

ORDINANCE NO. 2010-05-011

AN ORDINANCE AMENDING CHAPTER 146 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, RELATIVE TO THE AMENDMENT OF MULTIPLE SECTIONS OF THE ZONING REGULATIONS; ESTABLISHING PRESUMPTIONS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

**WHEREAS,** the City of McKinney adopted the Zoning Regulations for the protection of the public health and general welfare of the people of the City of McKinney; and

**WHEREAS,** the City Council and the Planning and Zoning Commission have recognized that certain provisions of the Zoning Regulations should be reviewed and updated; and

**WHEREAS,** amendments to these provisions have been proposed and the City Council and the Planning and Zoning Commission of the City of McKinney are of the opinion that this chapter should be amended.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:**

Section 1. That the Code of Ordinances, City of McKinney, Texas, Section 146-41(11) of the Zoning Regulations, is hereby amended and shall read as follows:

“(11) Special specific use permit regulations and considerations are as follows:

- a. *Car wash.* In the “BN” – Neighborhood Business District, a specific use permit may be approved to allow a car wash only in connection with an auto fuel sales facility. The car wash shall be limited to a fully automated facility, which will accommodate only one vehicle at a time. The location and orientation of the facility on the site and the proximity of residentially zoned areas shall be considered, in addition to any other factors deemed appropriate, in determining whether the permit should be approved.
- b. *Service station.* In the “BN” – Neighborhood Business District, motor vehicle fuel sales with facilities to fuel four vehicles at one time is allowed by right and motor vehicle fuel sales with facilities to fuel up to eight vehicles is allowed by right if the gas pumps are located within 350 feet of the intersection of two arterial roadways as shown on the thoroughfare plan. A specific use permit may be approved to allow additional facilities to fuel more than the number of vehicles allowed by right regardless of the location. Additionally, no major automotive repairs, body and fender work or automotive painting may be conducted. All uses and waste materials must be kept within a solid enclosure so that the contents are not visible from the street or other properties, and no stock of goods may be displayed out of doors with the exception of lubricants and additives for frequent sale, and no lighting may be constructed to shine on neighboring properties used for residential purposes. A maximum of two brand identification signs shall be allowed if their only illumination is non-flashing and does not contain a rotating, oscillating or revolving beam or beacon of light. They may be installed at the property line. They shall also conform to chapter 134. In determining whether a specific use permit should be approved to allow this use in a district where such permit would be required, the number of fueling stations, the range of automotive services to be provided and the proximity of residentially zoned areas

shall be considered, in addition to any other factors deemed appropriate.

- c. *Private club.* In the "C" – Planned Center District, "BG" – General Business District, "BC" – Commercial Business District, "CHD" – Commercial Historic District, and "PD" – Planned Development District, a private club may be approved to allow for social and dining facilities, as well as alcoholic beverage service. Private clubs shall meet the requirements listed under the definition of "private clubs" in section 146-46.
- d. *Bed and breakfast facilities.* Bed and breakfast facilities may be approved in all districts specified in the schedule of uses. Bed and breakfast facilities shall develop according to the regulations set out in chapter 138, article IV, of this Code and made a part hereof.
- e. *Private street subdivisions.* Private street developments may be approved in all districts specified in the schedule of uses. Private street developments shall develop according to the regulations set out in chapter 142, article VII, and made a part hereof.
- f. *Mini-warehouse uses.* In the "C" – Planned Center District and "BG" – General Business District, mini-warehouse facilities shall be allowed with the approval of a specific use permit. All proposed mini-warehouse developments in the "C" – Planned Center District and "BG" – General Business District, shall satisfy the following development standards:
  - 1. No overhead bay doors or loading areas shall be visible from an adjacent use or public right-of-way;
  - 2. Each building shall be covered with 100% masonry materials (brick or stone);
  - 3. Proposed mini-warehouse buildings located directly adjacent to residential uses or zones shall be limited to a single story; and
  - 4. Proposed mini-warehouse buildings located directly adjacent to single family residential uses or zones shall feature a pitched roof (minimum 4:12 slope).

In determining whether a specific use permit should be approved to allow this use in a district where such permit would be required, the following factors shall be considered:

- 1. The compatibility of the proposed use with the adjacent uses and other uses in the immediate area;
  - 2. The development's proposed location within the City; and
  - 3. Any other factors deemed appropriate.
- g. *Other uses.* Those uses indicated by "S" in the schedule of uses of this chapter shall require the approval of a specific use permit, and shall comply with the requirements of this chapter."

