City of Keller.

- ii. Telecommunications antennas located on existing structures are not subject to the five-thousand-foot separation requirement.
 - iii. When an application for a building permit to locate a telecommunications antenna on an existing building or other structure is made, the applicant shall provide (as part of the application) the Department of Community Development with color photo simulations showing the site of the existing structure with a photo-realistic representation of the proposed antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest residential property and from adjacent roadways. The applicant shall also submit photographs of the same views showing the current appearance of the site without the proposed antenna.
- 3. Telecommunications antennas shall not be constructed or used within the City of Keller without all approvals and permits first having been secured.
 - 4. Within thirty (30) days of the enactment of this Code and as part of their annual report each January thereafter, providers of personal wireless services, as that term is defined by federal law, operating in the City of Keller shall provide the City with any updates to the above documents.
 - 5. It shall be an affirmative defense to prosecution for a violation of a provision of this section that compliance with the provision would prohibit or have the effect of prohibiting the provision of personal wireless services as defined by federal law. In addition, any entity that desires to erect or utilize telecommunication facilities that would be prohibited by the ordinances or regulations of the City dealing with zoning and land use may apply for such use and the City Council may, upon a showing that strict application of the regulation would prohibit or have the effect of prohibiting personal wireless service as defined by federal law, vary the subject regulation, consistent with the spirit and intent of this section, to the extent necessary to prevent the prohibition.

J. Handicap Accessibility

All non-residential buildings and parking areas shall conform to the Americans with Disabilities Act (ADA) of 1991, as may be amended, accessibility guidelines or the Uniform Federal Accessibility Standards.

K. Minimum Dwelling Unit Area

Minimum dwelling unit areas specified in this Code shall be computed exclusive of breezeways, garages, open porches, carports, and accessory buildings.

L. Performance Standards

- 1. In all zoning districts, any use indicated in the permitted use list shall conform in operation, location, and construction to the performance standards as administered by the City, County, State, or Federal agencies. All uses, including those, which may be allowed by Planned Development (PD) or Specific Use Permit (SUP), shall conform in operation, location, and construction to appropriate performance standards for noise, smoke, and particulate matter, odorous matter, fire, or explosive hazard material, toxic and noxious matter, vibration, and glare.

2. All Federal and State pollution, noise, and requirements for toxic waste disposal shall be observed.

M. Livestock

Livestock may be kept on private property in compliance with the Keller Code of Ordinances, Section 3-240, provided no retail business is conducted on the premises except as provided under home occupation (see definition for [Home Occupation](#)). The property owner's privately owned horses, mules, donkeys and ponies shall not have a maximum number allowed on their property. The boarding or keeping of horses other than the owner's shall be a maximum of one (1) horse, mule, donkey or pony per acre not to exceed a total number of three (3). (See [requirements for metal barns](#).)

N. Assisted Living Facilities (ALF) (7 or 8 residents) in Single-Family Residential Districts (*Amended by Ord. No. 1809 on September 6, 2016*)

1. General Purpose and Description

Assisted Living Facilities (ALF) in single-family residential areas are intended to promote and encourage alternative and suitable living environments for an aging population and provide another option to maintain family life in Keller. Assisted Living Facilities shall maintain its residential character to blend within residential neighborhoods.

2. Number of Residents

The regulations listed within this section shall apply to Assisted Living Facilities consisting of more than six (6) residents. The maximum number of residents within an Assisted Living Facility shall be eight (8) persons.

3. Location of Assisted Living Facilities (ALF)

- a. A Specific Use Permit is required for Assisted Living Facilities consisting of 7 or 8 residents for all properties in any SF zoning districts.
- b. No Assisted Living Facility shall be located within one-half (1/2) mile of another Assisted Living Facility, measured from property line to property line.

4. Floor Area Requirements

- a. Minimum house size for an Assisted Living Facility is two thousand four hundred (2,400) square feet.
- b. A minimum bedroom floor area per person shall be required. Floor area requirements shall be measured from interior walls of all rooms, excluding closets, stairs, and thickness of walls, toilet rooms, mechanical rooms, laundry, and corridors.
- c. A minimum of one hundred twenty (120) square feet of interior living space shall be provided per facility resident. Interior living space shall include sleeping space and all other interior space accessible on a regular basis to all facility residents.
- d. A full bathroom with toilet, lavatory, and tub or shower, shall be provided for every bedroom.

5. New Construction/Redevelopment

All Assisted Living Facilities, either new construction or conversion of an existing single-family residence, shall meet all development standards listed under this section of the UDC.

6. Building Exterior

- a. When located in a residential zoning district, all parts of the structure shall be maintained in a character consistent with the residential neighborhood in which it is located in terms of gross floor area, building design and lot coverage.
- b. Assisted Living Facilities shall meet the residential construction standards for residential structures in Section 8.06 (A.1) of the UDC.
- c. Assisted Living Facilities shall meet the height requirements within its respective zoning district.

7. Landscaping

- a. A minimum of two (2) large canopy trees with a minimum three-inch (3") caliper shall be planted in the required front yard of all new single-family uses and in the required side yard adjacent to a street of all new single-family uses on corner lots. Existing trees of equal or greater size within the required front yard may be counted toward this requirement.
- b. All Assisted Living Facilities shall comply with the tree preservation requirements for non-residential developments as stated in Section 8.19 (C.3) of the UDC.

8. Screening/Fencing

Residential fencing shall be required and shall be in accordance with residential fencing standards in Section 8.11 of the UDC.

9. Accessory Uses

- a. All accessory structures shall be constructed of materials complimentary to the main structure and shall be subject to the requirements stated in Section 8.10.
- b. Open Space/garden
- c. No on-site dumpster shall be permitted on the property.

10. Parking

- a. Driveways shall be paved with concrete or all-weather surface.
- b. All parking shall be in accordance with the residential parking standards as stated in Section 8.07 of the UDC.
- c. All residential structures shall be returned to its original state prior to its conversion to an Assisted Living Facility if being converted back to a single-family residence.

11. Signage

- a. No external (detached monument or attached building) signage shall be allowed.
- b. No temporary signage shall be allowed.

12. Site Lighting

Lighting shall be in accordance with the residential lighting and glare standards in Section 8.16 (C) of the UDC.

13. Dumpster

No on-site dumpster shall be permitted on the property.

14. Fire Protection

- a. Commercial kitchen are not required. A hood suppression system is required in all kitchens.
- b. Fire suppression system shall be required for all Assisted Living Facilities, regardless of occupancy and/or building square footage. The type of fire suppression system shall be in accordance with International Fire Code (IFC) requirements.
- c. Fire hydrant location and coverage requirements for residential structures as stated in Section 5.16 of the UDC shall be required.

15. Site Plan Requirement

- a. All Assisted Living Facilities are required to submit a Site Plan application and meet the application requirements per Section 4.15 of the UDC.
- b. All site plans shall be considered for approval by the City Manager or his/her designee if it complies with best professional practices and meets all applicable requirements of this Code for development.
- c. Any variances would be required to be considered by the Planning and Zoning Commission for recommendation and City Council for approval.

Section 8.16 - Lighting and Glare Standards

A. Purpose

Standards for controlling lighting and glare are set forth to reduce the annoyance and inconvenience to property owners and traffic hazards to motorists. These standards are intended to allow reasonable enjoyment of adjacent and nearby property by their owners and occupants while requiring adequate levels of lighting of parking areas.

B. Non-Residential Site Lighting and Glare Standards

1. A photometric plan is required to be submitted with all site plans for non-residential uses, which are adjacent to residential zoning or use, showing the light intensity within and around the perimeter of the site.
2. Any use shall be operated so as not to produce obnoxious and intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together, the light beam is controlled and not directed across any bounding property line. The allowable maximum intensity measured at the property line of a residential use in a residential district shall be two-tenths (0.2) foot candles. Light poles shall be placed on the site a setback equal to its height from all adjacent residential property. Wall packs shall be designed to match the building in color and shall directly shine down without spill over onto residential properties. Any alternative lighting technique may be considered on a case-by-case basis and approved by City Council at time of site plan review.
3. All off-street parking areas for non-residential uses, which are used after dark, shall be illuminated beginning one-half ($\frac{1}{2}$) hour after sunset and continuing throughout the hours of business operation. If only a portion of a parking area is offered for use after dark, only that part is required to be illuminated in accordance with these standards. However, the portion offered for use shall be clearly designated. Lighting within the parking areas shall meet the following minimum requirements:
 - a. Intensity
 - 1) Minimum at any point on the parking area surface to be at least six-tenths (0.6) foot candles initial, and at least three-tenths (0.3) foot candles maintained or one-third ($\frac{1}{3}$) of the average, whichever is greater.
 - 2) Illumination shall not exceed an average of one (1) foot candle at ground level and shall distribute not more than two-tenths (0.2) foot candles of light upon any adjacent residentially zoned or residentially used property.
 - b. A lighting plan shall be submitted with the site plan showing the type, location, and height of fixtures which are adjacent to residential zoning or use. Light poles and fixtures shall be consistent throughout a planned development or property platted as one project. This includes pad sites developed at various times by separate owners within a development
 - c. Light source height shall fit the character of the development as approved by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision. Street lights and other traffic safety lighting are exempt from this standard. Streetlights and other traffic safety lighting are exempt from this standard.
 - d. Decorative lighting shall be placed in large parking lots to breakup a vast area of concrete and to provide human scale lighting within the parking lot, building, and adjacent to buildings. The locations will be reviewed at the time of site plan review.

Decorative building lighting shall be applicable for a means to break up a massive facade, adjacent to residential zoning or fronting on a thoroughfare.

C. Residential Lighting and Glare Standards

Residential lighting for security and night recreation use is permitted in all residential districts provided the following requirements are met:

1. Light source height shall fit the character of the development as approved by the DRC. Decisions of the DRC may be appealed to the City Council for a final decision. Street lights and other traffic safety lighting are exempt from this standard.
2. Lighting shall not directly shine on adjacent dwellings or produce more than two-tenths (0.2) foot candles of light upon an adjacent property.

D. Luminaries

Light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries installed and maintained so as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets. Bare bulbs above seventy-five (75) watts and strings of lamps are prohibited except for temporary lighting as provided in this Code.

E. Special or Temporary Lighting: Low Wattage

Bare bulbs or strings of lamps are prohibited, except during holidays special lighting shall be permitted for a maximum time period of thirty (30) days for each holiday used. Christmas tree sales lots are considered a temporary holiday use for the purpose of this section.

F. Permanent Outdoor String Lighting

In the Old Town Keller and Town Center Districts only, the permanent installation of commercial-grade outdoor light strings shall be permitted as landscape accentuation or patio lighting. Such light strings shall be resistant to ultraviolet light exposure and shall have molded bases with weatherproof seals. Only medium base, intermediate base, and candelabra bases are allowed.

Section 8.17 Cluster Mailbox Unit Shelters (CBU Shelters)

A shelter for any United States Postal Service (USPS)- required CBUs in districts permitting residential units is required and shall meet the following additional requirements:

- A. **Type and Size:** The CBU shall be a part of a principal structure (i.e. clubhouse) or a stand alone accessory building (open-air or enclosed) that extends shelter to a minimum of five (5) feet beyond the CBUs’ collective footprint. The CBU shall be designed to compliment the development, using similar and complimentary materials and color schemes.
- B. **Location:** The CBU shall be located on a lot deeded to a homeowners’ association or Public Improvement District (PID), whichever is approved by the City Council as the maintenance authority for the subdivision. The CBU, shall be no more than 50 feet from an off-street motorized vehicle parking lot as measured from curb to open-air building footprint or enclosed building entrance.
- C. **Parking:** In addition to satisfying the minimum and maximum off-street Motorized Vehicle Parking space requirements specified by [Section 8.07](#) for other uses on the lot, the following minimum and maximum off-street short-term (marked and signed for 10-minute maximum) motorized vehicle parking space requirements must also be met:

Number of Mailboxes	Minimum Short-Term Parking Spaces	Maximum Short-Term Parking Spaces
48 or fewer	3	3
49 - 304	3 or 1/2 maximum, whichever is greater	3 plus 1 for each additional 32 mailboxes or portion thereof above 48 mailboxes
305 or more	1/2 maximum	11 plus 1 for each additional 48 mailboxes or portion thereof above 304 mailboxes