Section 2.

That the Code of Ordinances, City of McKinney, Texas, Section 146-78 "RG 18 – General Residence District" of the Zoning Regulations, is hereby amended and shall read as follows:

**“Sec. 146-78. RG 18 - General Residence District.**

- (a) *Purpose.* The “RG 18” – General Residence zone was originally designed to provide for moderately high density apartment development and other uses, which have characteristics similar to those found in the operation of apartment houses. Densities in this district are higher than presently considered acceptable in the City. Rezoning to this classification will not generally be considered after January 1, 2000.
- (b) *Principal permitted uses.* The following principal uses are permitted in the “RG 18” – General Residence zone:
  - (1) Any principal permitted use allowed in the “RG 25” – General Residence zone, except that residential buildings containing three or four dwelling units are permitted to conform to the rules and regulations of the “RG 25” – General Residence zone;
  - (2) Multiple dwellings of more than four units conforming to the space limits of this zone;
  - (3) Hospitals and rest homes, nursing homes;
  - (4) Roominghouses and boardinghouses;
  - (5) Apartment hotels;
  - (6) Fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise;
  - (7) The offices of one or more professional persons engaged in activities, which generate a limited amount of contact with the general public, but including medical clinics, offices of lawyers, accountants, architects, planners, engineers and similar professions; and
  - (8) Buildings of nonprofit community organizations and social welfare establishments.
- (c) *Permitted accessory uses.* The following accessory uses are permitted in the “RG 18” – General Residence zone: any permitted accessory use allowed in the “RG 25” – General Residence zone when established according to the rules and regulations of the “RG 25” – General Residence zone.
- (d) *Specific use permits.* The following specific uses require a permit in the “RG 18” – General Residence zone:
  - (1) Office buildings for the conduct of the administrative business of a single company when such business does not deal with the public directly from the site of such office building;
  - (2) Mortuaries, funeral homes and funeral chapels; and
  - (3) Private street developments under section 146-41.
- (e) *Space limits.* The following space limits shall apply to the “RG 18” – General Residence zone:
  - (1) Non-Residential Uses:

- a. Minimum lot area: 5,000 square feet
- b. Minimum width of lot: 50 feet.
- c. Minimum depth of lot: 100 feet.
- d. Maximum height of building: 50 feet.
- e. Minimum front yard: 15 feet
- f. Minimum rear yard: ten feet.
- g. Minimum side yard: seven feet.
- h. Minimum side yard at corner: 25 feet.
- i. Maximum lot coverage: 80 percent.
- j. Maximum floor area ratio: one to 1.67 (0.6:1.0).

(2) Multiple Family Residential Uses:

- a. Multi-family residential construction in this district shall, except as herein described, shall comply with the space limitations of the "MF-1" – Multi-Family Residential-Low Density District.
- b. A maximum density of 24 dwelling units per acre shall be allowed.

(3) Duplex Residential Uses:

- a. Two family residential construction in this district shall comply with the space limitations of the "RD 30" – Duplex Residence District.

(4) Single Family Residential Uses:

- a. Single family residential construction in this district shall comply with the space limitations of the "RS 60" – Single Family Residence District.

(f) *Miscellaneous provisions.*

- (1) Off-street parking shall be provided for all uses established in this zone.
- (2) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein."

Section 3. That the Code of Ordinances, City of McKinney, Texas, Section 146-84(d) of the Zoning Regulations, is hereby amended and shall read as follows:

"(d) *Prohibited Uses.* Multi-family residential uses. "

Section 4. That the Code of Ordinances, City of McKinney, Texas, Section 146-85 "BG – General Business District" of the Zoning Regulations, is hereby amended and shall read as follows:

**“Sec. 146-85. BG - General Business District.**

- (a) *Purpose.* The “BG” – General Business zone is designed to provide for a wide range of retail and service establishments.
- (b) *Principal permitted uses.* The following principal uses are permitted in the “BG” – General Business zone:
  - (1) Any use permitted in the “BN” – Neighborhood Business zone; except multi-family and Single Family attached units; and
  - (2) See the schedule of uses.
- (c) *Permitted accessory uses.* The following accessory uses are permitted in the “BG” – General Business zone: any permitted accessory use allowed in the “BN” – Neighborhood Business zone under the conditions specified for that zone.
- (d) *Prohibited Uses. Multi-family residential uses.*
- (e) *Specific use permits.* The following specific uses require a permit in the “BG” – General Business zone:
  - (1) Private clubs; and
  - (2) The City may allow residential and mixed business and residential structures to conform with the space limits of the “RG 18” – General Residence zone or any other zone requiring more lot area per dwelling unit, upon a finding that the proposed density of residential use will be in harmony with nearby residential zoning, and when said mixed occupancy building is specifically designed and constructed for such mixed occupancy, but shall not include the construction of a business building in the yard of a residence or within an existing residence.
- (f) *Space limits.* The following space limits shall apply to the “BG” – General Business zone:
  - (1) Minimum lot area for business: None. Residential structures shall conform to the provisions of the “RG 18” – General Residence zone, except as may be modified by the City in accordance with the specific use provisions of this zone.
  - (2) Minimum width of lot: None for business.
  - (3) Minimum depth of lot: None for business.
  - (4) Maximum height of building: 35 feet.
  - (5) Minimum front yard: None for business.
  - (6) Minimum rear yard: ten feet.
  - (7) Minimum side yard: five feet when abutting any zone requiring a side yard; none abutting business.
  - (8) Minimum side yard at corner: 15 feet.
  - (9) Maximum lot coverage including accessory buildings, loading docks, incinerators and vending devices: 95 percent.
  - (10) Maximum floor area ratio: two to one (2.0:1.0).

(g) *Miscellaneous provisions.*

- (1) Off-street parking and loading shall be provided for all uses established in this zone.
- (2) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.
- (3) This district is intended to permit the development of unified shopping centers, whether in single or multiple ownership. It is not intended for extensive parceling-off of tracts or creation of pad sites, especially along the frontage of an arterial street, not extending the full depth of the district. Prior to any subdivision of property or approval of a site plan in a "BG" – General Business district, a conceptual site plan for development of the center, which shall include all the land that existed in single ownership at the time of initial zoning as a "BG" – General Business district, or at the time this provision became effective, whichever is later, shall be submitted and approved, according to section 146-44, with consideration being given to this statement of intended development. Thenceforth, any development or subdivision of the property shall be consistent with an approved conceptual site plan, as originally approved or as may be subsequently amended and approved."

Section 5. That the Code of Ordinances, City of McKinney, Texas, Section 146-86(d) of the Zoning Regulations, is hereby amended and shall read as follows:

*"(d) Prohibited Uses. Multi-family residential uses."*

Section 6. That the Code of Ordinances, City of McKinney, Texas, Section 146-130 "Vehicle Parking" of the Zoning Regulations, is hereby amended and shall read as follows:

**"Sec. 146-130. Vehicle Parking.**

In all districts there shall be provided at the time any building or structure is erected or structurally altered, except as provided in section 146-130(2)d, off-street parking spaces in accordance with the following requirements:

*(1) Parking requirements.*

Assisted living facility	One parking space per 1 1/2 (1.5) dwelling units.
Bank, savings and loan, or similar institution	One parking space for every 300 square feet; plus five stacking spaces per drive-through teller or ATM station.
Bed and breakfast facility	One parking space for every guest room; plus spaces required for residential use.
Car wash (full service)	One parking space for every 200 square feet of floor area; plus seven (7) stacking spaces for each wash, vacuum, or gas pump lane.
Car wash (self-serve)	One parking space for each bay or stall (in addition to washing areas or stalls); plus three (3) stacking spaces for each wash bay if automated drive-through; or two (2) stacking spaces for each wash bay if wand-type.
Church or other place of worship	One parking space for each three (3) seats in the main auditorium.

College or university		Ten (10) per classroom.
Amusement (indoor):		One parking space for each 100 square feet of gross floor area for uses not listed below.
a.	Amusement center	One parking space for every 50 square feet.
b.	Bingo parlors	One parking space for every three (3) seats or one for every 100 square feet, whichever is greater.
c.	Bowling alley	Six (6) parking spaces for each alley.
d.	Racquetball or handball courts	Three (3) parking spaces for each court.
e.	Indoor tennis courts	Six (6) parking spaces for each court.
f.	Gymnasium, skating rinks, martial art schools	One parking space for every 200 square feet or one for every three (3) seats, whichever is greater.
g.	Indoor jogging or running tracks	One parking space for every 100 linear feet.
h.	Swimming pool	One parking space for every 100 square feet of water surface plus deck area.
i.	Theatres and auditoriums, including motion picture theaters	One parking space for every four (4) seats.
j.	Weight lifting or exercise areas	One parking space for every 100 square feet.
k.	Areas for subsidiary uses not listed, such as restaurants, offices, etc.	Calculate required parking for each subsidiary use in addition to the minimum standards for other uses.
Amusement (outdoor):		
a.	Areas with fixed seating or bleachers	One parking space for every four (4) seats for fixed seating or for every six (6) linear feet of benches for bleacher seating.
b.	Golf course	Five (5) parking spaces per hole, plus requirements for retail parking, office parking, country club parking, and other uses as applicable.
c.	Golf driving range	1 1/2 (1.5) parking spaces per driving tee.
d.	Soccer, football, baseball, or other play fields with no fixed seating	50 parking spaces per field.
e.	Tennis courts, basketball courts, or similar recreation courts with no fixed seating	Six (6) parking spaces per court.
f.	Neighborhood pool	One parking space per 200 square feet of pool surface area (not including wading pools or whirlpool baths) and one space per 200 square feet of building area in accessory structures excess of 1,000 square feet.

Community center, library, museum, or art gallery	Ten (10) parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one space for each four (4) seats that it contains.
Contractor's yard	One parking space for every 5,000 square feet of lot area, with a minimum of five (5) spaces.
Convenience store (with or without gas pumps)	One parking space for every 200 square feet of floor area, with a minimum of five (5) parking spaces. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Day nursery or day care center	One parking space for every eight (8) pupils, based on design capacity; plus six (6) stacking spaces shall be required per drive-through/pick-up lane.
Dry cleaners (with drive-through)	One parking space for every 200 square feet of floor area; plus three (3) stacking spaces shall be required per drive-through lane.
Dwellings, duplex	Two (2) for every unit, including one (1) covered or enclosed space.
Dwellings, multiple family	For dwelling units not located in the commercial historical district, one (1) enclosed parking space for each dwelling unit, plus one-half (0.5) space for each bedroom in all dwelling units. An additional one-half (0.5) parking space per enclosed space shall be provided or a 20-foot long driveway in front of the garage door shall be provided. For dwelling units located in the Commercial Historic District as defined in section 146-97, there shall be provided one (1) parking space for each dwelling unit.
Dwellings, Single Family attached	Two (2) parking spaces for each unit, including two (2) covered or enclosed spaces.
Dwellings, Single Family detached	Two (2) parking spaces for each unit, including two (2) covered or enclosed spaces, except that if a dwelling is constructed under a program for affordable housing sponsored by the City or sponsored by a non-profit corporation approved by the City, two (2) parking spaces must be provided for each unit, including a minimum of one (1) covered or enclosed space.
Flea market	One parking space for every 200 square feet.
Fraternity, sorority, or dormitory	One parking space for each two beds.
Fueling station or gasoline station (no ancillary services)	One parking space for every four (4) pumping stations. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Furniture or appliance store, hardware store, wholesale establishments	One parking space for every 400 square feet.
Health club, health spa or exercise club	One parking space for every 150 square feet.
Hospital	One space for each bed.
Hotel/motel or residence hotel	One parking space for each sleeping room without a kitchen; 1 1/2 (1.5) parking spaces for each sleeping room with a kitchen; plus one (1) parking space for



	every 200 square feet of restaurant, retail, conference, or office area.
Industrial and manufacturing uses	One parking space for every 1,000 square feet.
Lodge, fraternal organization, country club or golf club	One parking space for each 200 square feet of floor area.
Lumber yard	One parking space for every 400 square feet of floor area, plus one (1) parking space for every 1,000 square feet of warehouse.
Machinery or heavy equipment sales	One parking space for every 400 square feet of gross floor area.
Mini-warehouse (self-storage)	Four (4) parking spaces. A 12-foot wide loading zone shall be constructed in front of all access areas for each unit, and shall not conflict with required fire lanes. A single loading zone may accommodate units on both sides of fire lane.
Mobile home or mobile home park	Two (2) spaces for each mobile home plus additional spaces as required herein for accessory uses.
Mortuary or funeral home	One parking space for each 200 square feet of floor space in slumber rooms, parlors, or individual funeral service rooms.
Motor vehicle/automobile sales and new or used car lots	One parking space for each 500 square feet of sales floor for indoor uses, plus one (1) parking space for each 1,000 square feet of outdoor display area, in addition to spaces calculated for office and repair areas at their respective rates.
Motor vehicle/automobile repair and service (with or without gasoline sales)	Two (2) parking spaces for each service bay with a minimum of five (5) spaces, plus parking requirements for office and overnight storage of vehicle. For quick lube or similar services, three stacking spaces for each service bay shall also be provided. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Nursing home, skilled nursing facility, convalescent home	One parking space for every four (4) beds.
Office, business or professional	One parking space for each 300 square feet.
Office, medical, dental, or similar health services	One parking space for each 200 square feet of floor area.
Race track, horses or dogs	One parking space for each four (4) seats.
Research and testing lab	One parking space for each 400 square feet.
Restaurant, private club, nightclub, cafe, or similar recreational or amusement establishment	One parking space for each 100 square feet of floor area, plus six (6) stacking spaces from the point where the order is placed.
Retail store or personal service establishment, except as otherwise specified herein	One parking space for every 200 square feet of floor area.
Retirement home (independent living)	One parking space for each dwelling unit.