Section 8.18 - Illustrations

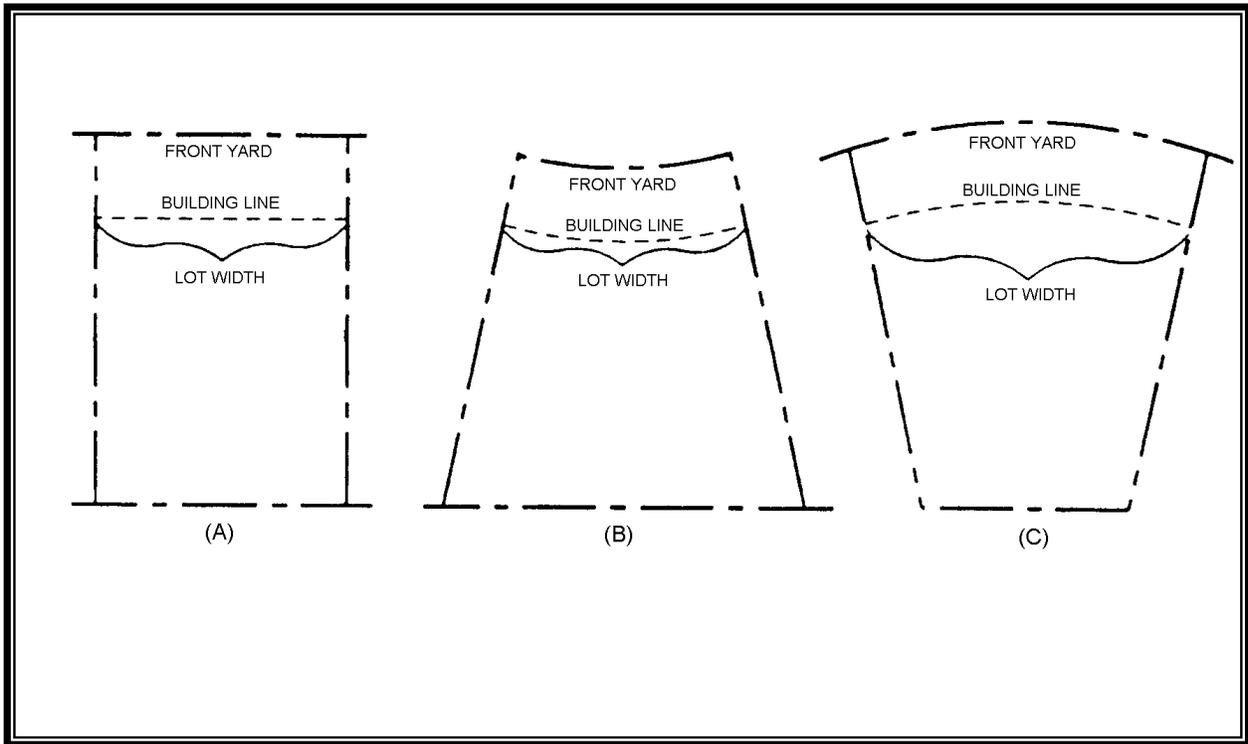


Figure 1 - Lot Width

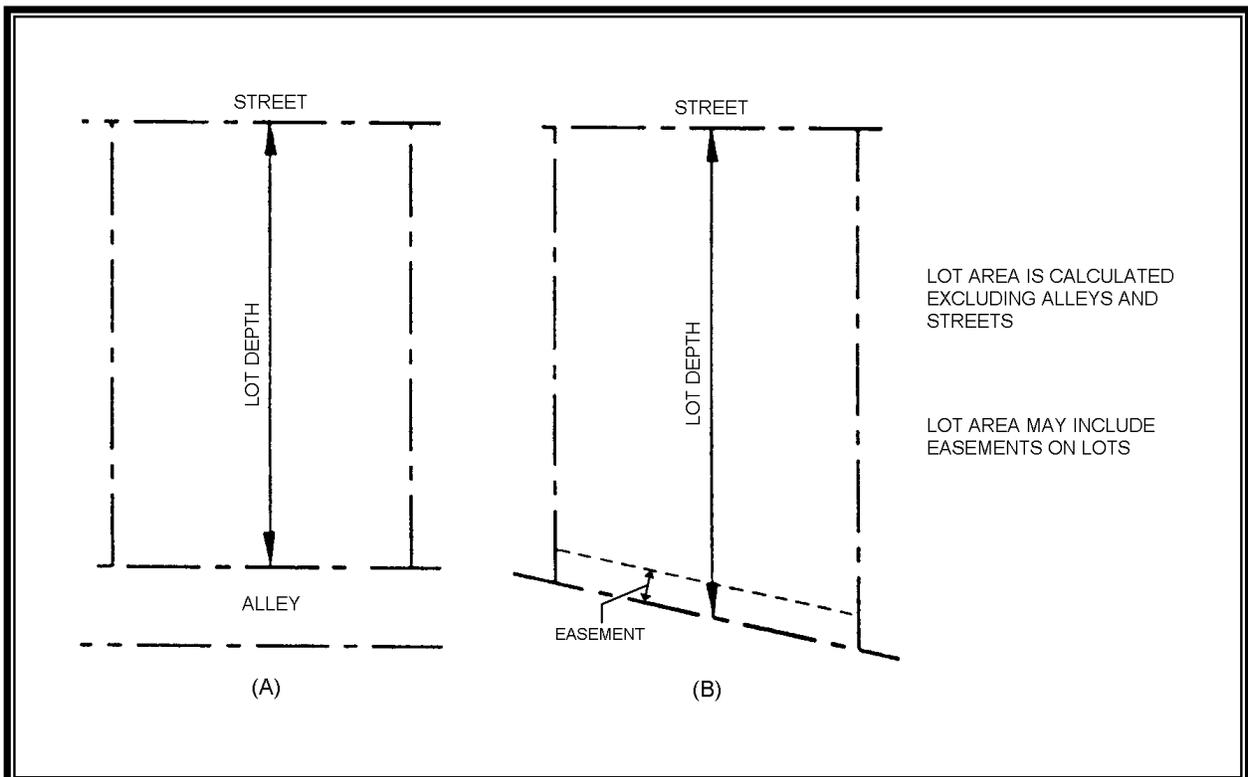


Figure 2 - Lot Area & Depth

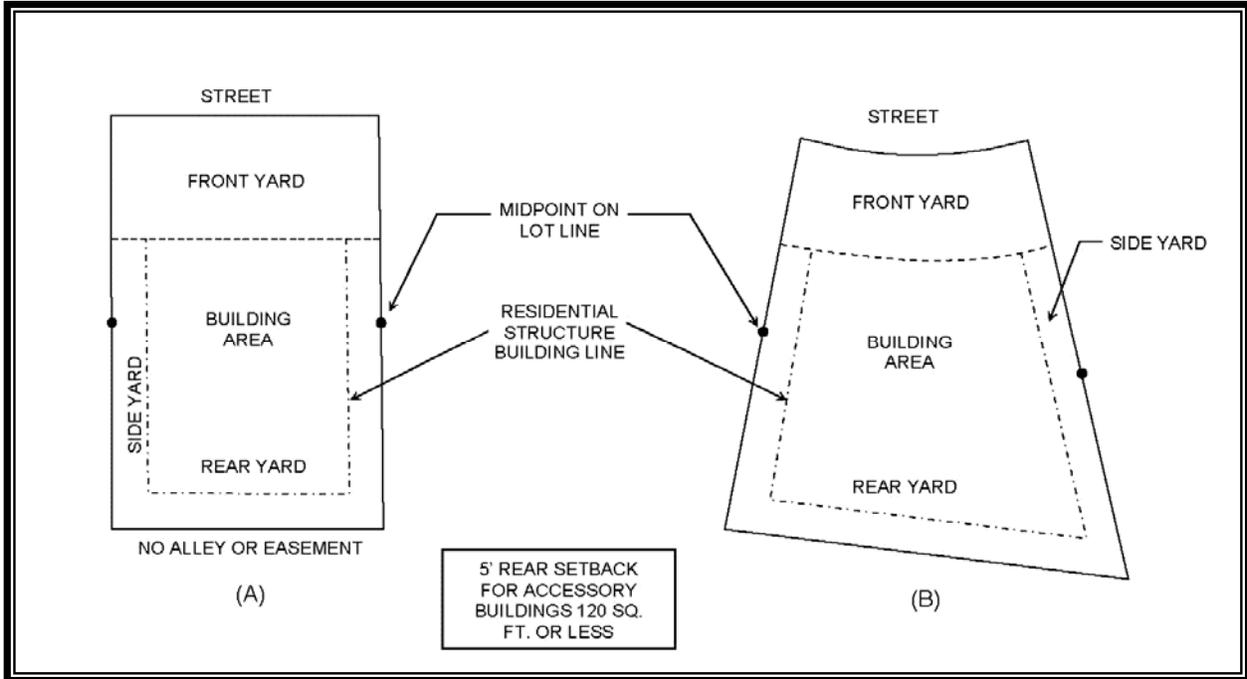


Figure 3 – Yards

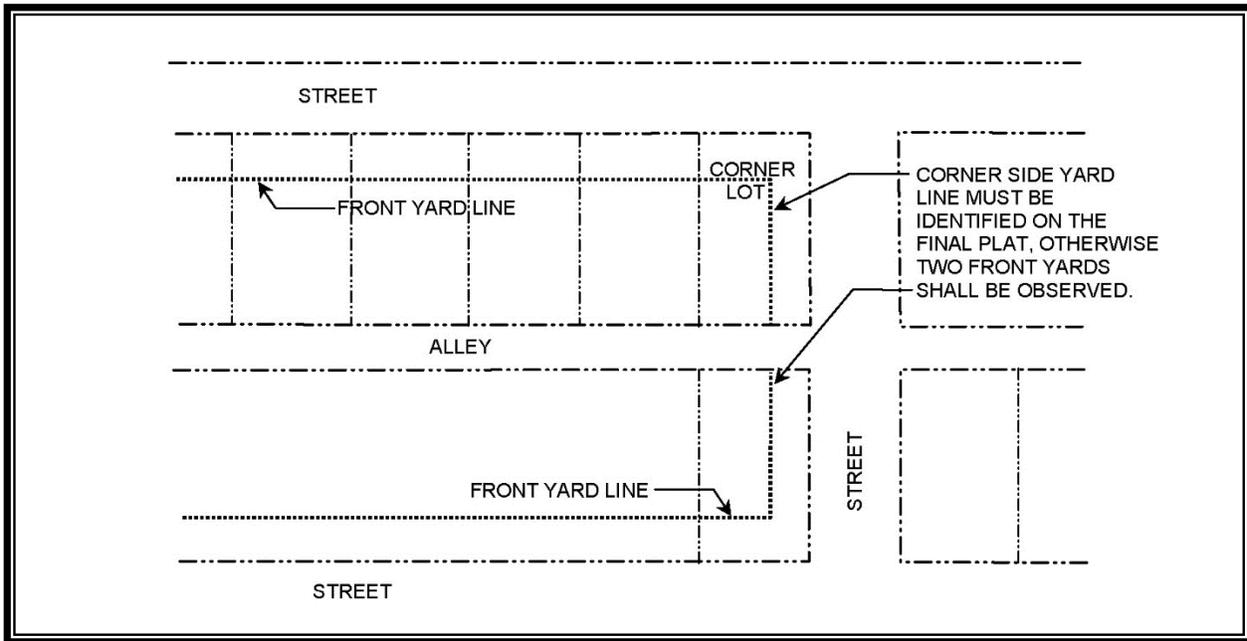


Figure 4 - Corner Lots

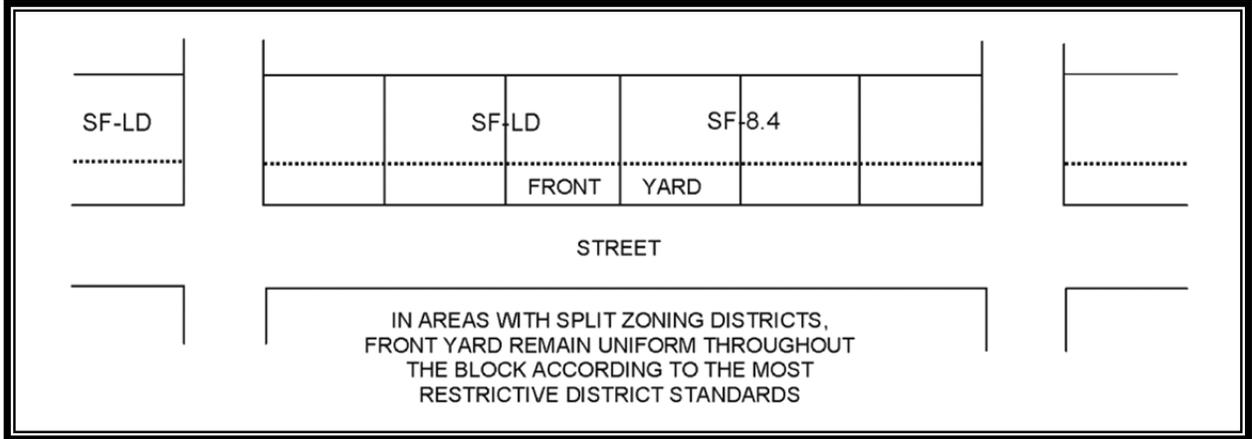


Figure 5 - Front Yard Where Zoning Changes in a Block

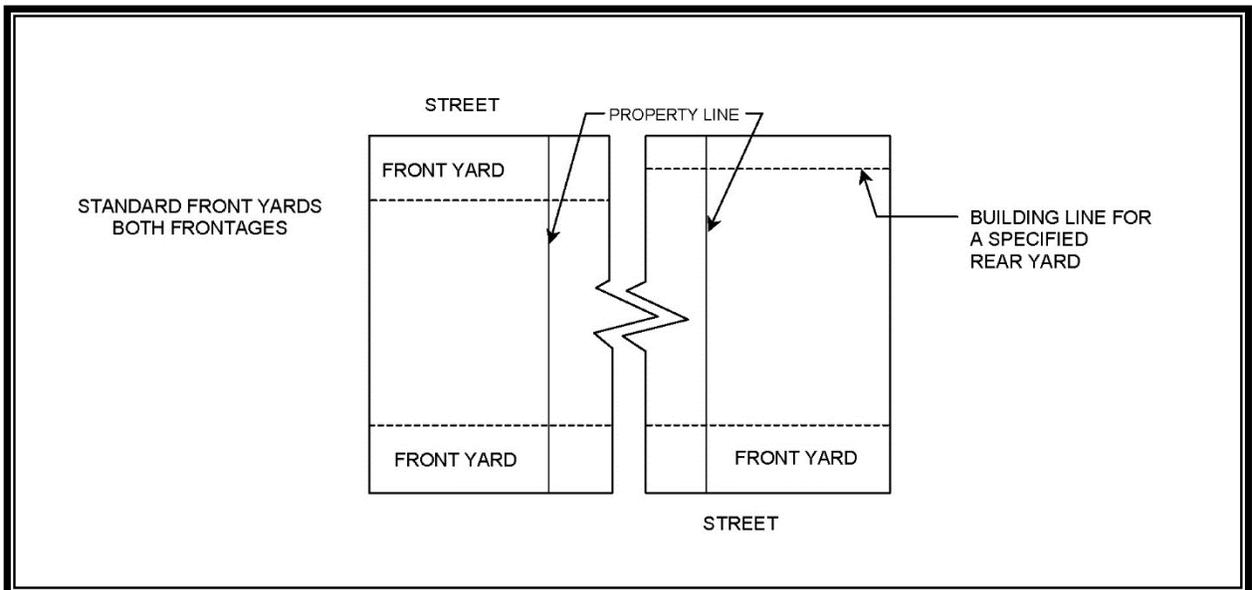


Figure 6 - Double Frontage Lots

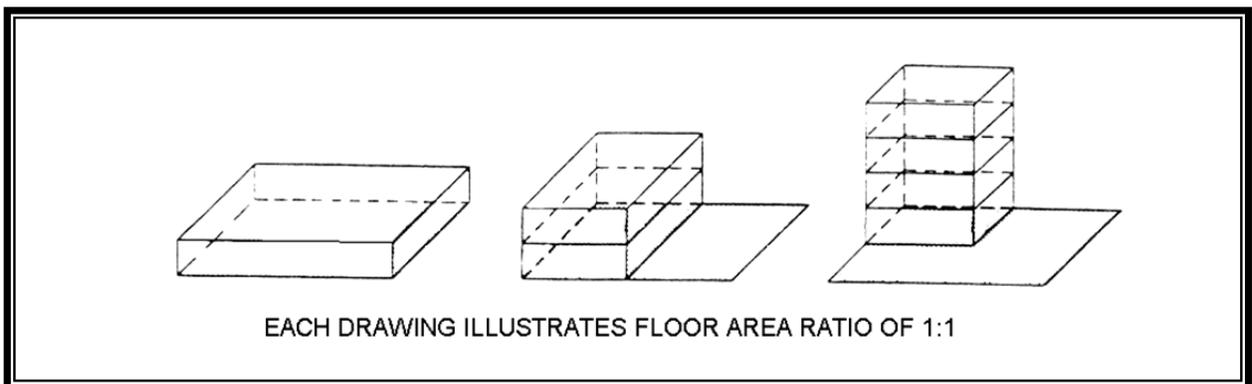


Figure 7 - Floor Area Ratios

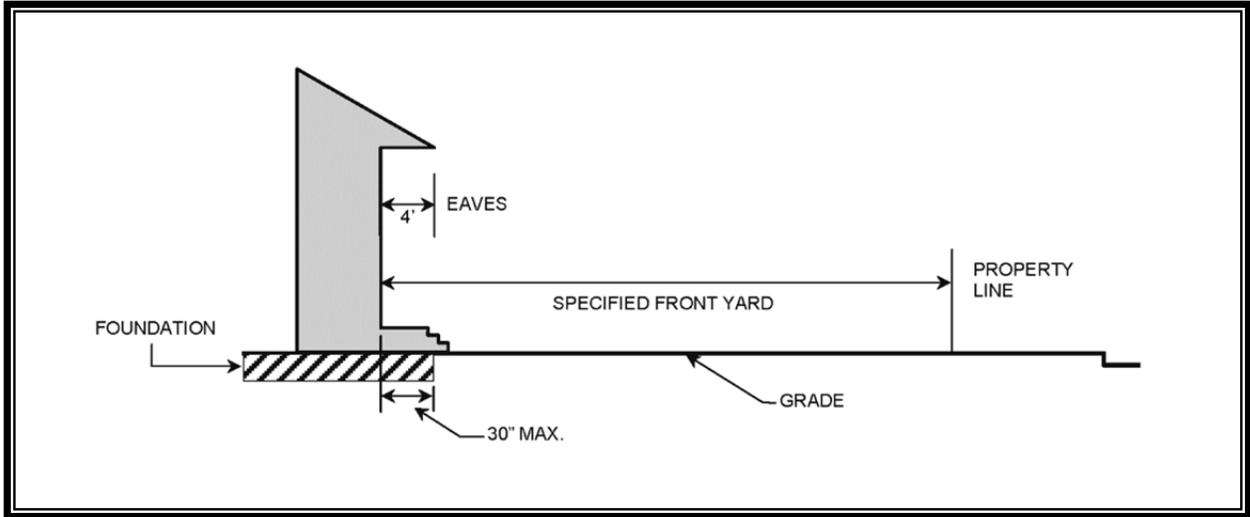


Figure 8 - Methods of Measuring Front Yards

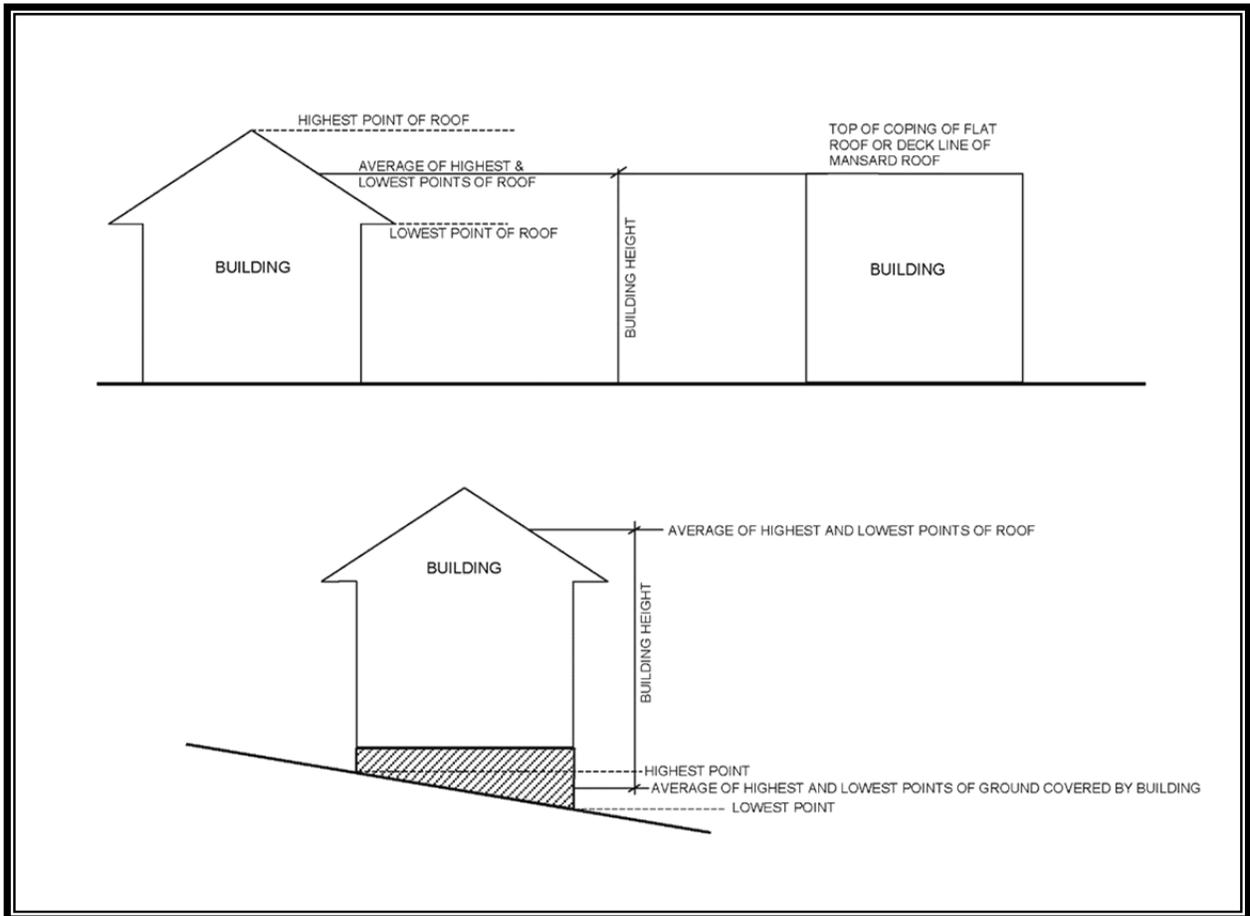


Figure 9 - Measuring Building Height

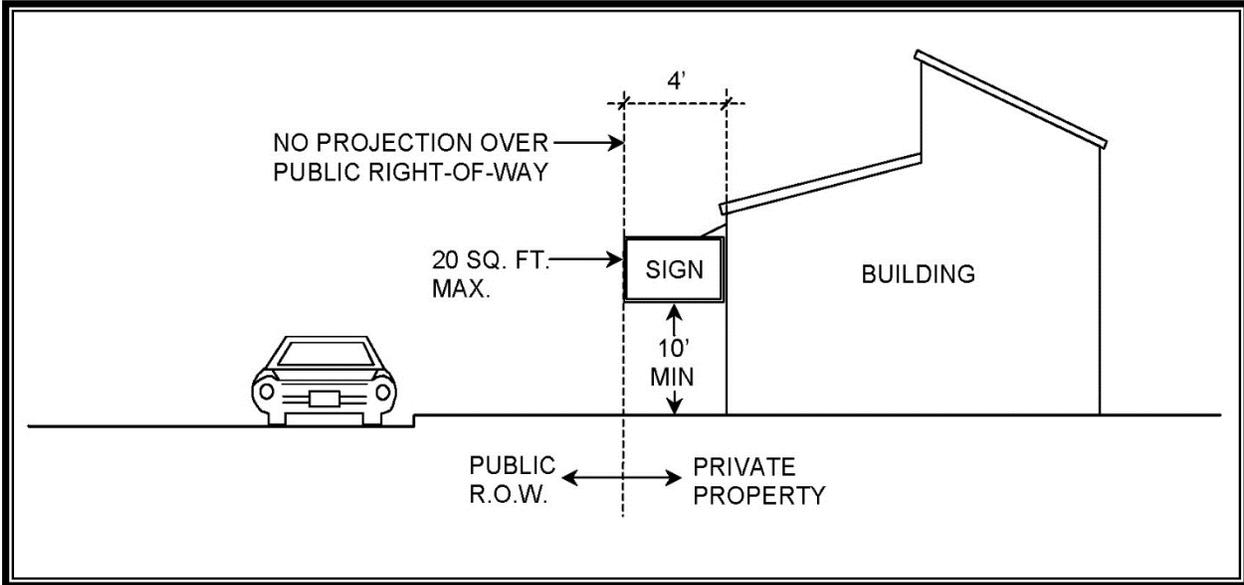


Figure 10 - Sign Projections

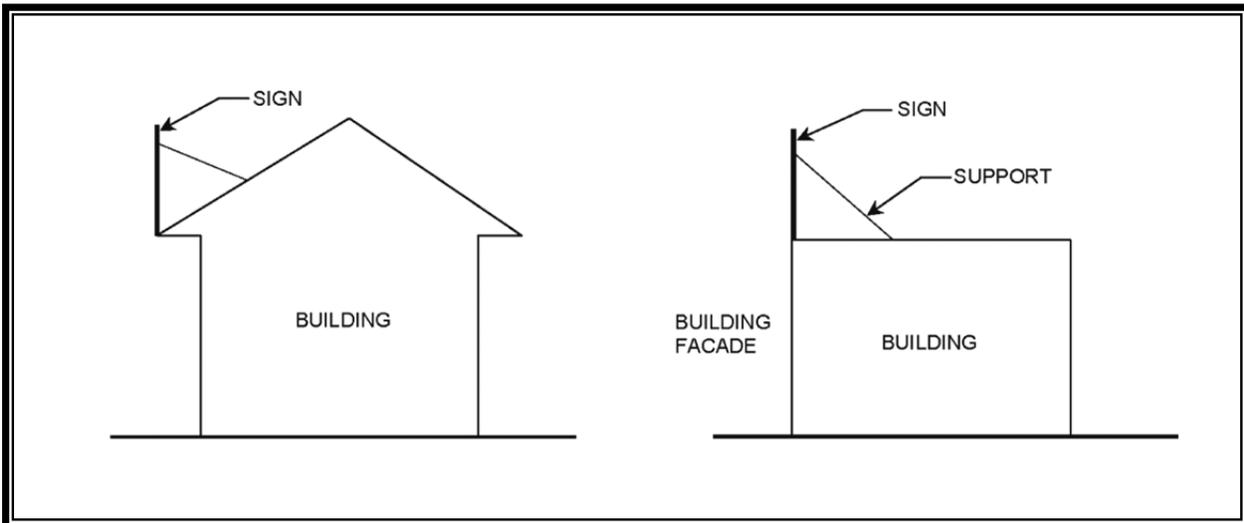


Figure 11 - Attached Signs Which are Not Permitted

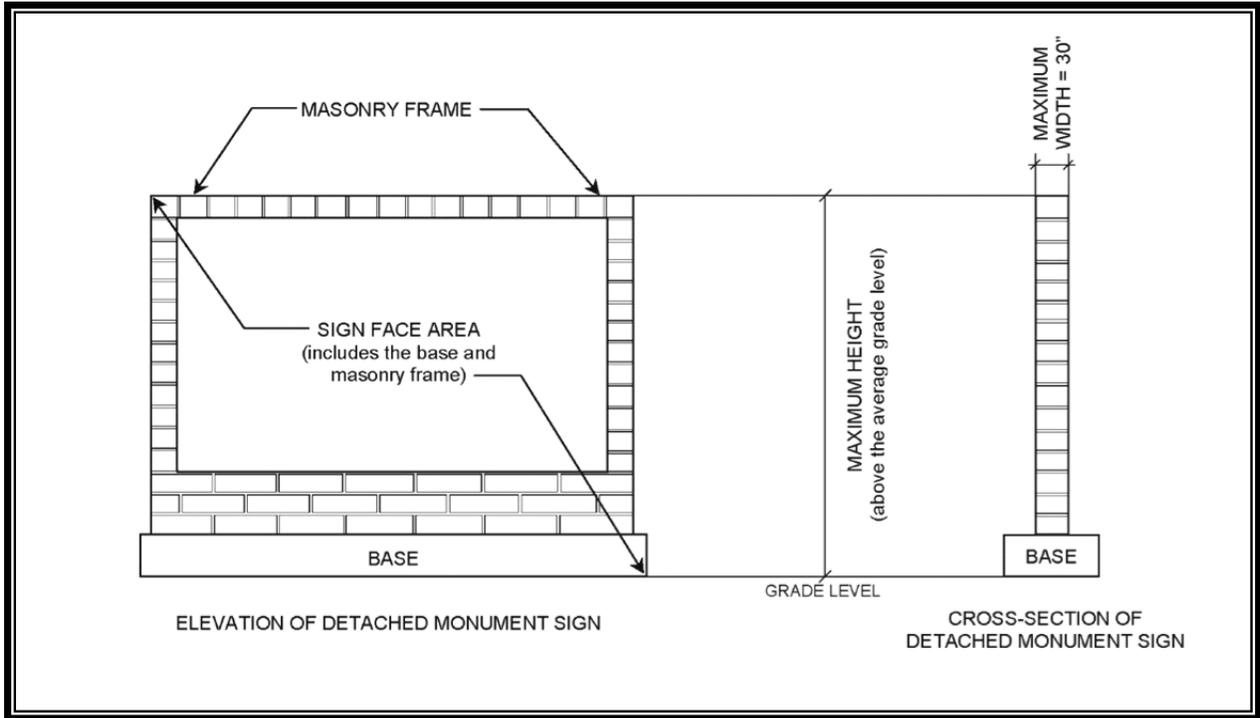


Figure 12 - Monument Sign Requirements

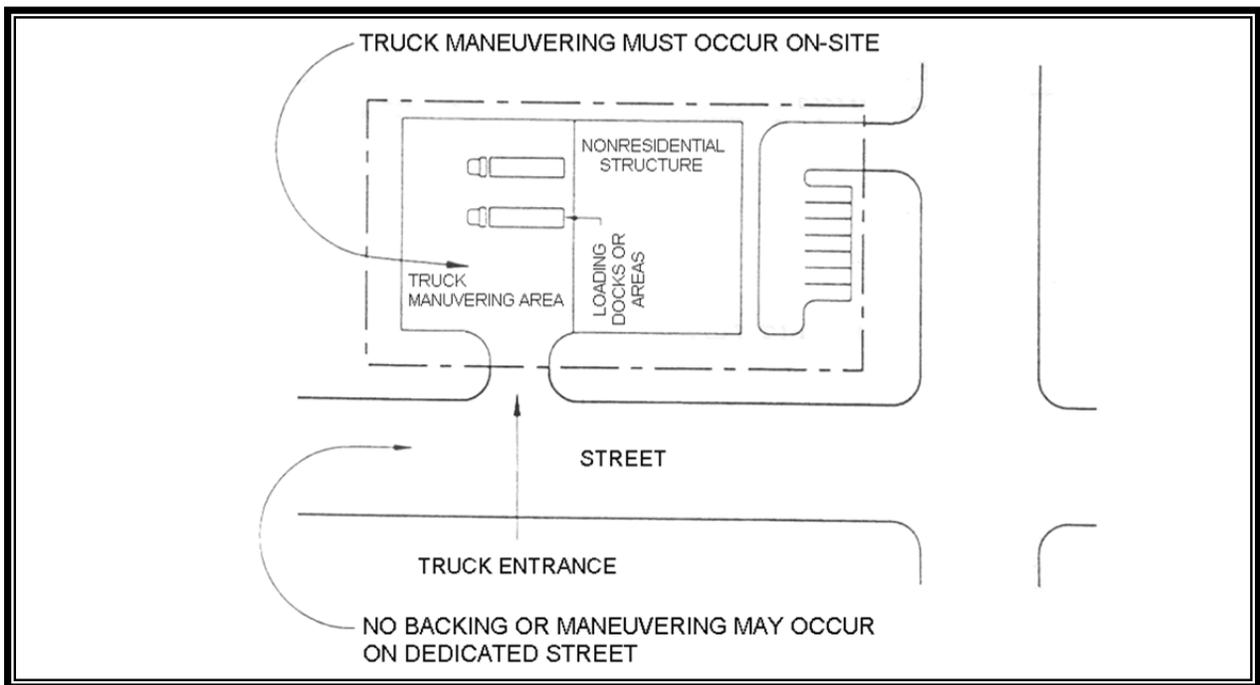


Figure 13 - Off-Street Maneuvering For Loading Area

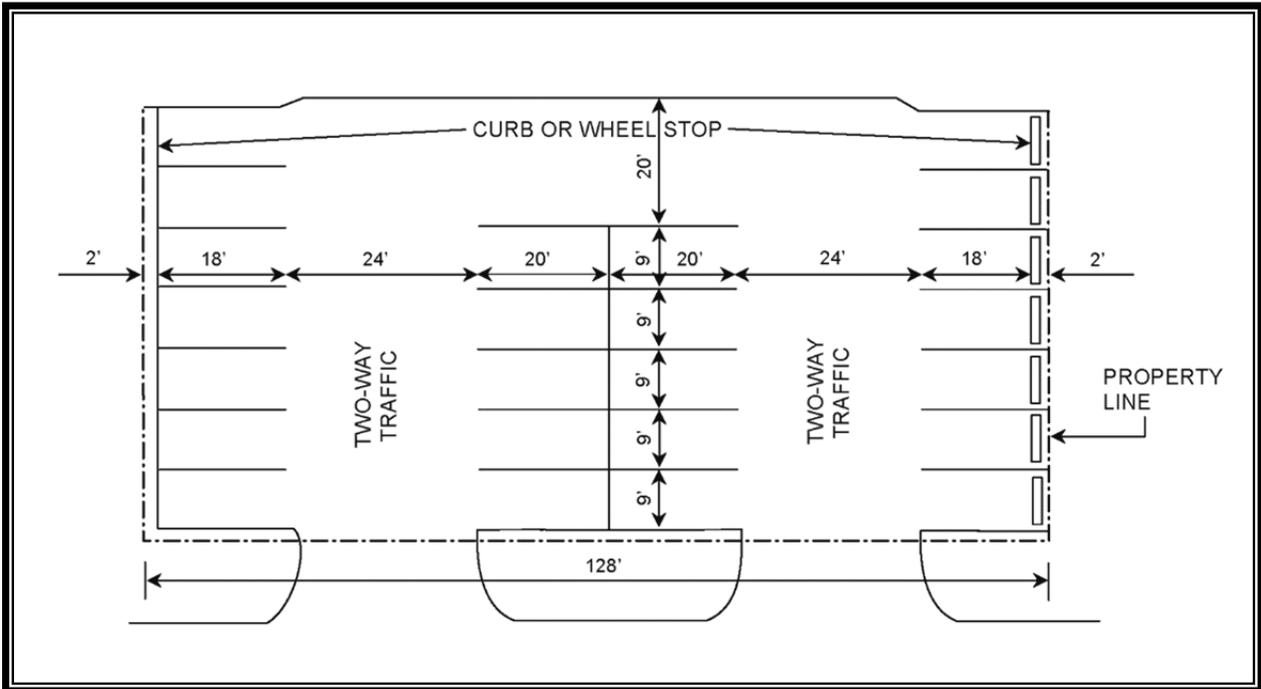


Figure 14 - 90° Layout

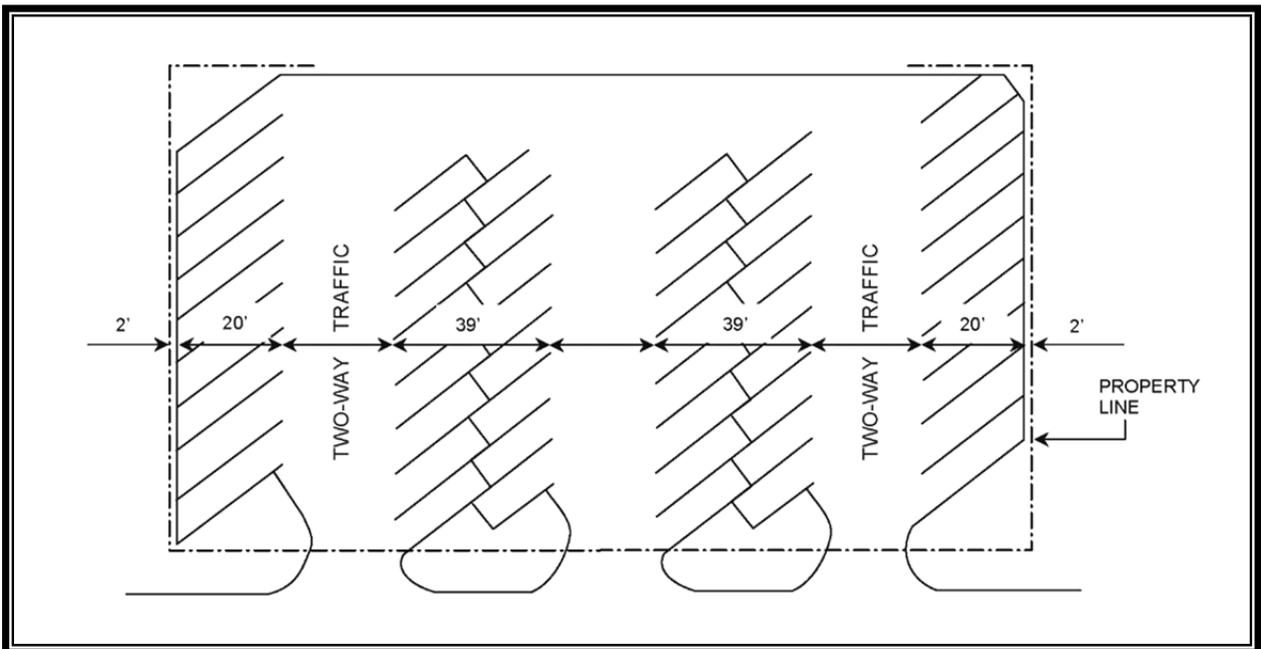


Figure 15 - 45° Layout With Two-Way Traffic

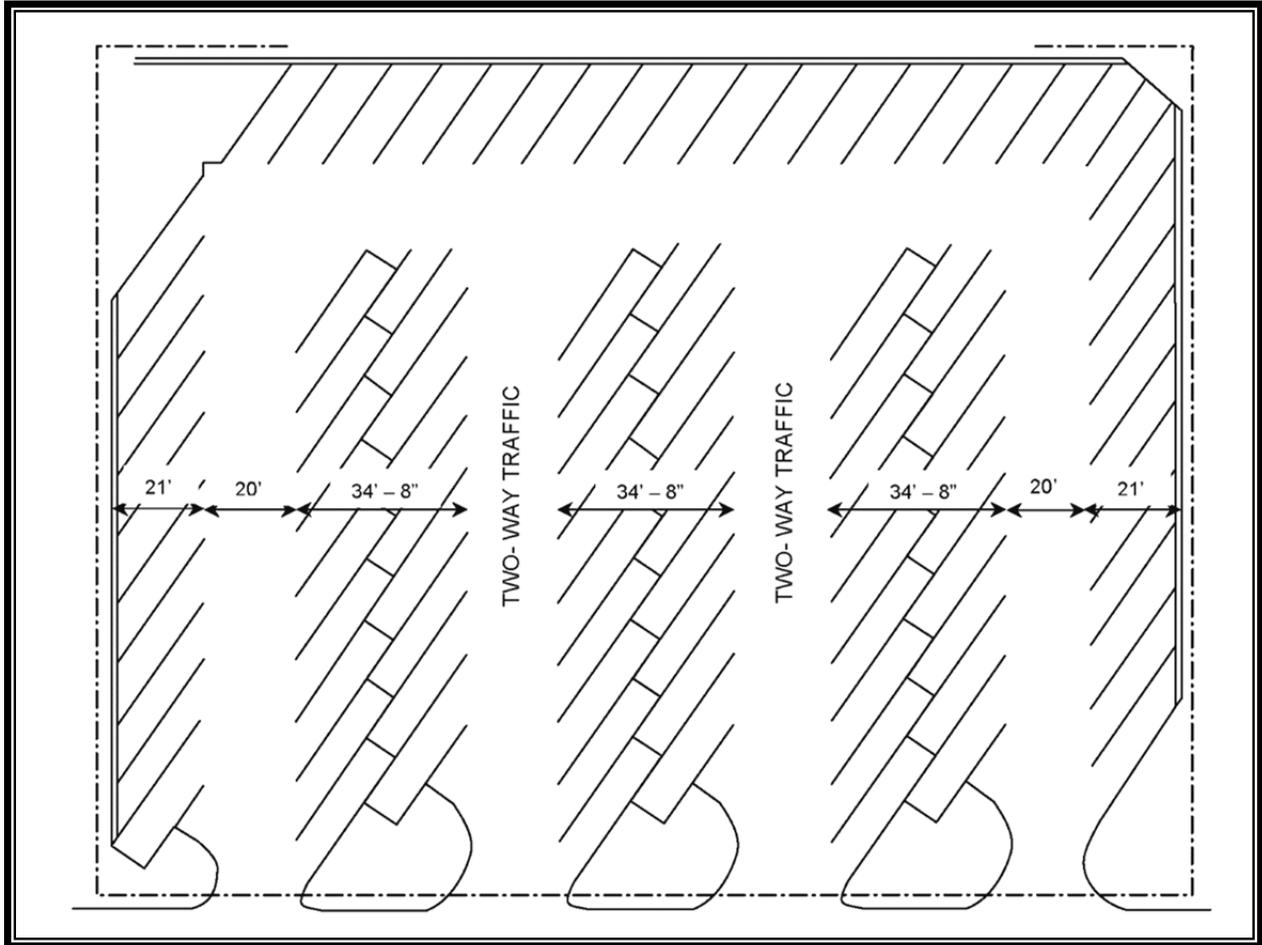


Figure 16 - 60° Layout With Two-Way Traffic

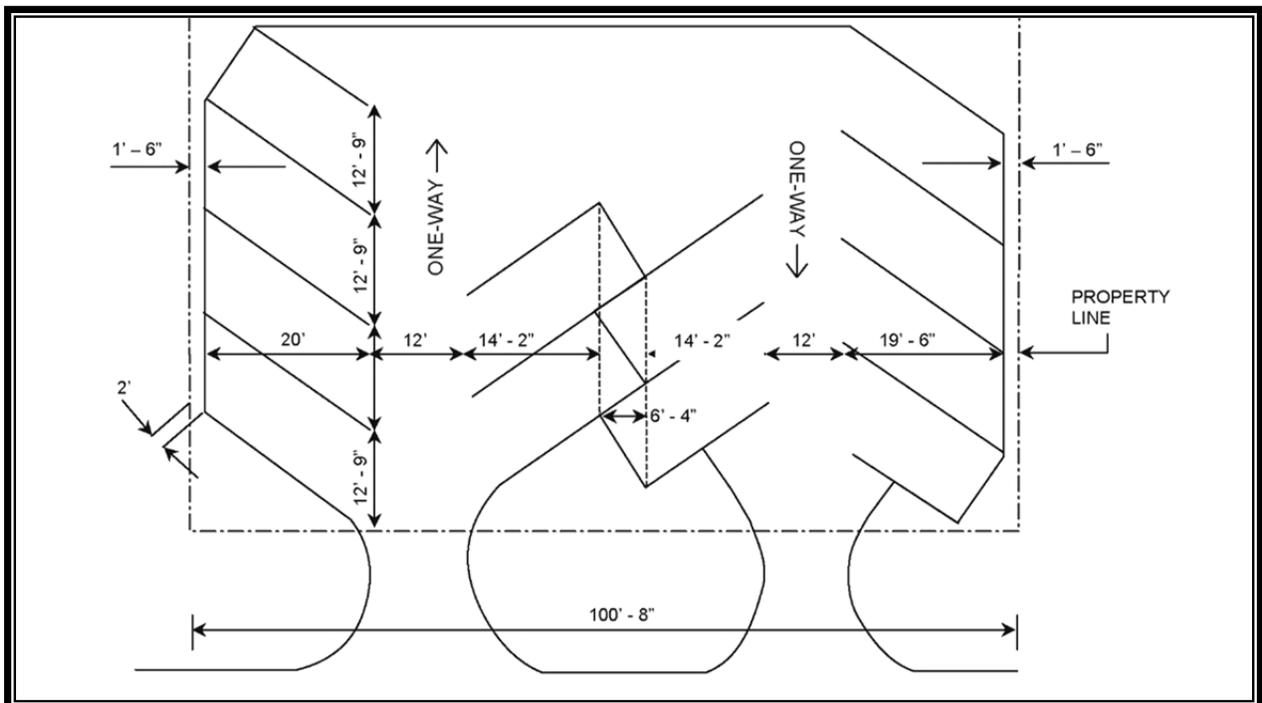


Figure 17 - 45° Layout With One-Way Traffic

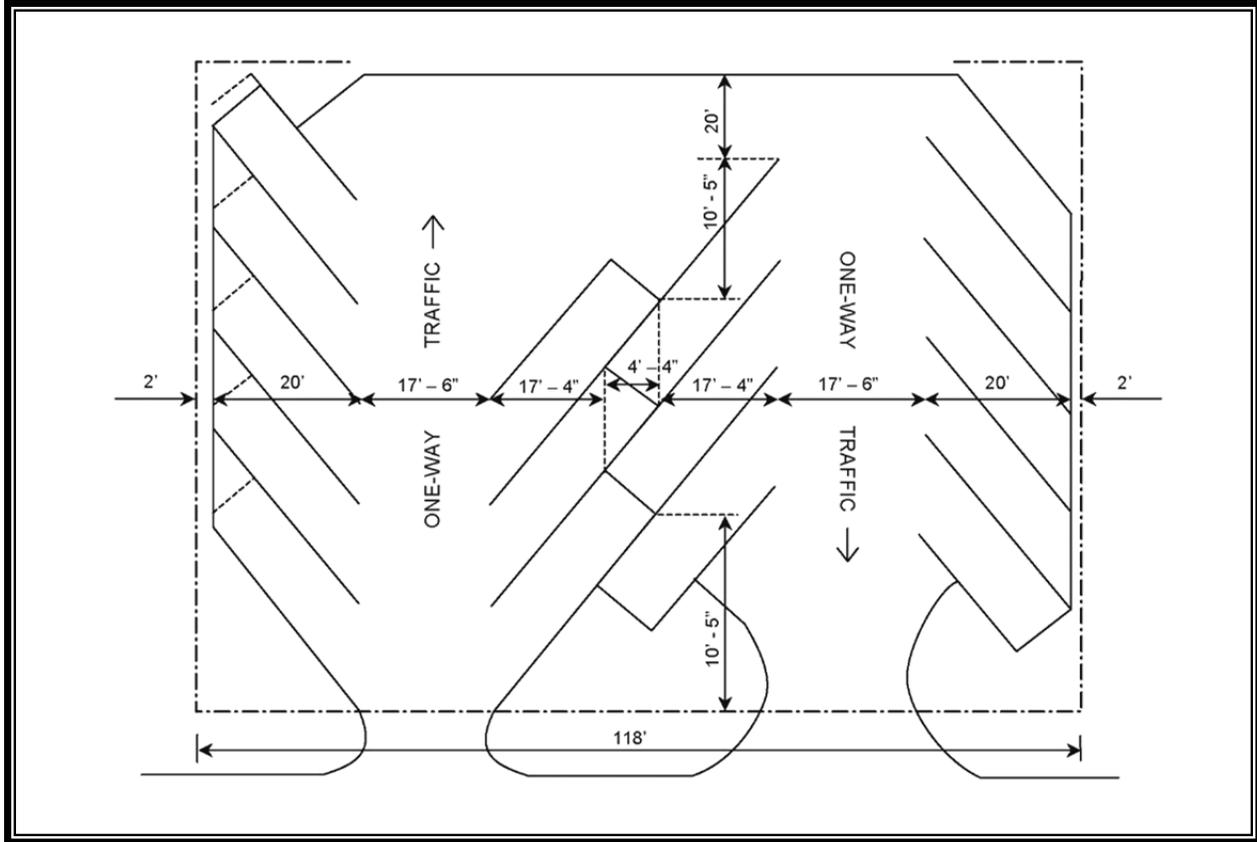