Roominghouse boardinghouse	or	One parking space for each sleeping room.
School, elementary		2 1/2 (2.5) parking spaces for each classroom.
School, high		Eight (8) parking spaces for each classroom, plus one (1) parking space for each four (4) seats in the main auditorium. Additional parking need not be provided for other ancillary uses, such as swimming pools or practice fields, solely used by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided on site for use during regular school hours.
School, junior high or middle		2 1/2 (2.5) parking spaces for each classroom, plus one (1) parking space for each four (4) seats in the auditorium. Additional parking need not be provided for other ancillary uses, such as swimming pools or practice fields, solely used by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided on site for use during regular school hours.
Truck stops		One parking space for each 10,000 square feet of site area, plus one (1) vehicle space for each 200 square feet of building area.
Veterinarian clinic		One parking space for each 300 square feet of floor space.
Warehouse type uses		One parking space for each 4,000 square feet.

(2) *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:

- a. The term "floor area" means the gross floor area of the specific use.
- b. Where fractional spaces result, the parking spaces required shall be constructed to be the next higher whole number.
- c. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
- d. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, to create a need for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever any building is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
- e. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- f. Parking Reductions.
  - i. For multi-tenant retail shopping centers or office developments greater than 50,000 square feet in floor area, the sum of the total required parking may be reduced with site plan approval. Determination shall be based on the frequency of the anticipated

peak parking demands, and location of parking spaces in relation to the building.

- ii. The sum of the total required parking for a development may be reduced as indicated by the table below if a quality tree(s) is preserved.

<i>Size (DBH) of the preserved tree</i>	<i>Reduction in parking requirement</i>
6" to 8"	2 parking spaces
9" to 15"	3 parking spaces
16" to 30"	4 parking spaces
31" to 41"	5 parking spaces

- iii. If one or both of the parking reductions specified above are utilized, the overall parking reduction shall not exceed ten percent of the sum of the total required parking for the development.

(3) *Shared parking spaces.* Under specific circumstances listed below, a limited number of parking spaces may be applied toward parking space requirements for two different uses. Proposed shared parking arrangements shall be considered during the site planning process. Not more than 50 percent of the parking spaces shall be required for:

- a. Theaters, bowling alleys, dance halls, nightclubs, cafes, church or school auditoriums, or similar uses may be provided and used jointly by;
- b. Uses not normally open, used or operated during the same hours as those listed in subsection (3)a of this section.

(4) *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:

- a. Required parking spaces for non-residential uses not located on the same lot with the building or use served may be located on another lot located no more than 500 feet from such building or use. Where no parking lot or building is being constructed, Staff may approve such off-site parking arrangements. If the proposed off-site parking proposal is related to or includes construction of a building or parking lot, proposed off-site parking arrangements shall be considered during the site plan process.
- b. Parking requirements for uses in the Commercial Historic District shall be determined according to provisions of section 146-96.

(6) *Parking agreements required.* For any shared parking arrangement or off-site parking arrangement described above, written agreements ensuring retention of such parking spaces for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the City Attorney and shall be filed with the application for a building permit.

- a. A permanent easement for shared or off-site parking facilities shall be dedicated and recorded as a condition of such use.
- b. A long-term remote parking agreement shall be provided.