Figure 18 - 60° Layout With One-Way Traffic

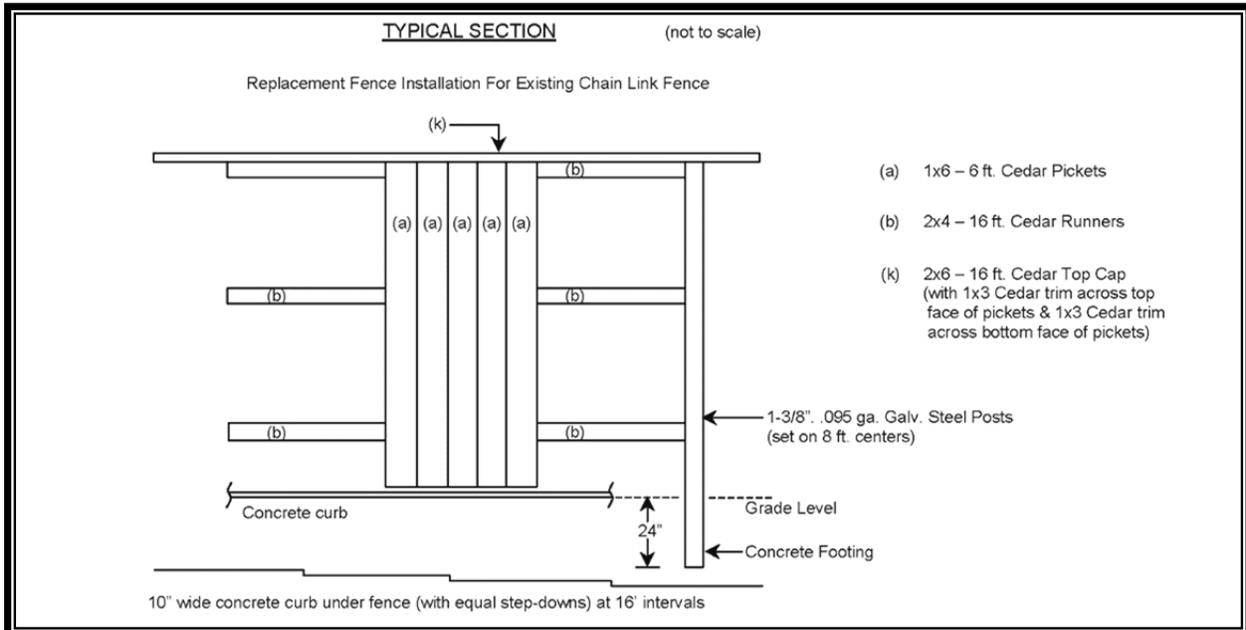


Figure 19 - Thoroughfare Fencing Detail

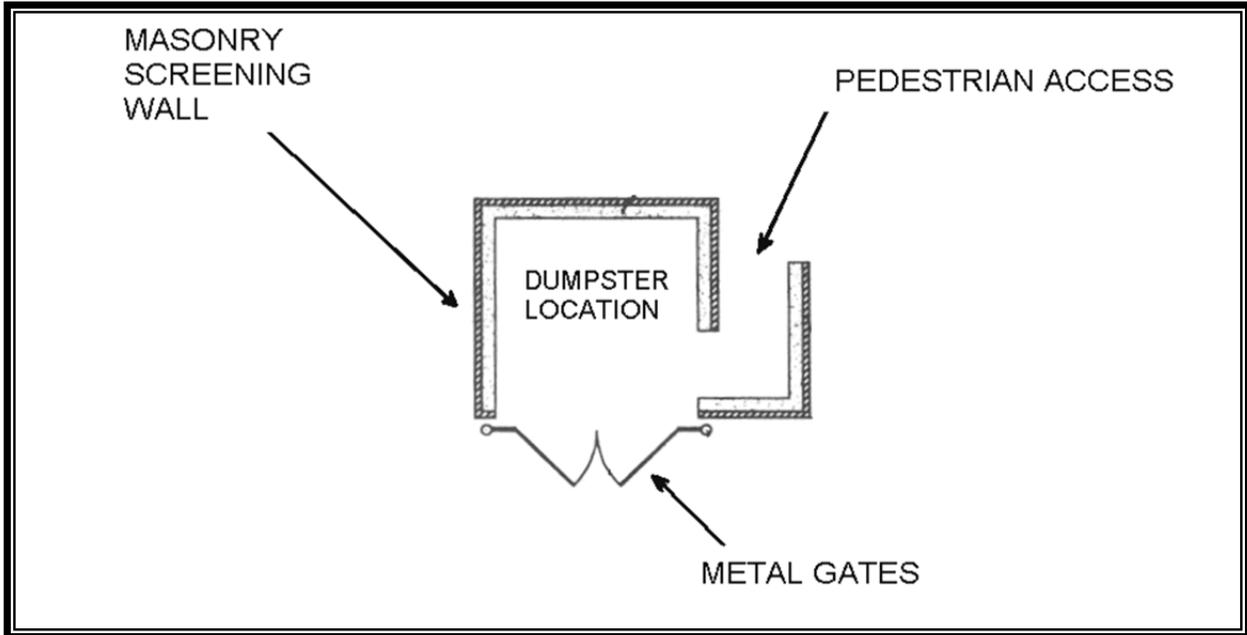


Figure 20 - Pedestrian Access for Typical Waste Container Screening Closure

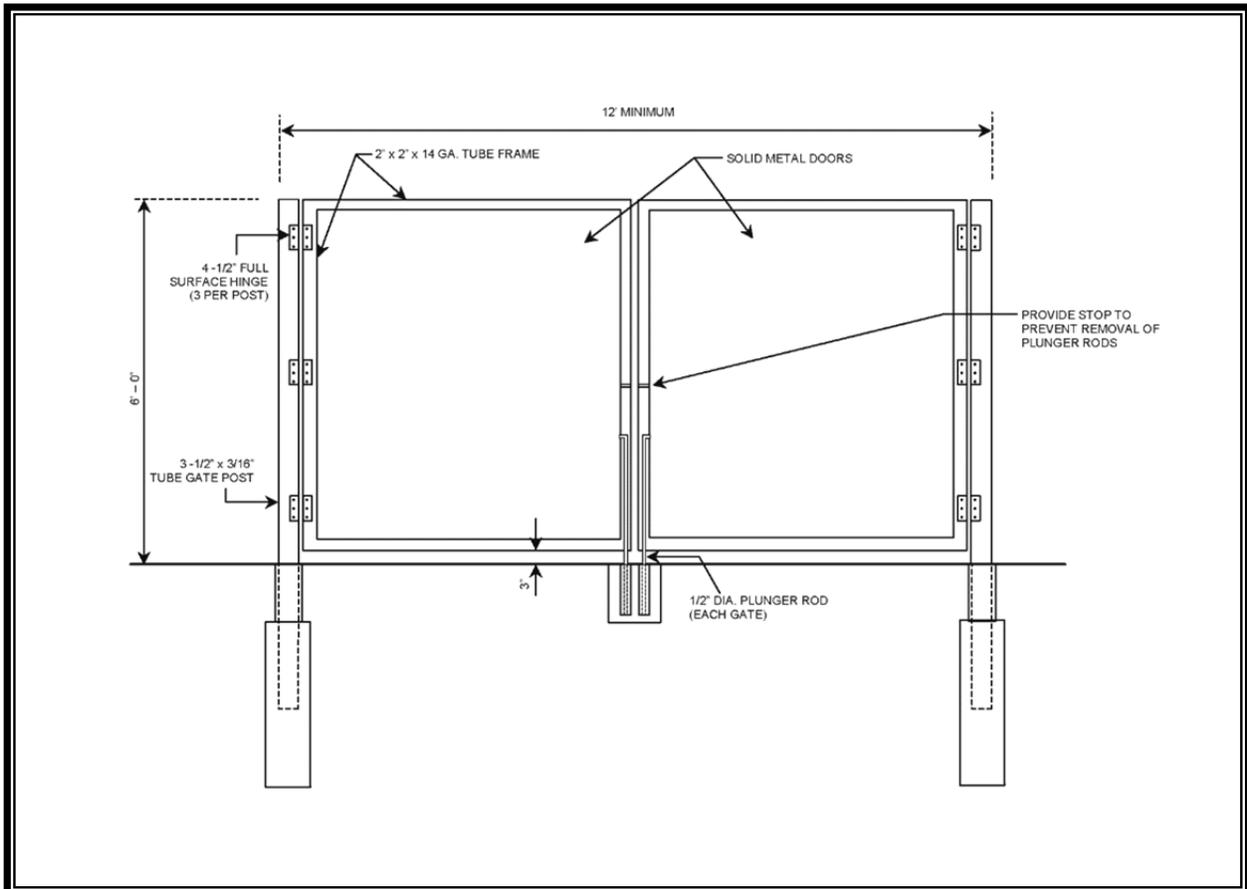


Figure 21 - Typical Waste Container Screening Gate

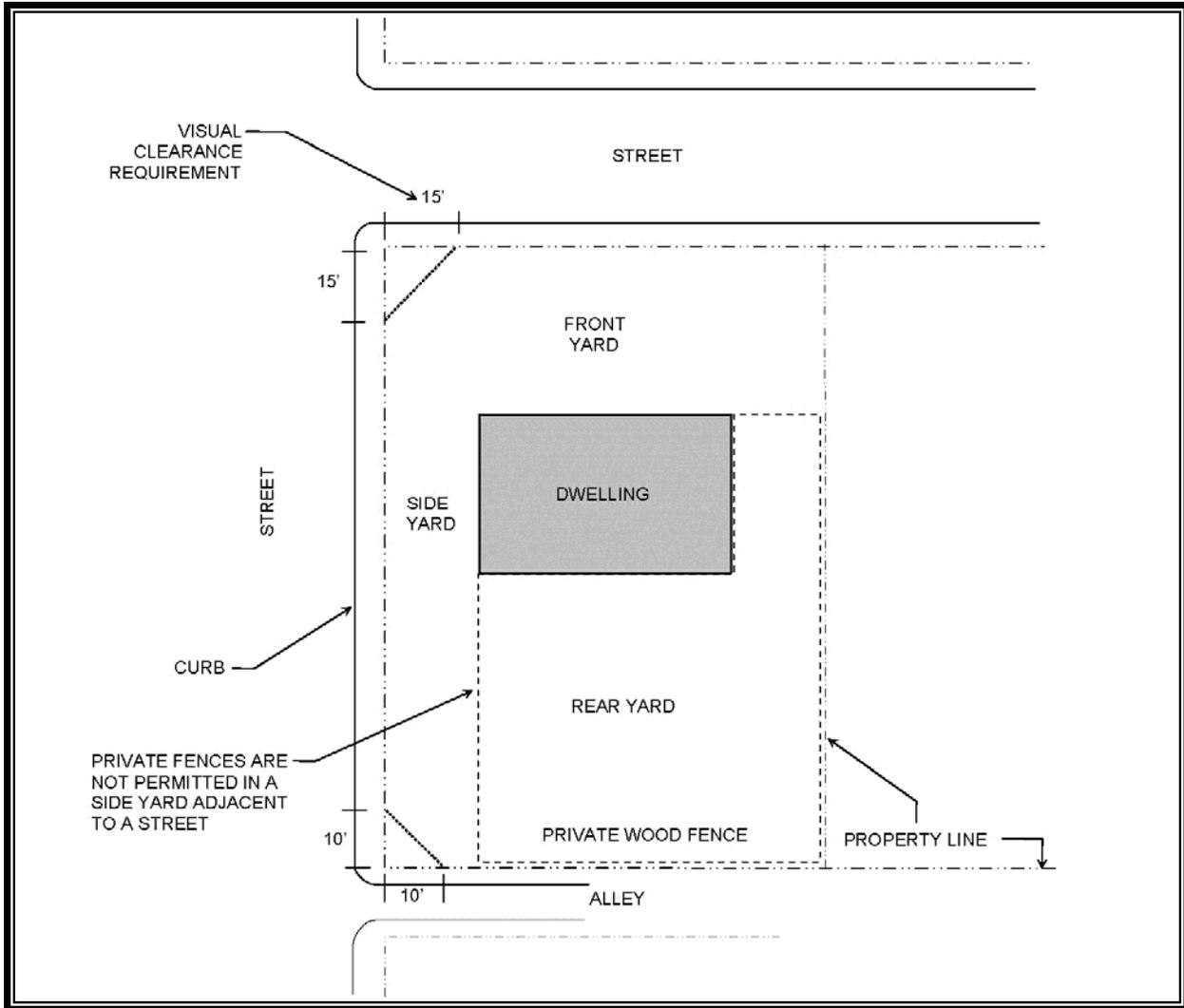


Figure 22 - Fence and Sight Requirements for Corner Lots

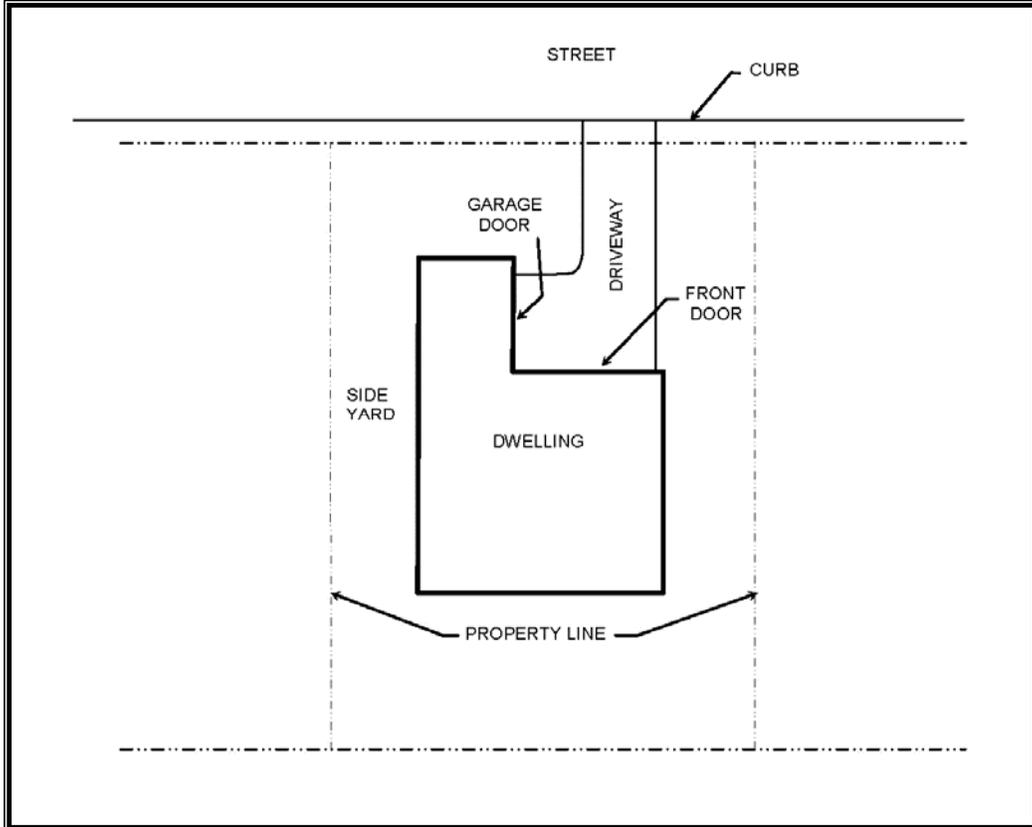


Figure 23 – J-Swing Garage

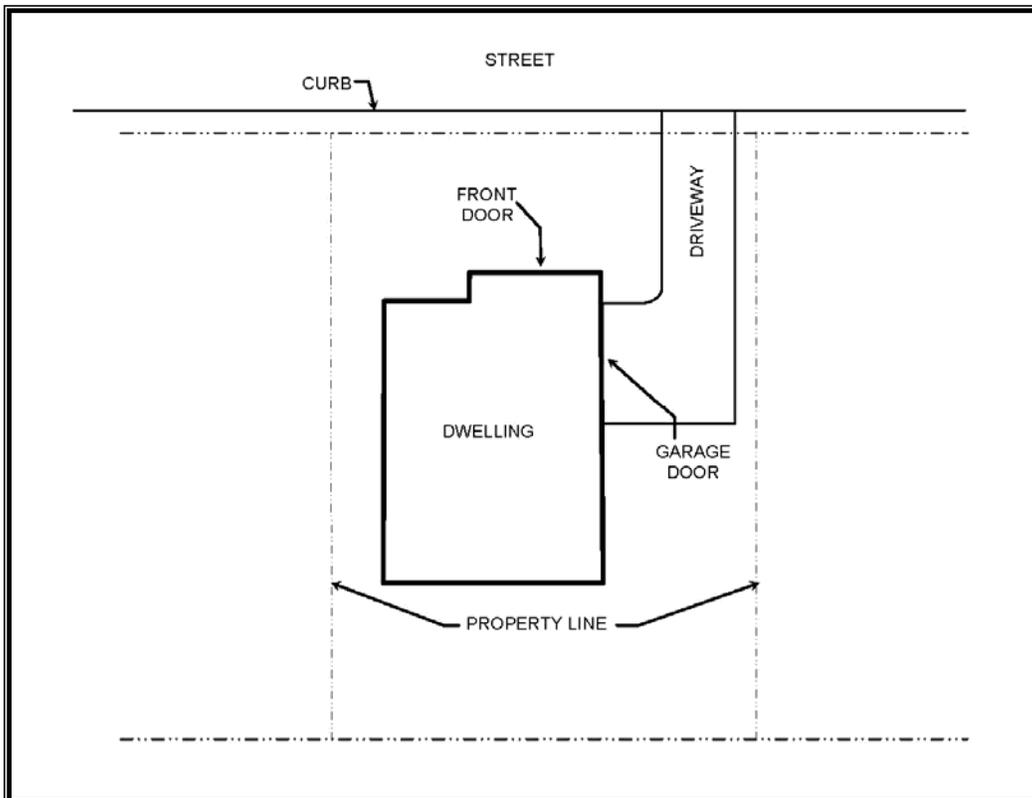


Figure 24 – Side Entry Garage

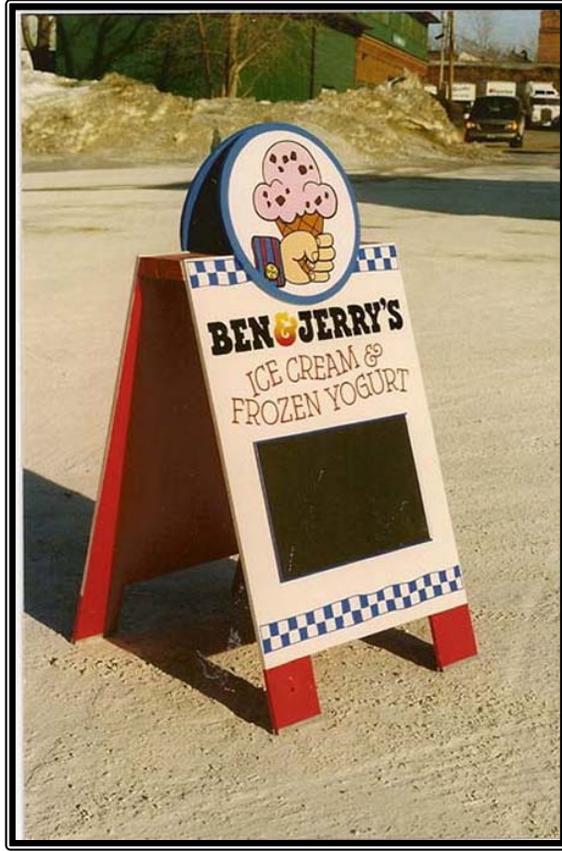


Figure 25 Sandwich Board Style Sign

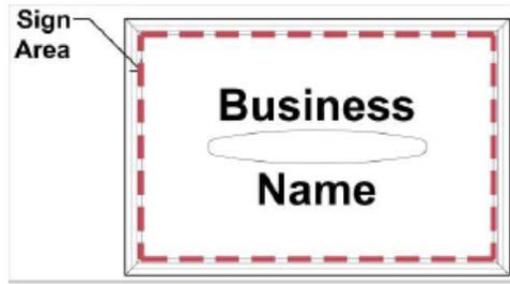


Figure 26 Square Sign Measurement

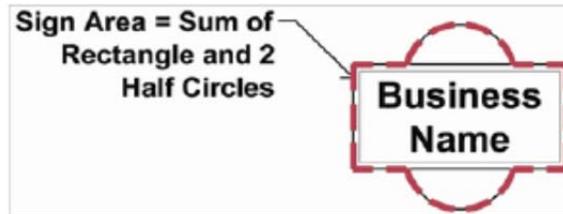


Figure 27 Irregular Sign Measurement

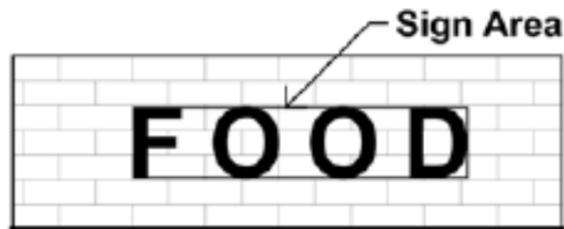


Figure 28 Letter Sign Measurement

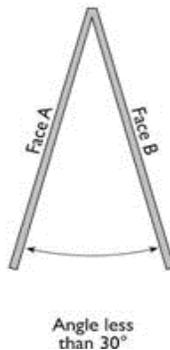


Figure 29 Angle between Sign faces

Section 8.19 - Tree and Natural Feature Preservation

A. Purpose and Intent

The purpose of this Article is to promote site planning that furthers the preservation of mature trees and natural areas, to protect trees during construction; to facilitate site design and construction that contribute to the long term viability of existing trees; and to control the removal of trees when necessary. It is the further purpose of this Article to achieve the following broader objectives:

1. Prohibit the indiscriminate clearing of property.
2. Achieve the City's Future Land Use Plan goals as set by citizens through the appointed boards and the City Council.
3. Maintain and enhance property values and a positive image for the attraction of new residents and business enterprises to the City.
4. Protect healthy quality trees that contribute to noise reduction, air quality, glare reduction, and promote the natural ecological environmental and aesthetic qualities of the City.
5. Promote site planning that is sensitive to the location of existing trees in an effort to save quality trees evenly distributed across the City to reduce the need to overplant public property.
6. Provide for a permitting and enforcement procedure.

B. Tree Removal Permit Required

1. The clear-cutting of land as defined in this Code is prohibited and all permits for tree removal shall be subject to this Code (see [Section 8.20 - Exhibit B](#)).
2. No grading or tree removal shall take place on any undeveloped property without obtaining a tree removal permit unless exempted by this Code.
3. All trees not listed as a protected tree within this Code may be removed with a tree removal permit.
4. The removal of selected trees from within a densely forested area when done in a professionally accepted manner shall be allowed as a single permit upon approval by the Development Review Committee. Approval will only be granted when it is determined that the selective thinning is being done in a manner that would enhance the environment and likelihood of survival for the remaining trees.
5. Where protected tree removal is allowed through exemption or by a tree removal permit and the root system is intertwined with protected trees which are intended to be saved, the tree shall be removed by flush cutting with the natural level of the surrounding ground. Where stump removal is also desired, stump grinding shall be allowed, or upon approval of the City, a trench may be cut between the two trees sufficient to cut the roots near the tree to be removed, thereby allowing removal of the remaining stump without destruction of the root system of the saved tree.

C. Requirements for New Developments

All projects/developments that have not submitted final plat/construction plans, site plan or building permit, whichever is applicable, as of the effective date of this Code shall be subject to the requirements for tree protection and replacement specified herein. Approval of development plans for compliance with this Code may be by the City Council, Planning and

Zoning Commission, or City Staff, whichever is applicable by City regulations. Developer must demonstrate that all options have been considered to preserve as many trees as possible in accordance with this Code.