(7) *Parking design, pavement, and maintenance.* All off-street parking facilities, whether provided as required by this chapter, or provided in excess of these requirements, or otherwise provided, shall comply with the minimum requirements for parking and maneuvering space herein specified.

a. *Minimum dimensions for off-street parking.* The minimum dimensions for off-street parking shall be as follows:

1. Standard space: Nine feet (9') by eighteen feet (18').
2. Parallel space: Eight feet (8') by twenty-two feet (22').
3. Stacking space: Ten feet (10') by twenty feet (20').
4. Drive aisles: Twenty-four feet (24').
5. Handicap spaces: Handicap parking spaces shall be provided according to State of Texas Program for the Elimination of Architectural Barriers and shall conform to the Americans Disability Act (ADA) of 1991, as may be amended, accessibility guidelines (ANSI Standards).
6. The Director of Planning may administratively approve the re-striping of existing ten foot (10') wide spaces to nine feet (9') without requiring approval of a new site plan. This provision would not allow alteration of parking lot layouts, landscaping, or additional paving.
7. See the following appendix E, illustrations 13, 14, 15, 16, and 17, for maneuvering areas and overhang allowances for 90-degree, 60-degree, and 45-degree angle parking.

b. *Maneuvering.*

1. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
2. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.

c. *Residential uses (except multiple family).*

1. Required parking spaces for new construction of Single Family, duplex, townhome, and mobile home dwelling units shall be provided on a paved concrete surface if the adjacent street is concrete. All driveways to the required spaces shall be paved with concrete, except in "AG" – Agricultural District and "RED" – Residential Estate Districts.
2. Required parking spaces for new construction of Single Family, duplex, townhome, and mobile home dwelling units shall be provided on a paved asphalt or concrete surface if located on a street other than one constructed of concrete. On such streets, all driveways to the required spaces shall be paved with asphalt or concrete, except in "AG" – Agricultural District and "RED" – Residential Estate Districts.
3. If a dwelling unit is reconstructed or rehabilitated and construction of a new driveway would otherwise be required, lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), shall not be required to construct a new driveway.

4. At any time a residential driveway is reconstructed or replaced, the pavement surface shall be as follows:

<i>Existing surface</i>	<i>New surface</i>
Dirt or gravel	Gravel, asphalt, or concrete
Asphalt	Asphalt or concrete
Concrete	Concrete

5. If no enclosed parking spaces are provided, a minimum 48 square foot enclosed storage space with outdoor access shall be provided per unit.

d. *Non-residential and multiple family uses.*

1. All required off-street parking, maneuvering, and loading areas shall be paved with concrete or asphaltic material in accordance with parking lot requirements in the City's design standards, except where another surface is approved through the site plan process for special loading/unloading operations such as storage or use of tracked equipment.
2. Parking spaces shall be clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods.
3. Barriers shall be installed to prevent overhang of vehicles into required landscape areas, rights-of-way, pedestrian ways, and private property.
4. For safety and firefighting purposes, cross access between parking areas of adjacent non-residential parcels shall be provided.
5. Fire lanes shall be provided as required by the adopted fire code of the City, and shall be adequately reinforced to withstand heavy vehicle loading.
6. Refuse facilities shall be located so as to facilitate pickup by refuse collection agencies. Sanitation containers shall not be located in a designated parking space or loading area. Reinforced concrete pavement shall be provided for refuse facilities and their approaches for loading and unloading.
7. No parking area shall be used for repair, storage, dismantling, or servicing of vehicles or equipment.
8. No parking or loading area shall be used for storage of inventory, materials, display, sanitation containers, supplies, or for any other use, except as approved through the site plan process or through the issuance of a temporary use permit. Under no circumstances shall a required parking space be used for any purpose other than parking.
9. All off-street parking areas shall be kept free of litter, trash, debris, vehicle repair operations, display, and advertising uses.
10. The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and correction of use violations.

11. At no time after initial approval of the parking area layout, can changes be made to the location or number of provided spaces, unless approved by the Director of Planning or through the site plan process.