1. Single-Family Residential Subdivision Developments

- a. A developer shall submit an aerial photo of the property showing the tree coverage. An overlay of the proposed development showing all improvements including rights-of-way, easements, lot patterns, etc., shall be superimposed on the aerial photo. This document shall be provided with the submittal of a zoning application. If zoning is not applicable for a property, then this document shall be submitted at time of platting. The aerial photo and plan overlay shall be to the scale of a minimum of 1"=100' and must be legible and clear to read. The aerial photo shall also be of recent date taken within two (2) years or less of the submittal date. If the scale is impractical for the project, alternatives may be considered by the Development Review Committee. Aerial photographs may be rejected for submittal if it does not meet the above requirements.
- b. A tree survey and preservation plan for all areas of soil disturbance and construction activity including all work within rights-of-way and easements shall be submitted with the zoning application. If zoning is not applicable for a property, then this document shall be submitted at time of preliminary site plan evaluation or construction plans, whichever is first. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 1). The tree survey and preservation plan shall be approved and signed by a certified arborist and licensed surveyor. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 2). The information submitted on a tree survey and preservation plan shall not be older than two (2) years. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 3). The tree survey and preservation plan will be reviewed in conjunction with grading plans and these plans must be consistent with each other. *(Amended by Ord. No. 1818 on October 18, 2016)*
- c. The requirement of a tree survey and preservation plan may be appealed to the Planning and Zoning Commission. If sufficient information is provided to review the various provisions of this Code and the Commission determines that a tree survey and preservation plan is not necessary, the Commission may recommend that this requirement may be waived by the City Council. The City Council shall make the final decision on whether a tree survey and preservation plan is necessary for a development. *(Amended by Ord. No. 1818 on October 18, 2016)*
- d. All trees within street rights-of-way, utility or drainage easements as shown on an approved final plat/construction plans as approved by the City may be removed following the execution of a development agreement and approval of a tree protection plan by the Public Works Department and shall be exempt from the tree protection and replacement requirements specified herein. All other tree removal activity shall be in conjunction with a building permit for individual lots and shall conform to the requirements of this Code.
- e. In cases of severe drainage issues related to the site, the City Staff and/or the developer may request from the Commission to perform lot grading and pad site preparation in conjunction with or following the clearing of rights-of-way and easements but prior to the issuance of building permit(s). In order for the Commission to consider the request for pad site grading in advance of issuance of a building permit, a tree survey as defined in [Article Three](#), an erosion control plan including erosion control seeded mat placement and a tree removal plan shall be submitted. The erosion control mat shall be placed over all graded areas to remain unimproved for more than five (5) calendar days post grading. The tree removal plan shall reflect

the areas for proposed tree removal necessary to provide for a finished pad site and a minimum finished floor elevation of the slab. The proposed pad site shall not exceed the maximum pad site area as defined in this Code. The Commission makes recommendation to the City Council that they grant permission for trees in other areas such as proposed ponds, amenity center, etc., to be removed at the time of right-of-way clearing, however the tree removal in these areas shall be mitigated in accordance with this Code. City Council may consider granting the request for advance lot grading shall be final. The decision of the City Council is final.

2. Undeveloped Single-Family Residential Lot Owned by Home Builder/Individual Owner
 - a. A tree survey and protection plan showing all protected trees and all proposed improvements within the lot shall be submitted with a building permit application. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - b. A tree removal permit is required prior to any new construction on an undeveloped lot or additions to existing lots/structures. This permit may be obtained in conjunction with a building permit or as a separate permit. A separate permit must meet all the criteria of this Code and will not be accepted if a building permit is imminent. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - c. All area within the building pad as defined in this Code including driveway and public sidewalk as shown on a site plan approved by the City may be removed and shall be exempt from the tree protection and replacement requirements specified herein. An additional twenty percent (20%) of total remaining quality trees on a lot may be removed without penalty for other construction purposes such as parking, patio, septic tank and lateral lines, swimming pool and deck areas. Any additional tree removal in excess of twenty percent (20%) shall be subject to the tree replacement and mitigation requirements defined herein.
3. Non-Residential Development
 - a. A developer/applicant shall submit an aerial photo of the property showing the tree coverage at the time of zoning or specific use permit application, whichever occurs first. An overlay of the proposed development showing all improvements including rights-of-way, easements, lot patterns, etc., shall be superimposed on the aerial photo. This document shall be provided with the submittal of a concept plan for zoning, development plan, zoning exhibit. The aerial photo and plan overlay shall be to the scale of a minimum of 1"=50' and must be legible and clear to read. The aerial photo shall also be of recent date taken within two (2) years or less of the submittal date. If the scale is impractical for the project, alternatives may be considered by the Development Review Committee. Aerial photographs may be rejected for submittal if it does not meet the above requirement.
 - b. A tree survey and tree preservation plan showing all protected trees and all proposed improvements shall be submitted with a planned development zoning change, Specific Use Permit, site plan, preliminary site evaluation or engineering plans, whichever comes first. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 1). The tree survey and preservation plan shall be approved and signed by a certified arborist and licensed surveyor. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 2). The information submitted on a tree survey and preservation plan shall not be older than two (2) years. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - 3). The tree survey and preservation plan will be reviewed in conjunction with grading plans and these plans must be consistent with each other. *(Amended by Ord. No. 1818 on October 18, 2016)*

- c. A tree removal permit is required for all non-residential developments and may be obtained in conjunction with a building permit or as a separate permit.
- d. All trees within street rights-of-way, utility or drainage easements, building pads, driveways, and fire lanes as shown on an approved site plan may be removed and shall be exempt from the tree protection and replacement requirements specified herein. An additional twenty percent (20%) of the remaining quality trees may be removed without penalty for parking lots and/or for grading and drainage purposes. Any additional tree removal in excess of twenty percent (20%) shall be subject to the tree replacement and mitigation requirements as defined herein.

D. Requirements for Developed Homestead

The owner of property of five (5) acres or less that is used for a homestead shall be exempt from the tree protection and replacement requirements specified herein. Developed Homesteads of more than five (5) acres, shall be subject to the requirements of Section 8.19 (E), Agricultural Property. Properties identified on the City Zoning Map or the Future Land Use Map as non-residential shall not be exempt from the requirements of this Code.

E. Requirements for Agricultural Property

No fee shall be charged to make application for a tree removal permit for the removal of protected trees located on real property having an agricultural tax exemption. However, if within any twelve (12)-month period, tree removal permits for the removal of twenty (20) or more protected trees are issued for the same agricultural property or tract, or any of its portions, the agricultural zoning district classification of such property cannot be changed, nor can an application for approval of a development plan, planned development or zoning amendment relative to such property be made, for a period of sixty (60) months following the most recent twelve (12) month period during which twenty (20) or more protected trees were removed from such agricultural zoned property.

The property owner may request from the Community Development Department to make an on-site inspection of the property to be cleared and provide the City the purpose and reason for the clearing. If the Planning Manager or his/her designee determines the clearing of land to be for a legitimate, agricultural reason, the a tree removal permit may be issued. The decision of the Planning Manager may be appealed to the City Council.

F. Requirements for Municipal/Public Domain Property, Rights-of-way and Easements

- 1. All construction and maintenance activities within municipal/public domain property, rights-of-way or easements by the City, franchise utility companies, cable providers, telecommunication providers, and cemeteries shall be in accordance with this Code and may be subject to the requirements for tree protection and replacement specified herein if extensive quality trees are removed for the project
- 2. A tree removal permit shall not be required and trees may be removed within the public right-of-way and franchise utility easements. However, no construction or maintenance activity shall begin until construction plans showing protected trees to be removed and the limit of construction activity have been approved by the Director of Public Works. Franchise utility companies are exempted from this requirement
- 3. A tree removal permit shall be required, and trees may not be removed without a permit, for construction or maintenance activity within private easements for the extraction, collection and transmission of natural gas or other minerals. Franchise utility companies shall be exempted from this requirement.

4. The Parks and Recreation Department shall administer a plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in municipal/public domain property.
5. A list of trees acceptable for planting along streets, within parks or other public areas or for replacement and mitigation is attached to this Code. Trees other than those listed as acceptable may be planted only upon approval of the Development Review Committee.
6. The City shall have the right to plant, prune, and maintain street trees and park trees within the municipal/public domain property as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public properties. The City may remove or cause or order to be removed any tree or part thereof that is in an unsafe condition, or that by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or which is affected with any injurious fungus, insect or other pest.

G. Exceptions

A tree removal permit shall be issued and tree protection and replacement requirements shall not be required under any of the following circumstances. The burden of proof as a qualified exemption is upon the remover of a tree.

1. **Approved Plans:** All construction activities for which final construction plans and building permit applications have been submitted prior to the effective date of this Code shall be exempt.
2. **Diseased Trees:** The tree is diseased, damaged beyond the point of recovery, or in danger of falling as determined by the Development Review Committee prior to the removal of the tree. The removal of a diseased tree by the City or an individual is required to reduce the chance of spreading the disease to adjacent healthy trees.
3. **Public Safety:** The tree endangers the public health, welfare or safety and immediate removal or pruning is required.
4. **Utility Service Interruption:** The tree has disrupted a public utility service due to a tornado, storm, flood or other act(s) of God. Removal shall be limited to the portion of the tree reasonably necessary to reestablish and maintain reliable utility service.
5. **Landscape Nursery:** All licensed plant or tree nurseries shall be exempt from the requirements of this Code as they pertain to those trees planted and growing on the premises of said licensee that are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensee's business.

H. Permit Review and Approval Process

1. **Authority for Review:** An application for a tree removal permit shall be submitted to the Community Development Department for building permit purposed or Public Works Department for infrastructure improvements, grading or drainage purposed, whichever is applicable during the construction process (see [Section 8.20 - Exhibit B](#)).
2. The Development Review Committee shall be responsible for the review and approval of all requests for tree removal permits submitted in accordance with the requirements specified herein.
3. The Review Committee may defer the approval of a tree removal permit to the Planning and Zoning Commission for any reason. The decision of the Planning and Zoning Commission shall be final.

4. Any decision made by the Review Committee may be appealed to the Planning and Zoning Commission for recommendation to the City Council. The decisions of the City Council shall be final.
5. The City shall establish administrative procedures necessary to facilitate the implementation and enforcement of this Code.
6. A request for a tree removal permit must be submitted and approved prior to the removal of any protected tree in the City unless the tree is exempt under a provision of this Code.
7. All tree removal permits shall be accompanied by a payment made to the City in the amount specified by City Council.
8. Either an aerial photo and transparency and/or a tree survey shall be submitted with any tree removal permit as determined by the Development Review Committee and must include the items referenced in this Code and its appendices.
9. Permits for tree removal issued in connection with a building permit or site plan shall be valid for the period of that building permit's or site plan's validity. Permit(s) for tree removal not issued in connection with a building permit or a site plan shall become void one hundred eighty (180) days after the issue date on the permit. Upon expiration, a new permit shall be required.
10. The appropriate body as described herein, being either the Development Review Committee, Planning and Zoning Commission, or the City Council shall consider a tree removal permit based on the following criteria:
 - a. Whether or not a reasonable accommodation or alternative solution can be made to accomplish the desired activity without the removal of the tree;
 - b. The cost of preserving the tree as a factor of the project's cost;
 - c. Whether the tree is worthy of preservation given its age and remaining life expectancy, current health, and any other influential factors as determined by the Community Development Department and the Parks Department. In the event there is disagreement between the two departments, a disinterested third party arborist may be retained for a professional opinion;
 - d. The effect of the removal on erosion, soil moisture, retention, flow of surface waters, and drainage systems;
 - e. The need for buffering of residential areas from the noise, glare, and visual effects of non-residential uses;
 - f. Whether the tree interferes with a utility service;
 - g. Whether the proposed tree replacement pursuant to the Tree Replacement Requirements hereof adequately mitigates the removal of the tree;
 - h. Any other factors deemed to be in the interest of preserving or protecting the health, safety and welfare of the City of Keller and its citizens.

I. Tree Replacement Requirements

1. In the event that it is necessary to remove a protected tree as specified in this Code, the party removing the tree shall be required to replace the protected trees being removed with quality trees as defined herein (see [Section 8.20 - Exhibit I](#)). A sufficient number of trees shall be planted to equal or exceed the diameter (measured at eighteen inches (18") above ground level of each tree removed. This mitigative measure is not meant to

supplant good site planning. Tree replacement will be considered only after all design alternatives, which could save more existing trees, have been evaluated and reasonably rejected. Said replacement trees shall be a minimum of three-inch (3") diameter (measured at eighteen inches [18"] above ground) and seven feet (7') in height when planted.

2. At the time of review, the agent responsible for placement, the time of replacement, and the location of the new trees will be determined by the Development Review Committee. The replacement trees shall be located on the same property that trees were removed whenever possible. However, if this is not feasible, they may be placed on a designated property as agreed to by the Planning and Zoning Commission. If the Planning and Zoning Commission approves the planting of replacement trees more than thirty (30) days after the removal of protected trees, the applicant shall provide the Community Development Department with an affidavit that all replacement trees will be planted within six (6) months. A replacement tree that dies within two (2) years of the date it was planted must be replaced by another replacement tree in compliance with this Code.
3. The applicant may request from the Planning and Zoning Commission for recommendation to the City Council to make a payment into the Tree Reforestation Fund in lieu of planting the replacement trees if planting is not feasible. The funds shall be used only for purchasing and planting trees on public property or acquiring wooded property that shall remain in a naturalistic state in perpetuity. The fee payment amount shall be established in the City's Fee Schedule. The schedule may be periodically updated by the City without changing this Code. *(Amended by Ord. No. 1818 on October 18, 2016)*

J. Tree Transplantation

The City may request to enter a property following the approval of a tree removal permit, or development plans for a property to inspect the site for any trees marked for removal that may be transplanted. The City will pay all costs associated with the removal and transplantation of designated trees to public parks, public facilities or public rights-of-way.

K. Tree Protection

A major purpose of this Code is to protect all protected trees, which are not required to be removed, to allow approved construction to occur. The following procedures are required:

1. All construction plans shall include the necessary documents as requested by the Development Review Committee to review the tree preservation plan.
2. The following activities shall be prohibited within the limits of the critical root zone of any protected tree subject to the requirements of this Code.
 - a. Material Storage: No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the critical root zone of any protected tree. However, this restriction shall not apply to material storage in areas exempt from the tree protection and replacement requirements (e.g., building pad, driveway, patios, parking lot, etc.)
 - b. Equipment Cleaning/Liquid Disposal: No equipment shall be cleaned or other liquids deposited or allowed to flow overland within the limits of the critical root zone of a protected tree. This includes, without limitation, paint, oil, solvents, asphalt, concrete, mortar or similar materials.
 - c. Tree Attachments: No signs, wires or other attachments, other than those of a protective nature, shall be attached to any protected tree. Fencing attached to a tree via "U" nails or bent nails when only at points of tangency with the trees are allowed.

- d. Vehicular Traffic: No vehicular and/or construction equipment traffic or parking shall take place within the limits of the critical root zone of any protected tree other than on an existing street pavement. This restriction does not apply to single incident access within the critical root zone for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.
 - e. Grade Changes: No grade changes shall be allowed within the limits of the critical root zone of any protected tree unless adequate construction methods are approved by the Development Review Committee or if grading is as directed by the City's drainage inspector.
 - f. Impervious Paving: No paving with asphalt, concrete or other impervious materials in a manner that may reasonably be expected to kill a tree shall be placed within the limits of the critical root zone of a protected tree. If a protected tree die within five (5) years of issuance of a Certificate of Occupancy for non-residential construction or final building inspection for residential construction, due to construction activity or impervious paving around the critical root zone of the tree, the property owner shall submit a mitigation plan and tree replacement in accordance with this Code shall be required.
3. A protected tree shall be considered to be preserved only if a minimum of seventy-five percent (75%) of the critical root zone is maintained at undisturbed natural grade and no more than twenty-five percent (25%) of the canopy is removed due to building encroachment.
4. The following procedures shall be followed on all types on construction projects (i.e. residential subdivisions, commercial, multi-family, industrial developments, residential builders and municipal/public).
- a. Tree Flagging or Marking: Trees that are shown on an approved plan by the City for preservation/protection shall be flagged with bright fluorescent orange vinyl tape or ribbon wrapped around the main trunk at a height of four and one-half feet (4.5') or more such that it is very visible to workers operating construction equipment. Trees that are marked for preservation/protection shall have protective fencing in accordance with the requirements of this Code.
 - b. Protective Fencing: In those situations where a protected tree is so close to the construction area that construction equipment might infringe on the root system or is within twenty feet (20') of the construction area, a protective fencing shall be required between the outer limits of the critical root zone of the tree and the construction activity area. Four feet (4') high protective fencing shall be supported at a maximum of ten feet (10') intervals by approved methods. At regular intervals, signs shall be required that states in English and in Spanish, "Tree Protection Area. No grading, parking vehicles, or storing equipment permitted. Violators may be fined." All protective fencing shall be in place prior to commencement of any major site work involving heavy equipment for construction of utilities and roadways and shall remain in place until all site work has been completed. This provision does not apply to clearing the right-of-way for the purpose of access to the site for site preparation. *(Amended by Ord. No. 1818 on October 18, 2016)*
 - c. Protective fencing shall not be required for clearing the rights-of-way for the purpose of access to the site. Once the site is accessible by heavy equipment, protective fencing shall be placed in accordance with this Code.
- L. Tree Pruning Restrictions

No protected tree shall be pruned in a manner that significantly disfigures the tree or in a manner that would reasonably lead to the death of the tree.

1. **Allowed Pruning:** Protected trees may be strategically pruned to allow construction or demolition of a structure. All pruning shall take place in accordance with approved Arboricultural techniques and the recommendations of [Exhibit G](#). Reasonable pruning of trees also may be performed or contracted to be performed by the owner of the tree when unrelated to construction activity.
2. **Required Pruning:** The owners of all trees adjacent to public right-of-way shall be required to maintain a minimum clearance of thirteen and one-half feet (13.5') above the traveled pavement or curb of a public street. Said owners shall also remove all dead, diseased or dangerous trees, or broken or decayed limbs that constitute a menace to the safety of the public. The City shall also have the right to prune trees overhanging within public right-of-way that interfere with the proper spread of light along the street from a street light or interfere with visibility of any traffic control device or sign or as necessary to preserve the public safety.
3. **Tree Topping:** It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this Code at the determination of the City.

M. Tree Planting Restrictions

1. **Overhead Lines:** Any required replacement trees shall not be planted within an area such that the mature canopy of the tree will be within ten feet (10') of overhead utility lines.
2. **Underground Utilities:** Any required replacement trees or street trees shall not be planted within five feet (5') of underground public utility lines, including water lines, sewer lines, transmission lines or other utilities. No trees may be planted within five feet (5') of a fire hydrant.
3. **Street Corners:** No street tree shall be planted closer than twenty-five feet (25') of any street corner, measured from the point of nearest intersecting curbs or curb lines.

N. Enforcement

1. **Permit Required:** No development or grading activity shall commence until all applicable requirements of this Code are met and a notice to proceed or a tree removal permit has been issued for the site.
2. **Acceptance of Improvements:** No acceptance of public improvements shall be authorized until it is determined that all requirements of this Code are met and all fines for violations of this Code have been paid to the City or otherwise disposed of through the Municipal Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted or appropriate payments have been made to the Tree Reforestation Fund.
3. **Certificate of Occupancy:** No Certificate of Occupancy for non-residential construction or final building inspection for residential construction shall be issued until it is determined that all requirements of this Code are met and all fines for violations of this Code have been paid to the City or otherwise disposed of through the Municipal Court. No Certificate of Occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Tree Mitigation Fund.
4. **Notwithstanding the above provisions,** public improvements may be accepted and Certificate of Occupancy may be issued before all trees have been replaced if an escrow account is established by the City in the amount equal to the prevailing rate for installed

trees with a two (2) year guarantee, plus fifteen percent (15%) to cover administrative costs.

O. Penalty

1. Any person, firm, corporation, agent, or employee thereof who violates the provisions of this Code by removing trees without a permit shall be guilty of a misdemeanor and upon conviction hereof shall be fined in an amount not to exceed two hundred and fifty dollars (\$250.00) per caliper inch of the tree(s) removed or damaged not to exceed two thousand dollars (\$2,000) per incident.
2. A person firm, corporation, agent, or employee thereof violates any other provisions of this Code shall be guilty of a misdemeanor and upon conviction hereof shall be fined a minimum of five hundred dollars (\$500.00) but not to exceed two thousand dollars (\$2,000) per incident. The unlawful injury, destruction or removal of each protected tree shall be considered a separate incident and each incident subjects the violator to the maximum penalty set forth herein per tree.

P. Appendices

It is anticipated that the attached appendices will be changed periodically by the Review Committee in response to changes in the administration of this Code.

Section 8.20 - Tree Preservation Exhibits

Exhibit A - Quality Trees

Large Trees	
Common Name	Botanical Name
Afghan (Eldarica) Pine	<i>Pinus eldarica</i>
American Elm	<i>Ulmus americana</i>
Arizona Cypress	<i>Cupressus arizonica</i>
Bald Cypress	<i>Taxodium distichum</i>
Black Walnut	<i>Juglans nigra</i>
Buckeye, Texas	<i>Aesculus arguta</i>
Oak (Bigelow, Bur, Chinquapin, Durrand, Lacey, Live, Shumard, Southern Live, Texas Red)	<i>Quercus spp.</i>
Caddo Maple	<i>Acer saccharum var. caddo</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Chinese Pistache	<i>Pistachia chinensis</i>
Deodar Cedar	<i>Cedrus deodora</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Lacebark Elm	<i>Ulmus Parvifolia</i>
Pecan	<i>Carya illinoensis</i>
Red Cedar	<i>Juniperus virginiana</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Texas Ash	<i>Fraxinus texensis</i>
Texas Hickory	<i>Carya texana</i>
Thornless Honey Locust	<i>Gleditsia triacanthos</i>
Western Soapberry	<i>Sapindus drummondii</i>
Understory Trees	
Common Name	Botanical Name
Birds of Paradise	<i>Caesalpinia gilliesii</i>
Carolina Buckthorn	<i>Rhamnus caroliniana</i>
Crepe Myrtle (tree form)	<i>Lagerstroemia indica</i>
Desert Willow	<i>Chilopsis linearis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Eves Necklace	<i>Sophora affinis</i>
Hollywood Juniper	<i>Juniperus chinensis 'Torulosa'</i>
Japanese Black Pine	<i>Pinus thunbergiana</i>
Juniper, Blue Point	<i>Juniperus chinensis 'Blue Point'</i>
Juniper Wichita Blue	<i>Juniperus scopulorum 'Wichita'</i>
Little Gem Magnolia	<i>Magnolia grandiflora 'Little Gem'</i>
Mexican Buckeye	<i>Ungnadia speciosa</i>
Mexican Plum	<i>Prunis mexicana</i>
Possumhaw Holly	<i>Ilex decidur</i>
Red Buckeye	<i>Aesculus pavia</i>
Redbud	<i>Cercis canadensis</i>
Rose of Sharon	<i>Hibiscus syriacus</i>
Rusty Blackhaw Viburnum	<i>Viburnum rufidulum</i>
Texas Buckeye	<i>Aesculus arguta</i>
Texas Persimmon	<i>Diospyros texana</i>
Vitex	<i>Vitex agnus-castus</i>

Understory Trees (Continued)	
Common Name	Botanical Name
Winter/Bush Honeysuckle	<i>Lonicera fragrantissima</i>
Wax Myrtle	<i>Myrica cerifera</i>
Yaupon Holly	<i>Ilex vomitoria</i>

Exhibit B - Tree Removal Permit Application

TREE REMOVAL PERMIT APPLICATION

DEVELOPMENT NAME: _____ LOT: _____ BLOCK: _____

STREET ADDRESS: _____

OWNER

CONTRACTOR/BUILDER

NAME: _____

ADDRESS: _____

PHONE: _____

I hereby certify that this application meets the requirements of the Tree Preservation section within this Code and further certify that all construction pertaining to this project shall meet the requirements of the Tree Preservation section within this Code.

Signed: _____ Title: _____ Date: _____

For City Use Only: I hereby acknowledge receipt of this application and the application fee in the amount of \$ _____ on this the _____ day of _____, _____.

Signed: _____ Title: _____ Date: _____

Shown On Plat	Not Applic.	<u>GENERAL INFORMATION</u>
------------------	----------------	----------------------------

- | | | |
|-------|-------|--|
| _____ | _____ | Appropriate title (i.e. Tree Removal Permit Exhibit) |
| _____ | _____ | Title block includes street address, lot and block, subdivision name |
| _____ | _____ | Title includes City and date of preparation |
| _____ | _____ | North arrow, graphic and written scale in close proximity |
| _____ | _____ | Name, address and phone of owner |
| _____ | _____ | Location of tree(s) to be removed is tied down with dimensions from two nearest property lines |
| _____ | _____ | Location of all R.O.W. lines and public easements |
| _____ | _____ | Location of buildings, structures, pools and other improvements |
| _____ | _____ | Areas of cut/fill and flow lines |
| _____ | _____ | Caliper and common name of tree(s) to be removed |
| _____ | _____ | Any required replacement tree(s) shown with caliper size and common name of tree |
| _____ | _____ | Limits of construction line shown |

Reason Tree(s) Must be Removed: _____

Permit for tree removal approved the _____ day of _____, _____.

By: _____ Title: _____

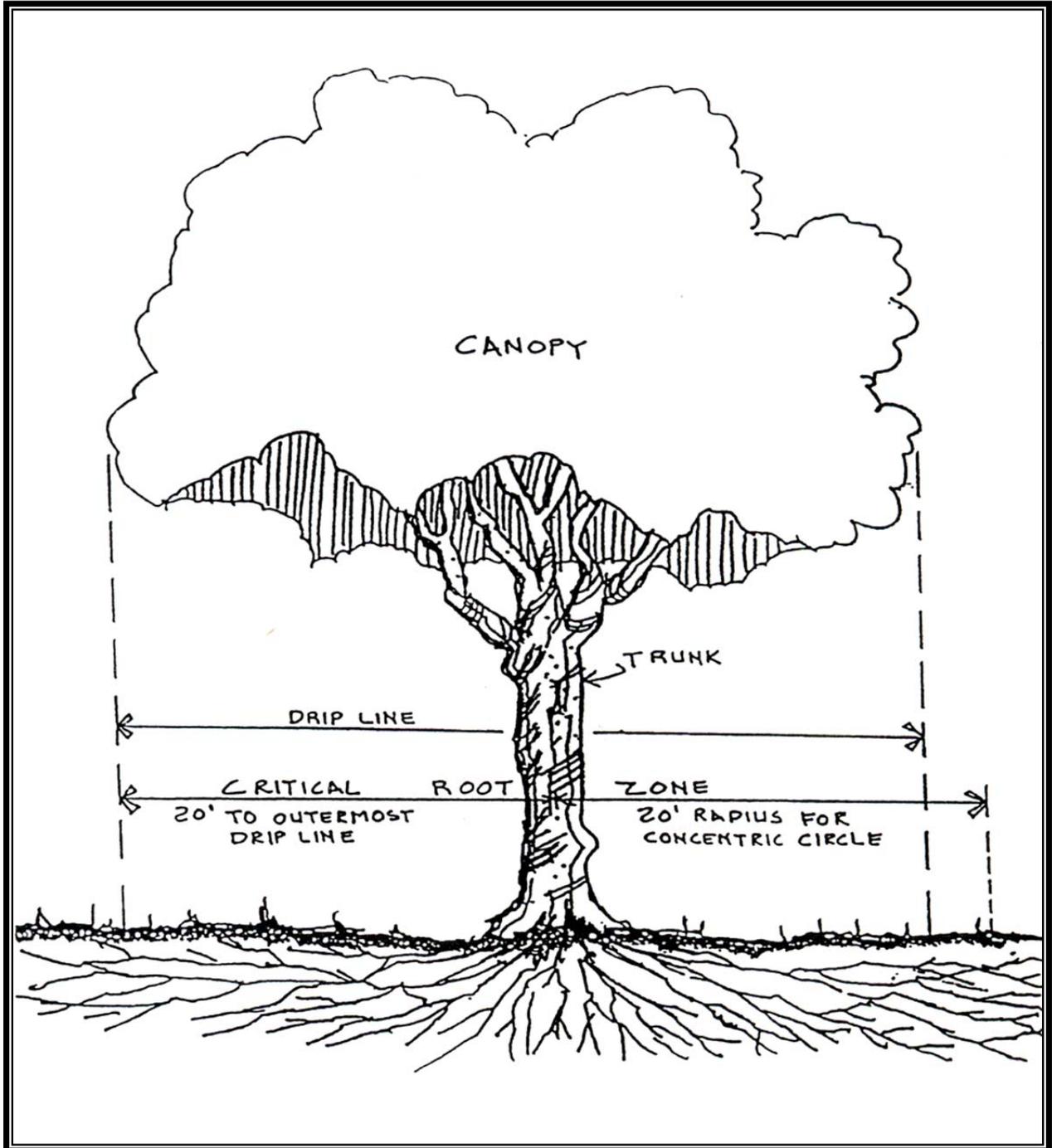
Notes: _____

Exhibit C - Construction Plan Requirements

The following shall be required as a part of all construction plans submitted to the City when tree removal or tree protection is required during any phase of site work or construction.

1. A Tree Preservation Detail Sheet shall include the following at a minimum.
 - a. The requirements of [Section 8.20 \(I\), \(J\), \(K\), \(L\), and \(M\)](#) shall be noted.
 - b. A graphics legend to be used throughout the plans for the purposes of showing the following: Trees to be flagged, protective fencing, trees requiring bark protection, boring, areas of cut and fill impacting protected trees.
 - c. Graphic tree exhibit showing the features of a tree to include the critical root zone, trunk, canopy, drip line and method of caliper measurement (see [Section 8.20 - Exhibits D & E](#)).
 - d. Graphic exhibits showing methods of protection to include snow fences, boarded skirts, etc.
 - e. Graphic exhibits showing construction methods to include grade changes, boring, trenching, etc.
 - f. Graphic exhibits showing appropriate pruning practices (see [Section 8.20 - Exhibit G](#)).
2. All requirements of the Tree Preservation section within this Code shall be shown graphically as needed on the construction plans.

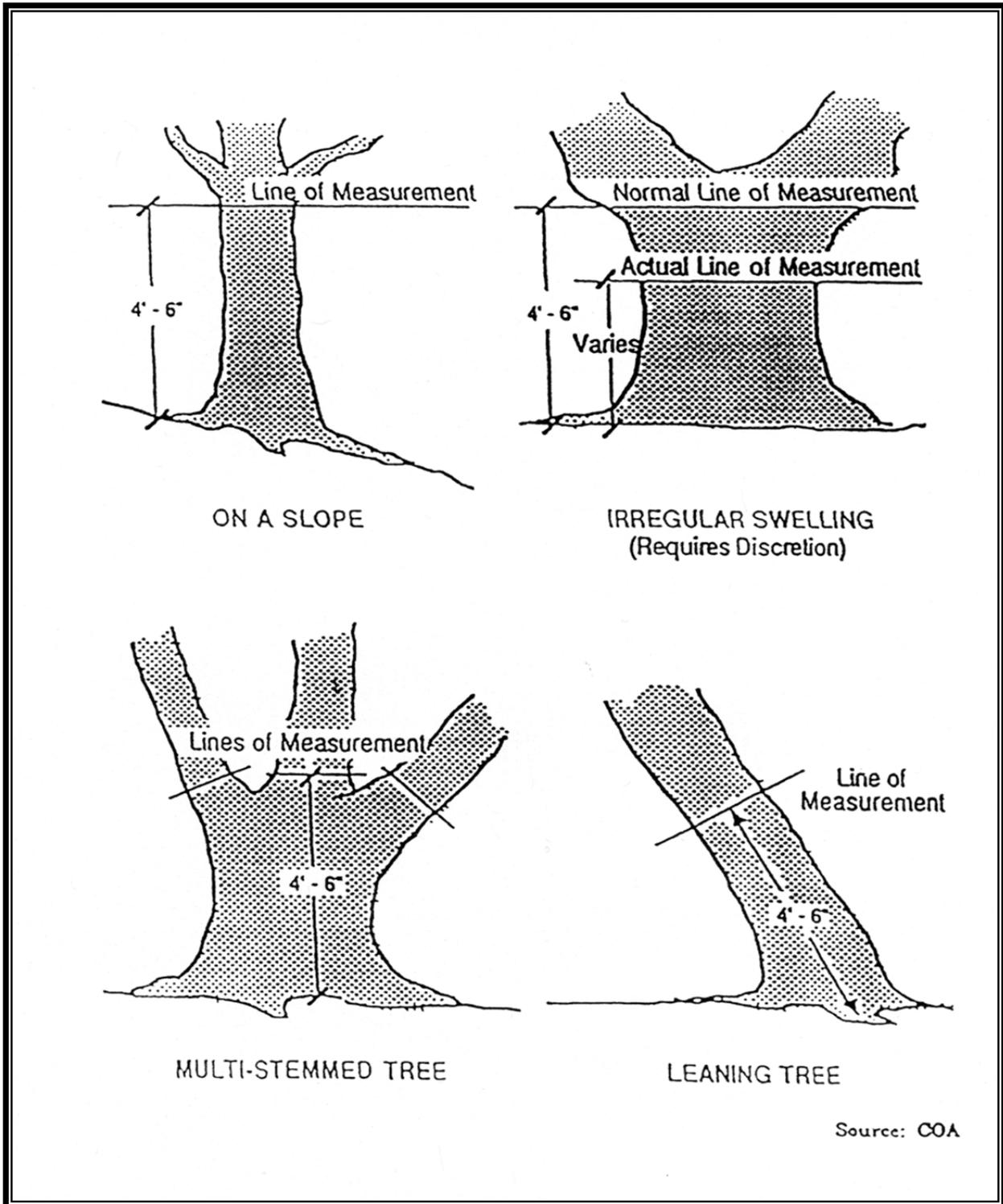
Exhibit D - Tree Exhibit



Critical Root Zone (CRZ): The area of undisturbed natural soil around a tree defined by a concentric circle with a radius equal to the distance from the trunk to the outermost portion of the drip line.

Drip Line: A vertical line run through the outermost portion of the canopy of a tree and extending to the ground.

Exhibit E - Measurement Methods



Diameter Measurement: The diameter of the protected tree shall be measured as shown. The diameter of a multi-trunk tree shall be determined by adding the total diameter of the largest trunk to 1/2 the diameter of each additional trunk.

Exhibit F - Example Builder Site Plan

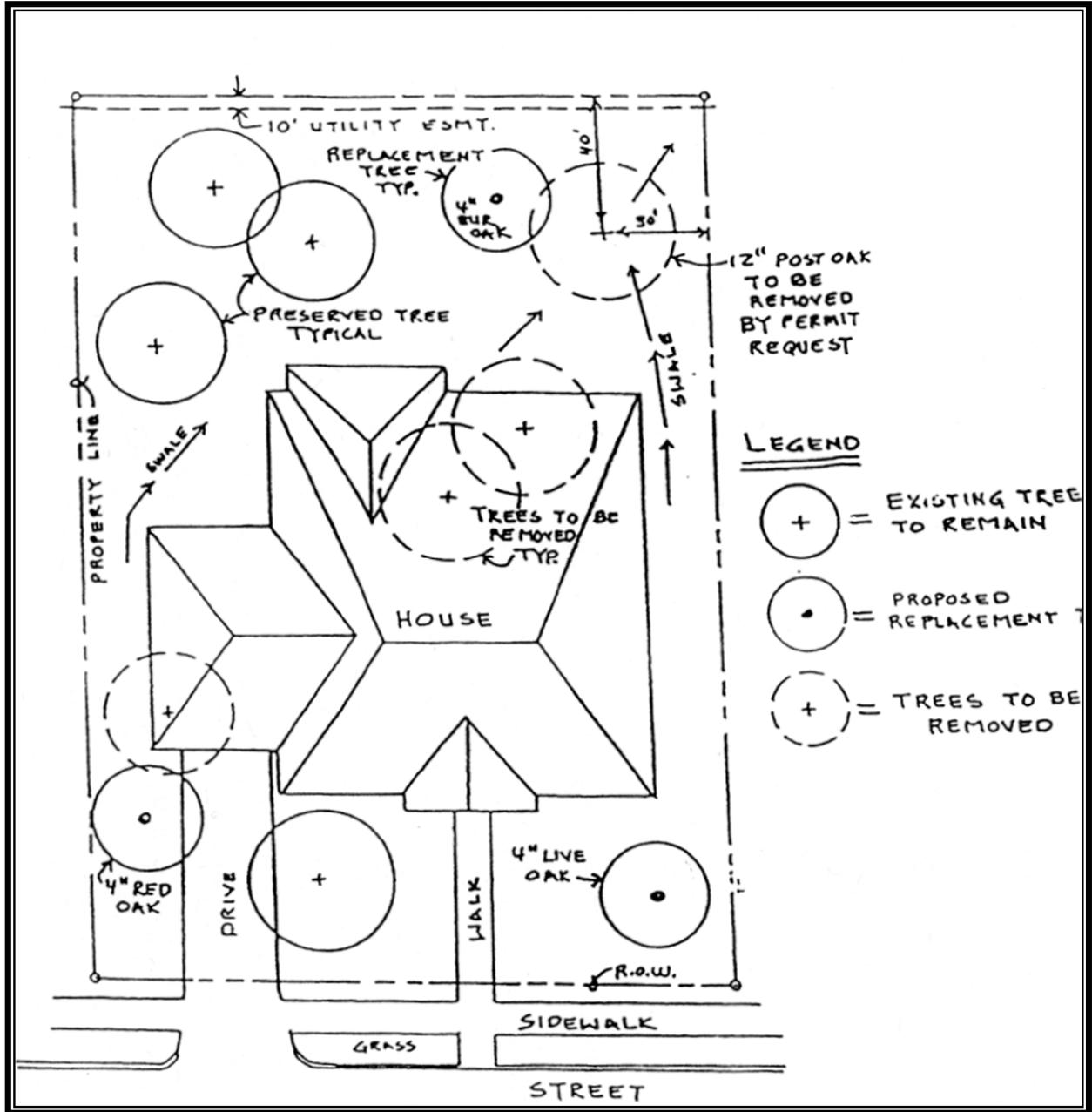
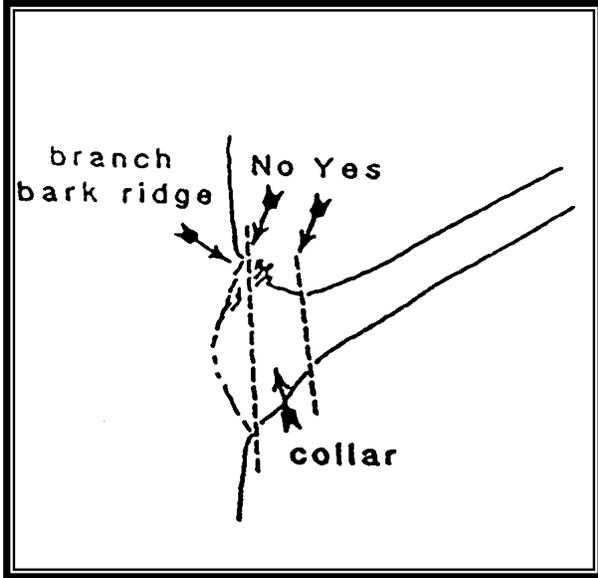


Exhibit G - Tree Pruning Recommendations

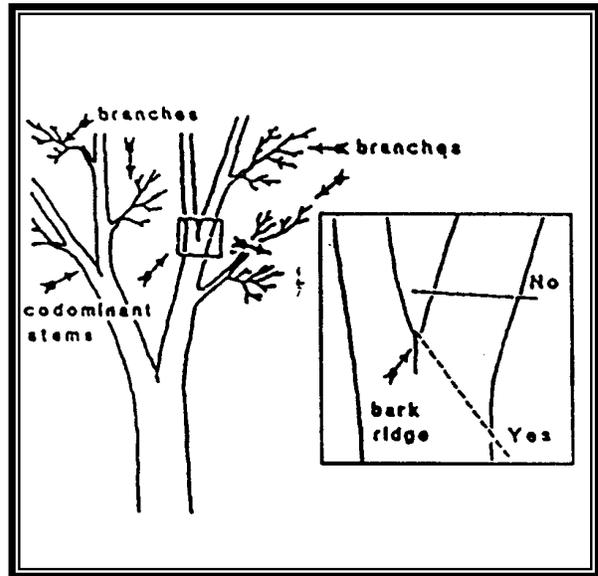


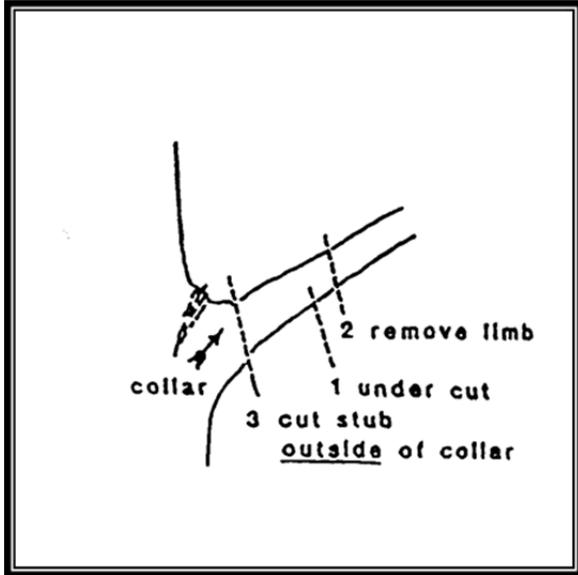
TREE PRUNING

When removing a branch, always cut outside the branch bark ridge and collar. Do not make a flush cut.

TREE PRUNING

Trees must have codominant stems, as shown on the left. If a codominant stem must be removed, cut at an angle outside of the bark ridge as shown in the insert at right. Avoid leaving any stub.





CUTTING BRANCHES

CUTTING BRANCHES

Branches that do not have a distinct collar should be cut at a right angle to the branch outside the branch bark ridge.

CUTTING BRANCHES

CUTTING BRANCHES

When removing heavy limbs, first make an undercut several inches outside of the collar. Then remove limb by a second cut an inch or so outside of the first cut. Remove stub with a third cut just outside of the collar. (Feucht, 1985)

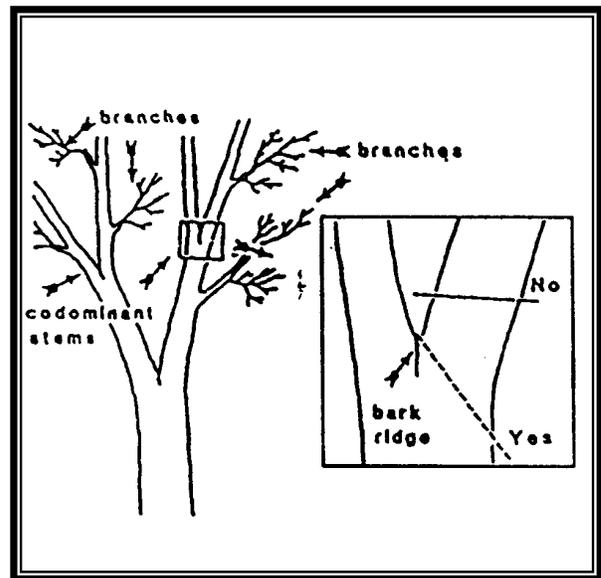


Exhibit H - Preferred Survey Nomenclature and Legend

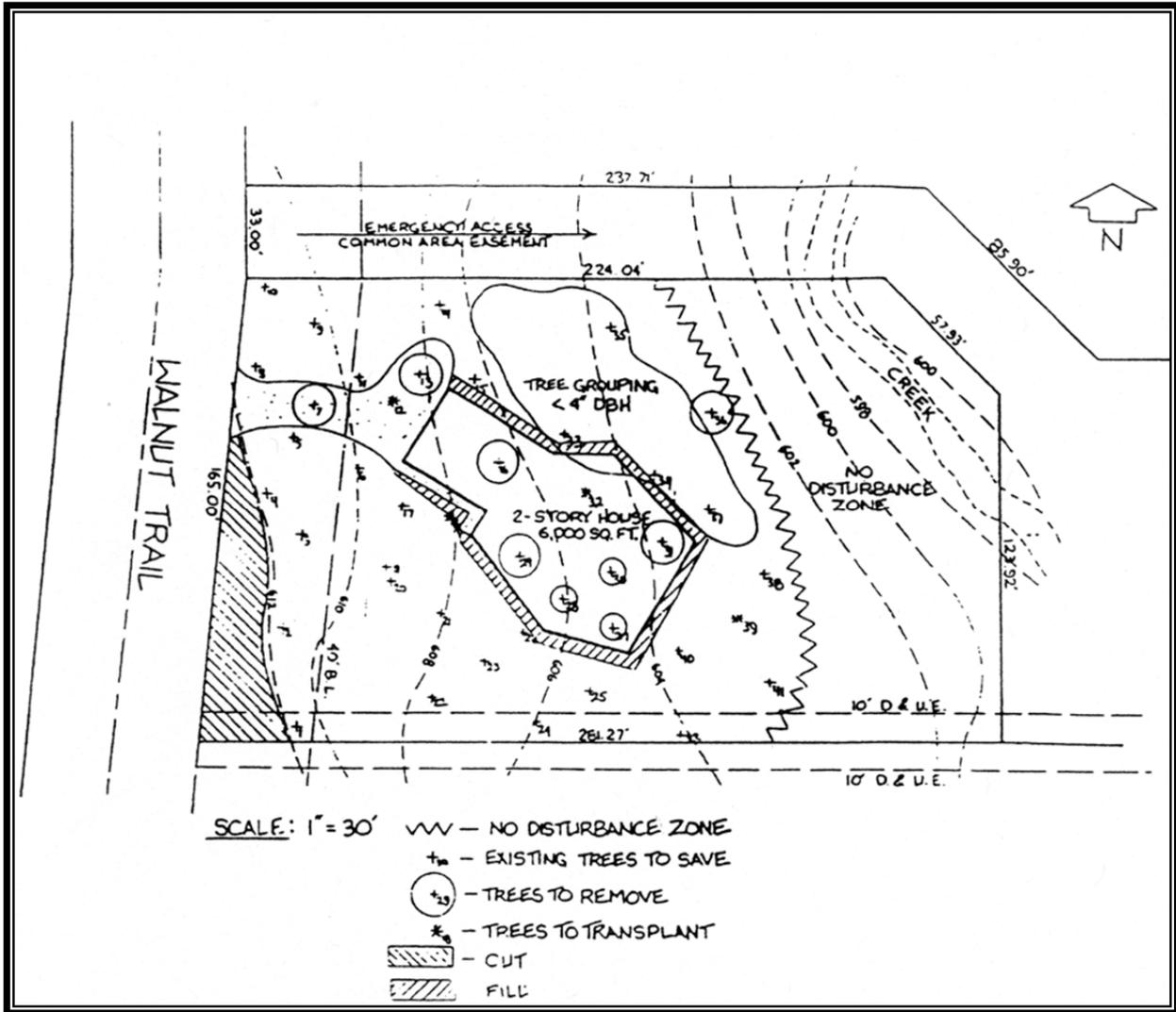


Exhibit I - Replacement Tree List

Understory Trees		
Common Name		Botanical Name
*	Birds of Paradise	<i>Caesalpinia gilliesii</i>
*	Carolina Buckthorn	<i>Rhamnus caroliniana</i>
*	Crepe Myrtle (tree form)	<i>Lagerstroemia indica</i>
*	Desert Willow	<i>Chilopsis linearis</i>
*	Eastern Red Cedar	<i>Juniperus virginiana</i>
*	Eves Necklace	<i>Sophora affinis</i>
*	Hollywood Juniper	<i>Juniperus chinensis 'Torulosa'</i>
*	Japanese Black Pine	<i>Pinus thunbergiana</i>
*	Juniper, Blue Point	<i>Juniperus chinensis 'Blue Point'</i>
*	Juniper Wichita Blue	<i>Juniperus scopulorum 'Wichita'</i>
*	Little Gem Magnolia	<i>Magnolia grandiflora 'Little Gem'</i>
*	Mexican Buckeye	<i>Unquadia speciosa</i>
*	Mexican Plum	<i>Prunus mexicana</i>
*	Possumhaw Holly	<i>Ilex decidur</i>
*	Red Buckeye	<i>Aesculus pavia</i>
*	Redbud	<i>Cercis canadensis</i>
*	Rose of Sharon	<i>Hibiscus syriacus</i>
*	Rusty Blackhaw Viburnum	<i>Viburnum rufidulum</i>
*	Texas Buckeye	<i>Aesculus arguta</i>
*	Texas Persimmon	<i>Diospyros texana</i>
*	Vitex	<i>Vitex agnus-castus</i>
*	Winter/Bush Honeysuckle	<i>Lonicera fragrantissima</i>
*	Wax Myrtle	<i>Myrica cerifera</i>
*	Yaupon Holly	<i>Ilex vomitoria</i>
Large Trees (above 35 feet)		
Common Name		Botanical Name
*	Afghan (Eldarica) Pine	<i>Pinus eldarica</i>
*	American Elm	<i>Ulmus americana</i>
*	Arizona Cypress	<i>Cupressus arizonica</i>
	Bald Cypress	<i>Taxodium distichum</i>
	Black Walnut	<i>Juglans nigra</i>
*	Buckeye, Texas	<i>Aesculus arguta</i>
*	Oak (Bigelow, Bur, Chinquapin, Durrand, Lacey, Live, Shumard, Southern Live, Texas Red)	<i>Quercus spp.</i>
*	Caddo Maple	<i>Acer saccharum var. caddo</i>
*	Cedar Elm	<i>Ulmus crassifolla</i>
*	Chinese Pistache	<i>Pistachia chinensis</i>
	Deodar Cedar	<i>Cedrus deodora</i>
*	Eastern Red Cedar	<i>Juniperus virginiana</i>
*	Lacebark Elm	<i>Ulmus Parvifolia</i>
*	Pecan	<i>Carya illinoiensis</i>
	Red Cedar	<i>Juniperus virginiana</i>
	Southern Magnolia	<i>Magnolia grandiflora</i>
*	Texas Ash	<i>Fraxinus texensis</i>
*	Texas Hickory	<i>Carya texana</i>
*	Thornless Honey Locust	<i>Gleditsia triacanthos</i>
*	Western Soapberry	<i>Sapindus drummondii</i>
	*Low or low-med water demand (Taken from Texas A&M drought tolerant Smartscape (TM) list)	