(8) *Parking prohibitions.*

- a. No parking space, garage, carport, or other vehicle storage space or structure located on private property in a residential zone shall be used for the storage of any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment.
- b. It shall be unlawful for any person to park or permit to remain parked on a public street within the City any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment, between the hours of 6:00 p.m. and 7:00 a.m., except when said motor vehicles, trailers, or equipment are engaged in loading or unloading.
- c. No boat, trailer, camper trailer, motor home or other such recreational vehicle shall be parked or stored within the required front yard, except as may be permitted in the "ML" or "MH" districts. In Single Family residential districts, two family residential districts, and multiple family residential districts, the parking or storage of such vehicles is limited to the rear yard only, and is limited to a maximum of one pleasure boat and one unoccupied trailer or motor home designed for recreational use not to exceed 24 feet in length. This restriction shall not apply to the storage of a boat or other vehicle in a fully enclosed building.
- d. Parking prohibitions on unsurfaced areas shall be as follows:
  1. No car, truck, or other vehicle shall be parked on an unsurfaced area of the front yard. This provision shall not apply to those lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981).
  2. For lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), no car truck, or other vehicle shall be parked on an unsurfaced area of the front yard if the lot has a concrete, asphalt, or gravel driveway.
  3. If a concrete, asphalt, or gravel driveway does exist for a lot platted prior to the effective date of Ordinance No. 1270 (December 15, 1981) and unique circumstances prevent strict adherence with subsection (7)d.2 of this section, the Chief Building Official may consider an exception to the provisions of subsection (7)d.2 of this section. The applicant shall prove that the exception from the zoning regulations is warranted under the circumstances presented. The Chief Building Official may approve the exception with conditions to limit the number of vehicles to be parked on an unsurfaced area, the area to be parked on, etc. The decision of the Chief Building Official may be appealed to the Board of Adjustment. The exception may be granted if the Chief Building Official or his designee finds that:
    - (i) Unique circumstances exist on the property, such as substandard lot size, size or location of existing structures, trees or topographical features, which make the application of subsection (7)d.2 of this section unduly burdensome;

- (ii) The exception will have no adverse impact on current or future development;
- (iii) The exception will have no adverse impact on the public health, safety, and general welfare; and
- (iv) A financial hardship shall not be considered a hardship for granting an exception."

Section 7.

That the Code of Ordinances, City of McKinney, Texas, Section 146-132(3)(a) and Section 146-132(3)(b) of the Zoning Regulations, is hereby amended and shall read as follows:

- "a. Screening devices shall be placed along any property line or district boundary between any single family detached or attached or any two-family zoning or use and any mobile home park, or non-residential use, but not across a dividing street between such uses. An alley shall not be considered a dividing street for purposes of this section. The more intensive use shall have the responsibility for providing and maintaining the screening device.
- b. Multiple family residential developments outside of the Regional Employment Center Overlay district shall provide and maintain a six foot tall masonry screening wall along all side and rear property lines."

Section 8.

That the Code of Ordinances, City of McKinney, Texas, Section 146-135(f)(17) through Section 146-135(f)(20) of the Zoning Regulations, is hereby amended and shall read as follows:

- "(17) Multiple family residential uses shall provide a landscaped buffer of at least twenty feet (20') in width along all property lines planted with one canopy tree (minimum three-inch caliper and seven feet in height at time of planting) for each 30 linear feet or portion thereof of adjacent exposure. The trees along the street frontage may be clustered, while the trees along all other property lines may not.
- (18) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet (3') in height at the time of planting, unless not visible from public right-of-way or a public use area.
- (19) For all single family and duplex parcels, builders shall be required to plant two canopy trees (minimum of three-inch caliper and seven feet high at time of planting) per lot, prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. An existing quality tree of at least six-inch caliper size located on the lot may be counted towards the requirement for a three-inch caliper tree, if appropriate tree protection measures have been followed.
- (20) For all townhome parcels a minimum of 20 square feet of useable open space shall be required per townhome unit. This additional open space shall not include the parkland dedication requirement as outlined in section 142-152 of the Subdivision Ordinance, any required landscape areas as outlined in section 146-135, or any required spacing between buildings. Open space pockets shall be designed to be located over the entire site in order to break up density and serve the entire development. Open space pockets shall be required to be a minimum of 1,000 square feet and a maximum of 2,000 square feet for townhome developments over 50 units. The applicant may request an increase in the maximum allowed useable open space requirement with site plan approval."

Section 9.

That the Code of Ordinances, City of McKinney, Texas, Section 146-139(k)(3)a of the Zoning Regulations, is hereby amended and shall read as follows:

"a. Multi-family projects shall not be required to achieve a minimum point score, and shall be approved if all the following criteria are met:

1. All buildings, including covered parking, shall have a pitched roof with a 4:12 minimum pitch.
2. The exterior finish on each side of every multi-family structure shall be a minimum of 85 percent brick, stone, or synthetic stone materials, with the remaining 15 percent of each side being wood lap siding, vinyl siding, stucco, cast concrete modular siding, or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited. The area of exterior finish shall be calculated exclusive of doors and windows.
3. Walls located within interior courtyards shall be a minimum of 50 percent brick, stone, or synthetic stone materials, with the remaining 50 percent of each side being wood lap siding, vinyl siding, stucco, cast concrete modular siding, or EIFS.
4. 100 percent of total exterior building surfaces (exclusive of glass) shall be neutrals, creams, pastels, or deep, rich, non-reflective natural or earth-tone colors (including approved finishing materials). Examples of acceptable colors include, but are not limited to burgundy, forest green, navy blue, eggplant, rust, or ochre. Subtle variations of such colors shall also be permitted.
5. All covered and enclosed parking shall be of similar and conforming architectural design and materials as the main multi-family structures.
6. All parking areas shall be screened from view from public thoroughfares by one or more of the following:
  - (i) A combination of low masonry walls and earthen berms reaching a minimum of six feet tall;
  - (ii) Earthen berms reaching a minimum of six feet tall;
  - (iii) A six foot tall brick masonry, stone masonry, or other architectural masonry finish; or
  - (iv) A six foot tall primed and painted tubular steel or wrought iron fence with masonry columns spaced 20 feet on center with structural supports placed every 10 linear feet, and with sufficient evergreen landscaping to create a screening effect.
7. All paving for drives, fire lanes, and parking shall be concrete.
8. Only monument signs shall be permitted.



9. All multi-family residential buildings located outside of the Regional Employment Center Overlay District shall be limited to two stories in height.
10. Exterior stairways shall be covered with a roof, roof overhang, or porch.
11. Multi-family residential structures within 150 feet of an adjacent single family residential use or zone shall be situated so that no exterior facing window is oriented towards said adjacent single family residential use or zone."

Section 10. That the Code of Ordinances, City of McKinney, Texas, Appendix F, Section F-4 "Schedule of Uses" of the Zoning Regulations, is hereby amended and shall read as specified in Exhibit A, attached hereto.

Section 11. The caption of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of McKinney, Texas and shall be effective immediately upon its passage and publication.

Section 12. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.


Section 13. That this Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 17<sup>TH</sup> DAY OF MAY, 2010.**

CITY OF MCKINNEY, TEXAS

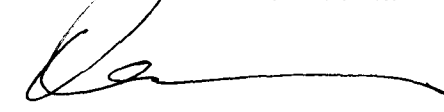
  
BRIAN LOUGHMILLER, Mayor

CORRECTLY ENROLLED:

  
SANDY HART, TRMC, MMC  
City Secretary

DATE: May 18, 2010

APPROVED AS TO FORM:

  
MARK S. HOUSER  
City Attorney

SCHEDULE OF USES

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
<b>Residential Uses</b>																													
Bed and breakfast (subject to Ch. 138, Art. IV)	S	S	S	S	S	S	S	S	S	*	*	*	*	*			*	*	*			*						▲	S
Boardinghouse or rooming house (17)					*	*	*	*	*	*	*	*	*	*		*												▲	
Dormitories																												▲	S
Mobile home dwelling (68)																												▲	
Mobile home park (subject to Ch. 138, Art. III) (69)										*	*	*	*	*				*	S	*								▲	
Multiple-family dwelling (apartment), three or more dwelling units per lot (71)										*	*	*	*	*			*	*	*	*								▲	
Single family dwelling (attached) (103)				*	*	*	*	*	*	*	*	*	*	*			*	*	*	*			*	*	*			▲	
Single-family dwelling (detached) (104)	*	*	*																									▲	
Two-family dwelling (116)			*																									▲	
Watchman or caretaker quarters	*	*	*																						*	*	*	▲	
<b>Educational and Institutional Uses</b>																													
Cemetery	S				*	*	*	*	*	*	*	*	*	*			*	*	*	*	*	*	*	*	*			▲	S
Church or rectory, including church-operated day-care facilities and pre-schools (25)	*	*	*							*	*	*	*	*			*	*	*	*	*	*	*	*	*	*	*	▲	S
Clinic (31)				S	*	*	*	*	*	*	*	*	*	*										*	*	*		▲	
College or university	S	S	S																				*	*	*			▲	
Day-care for children (37)												*	*	*	*								*	*	*			▲	
Fairgrounds or rodeo	S									S	S	*	*	*	*								*	*	*	*	*	▲	*
Fraternal organization, lodge, civic club (49)												*	*	*	*	*							*	*	*	*	*	▲	*
Halfway house										*	*	*	*	*	*	*							*	*	*	*		▲	N-4
Hospital (55)				S	*	*	*	*	*	*	*	*	*	*									*	*	*	*	*	▲	
Museum, library, art gallery (public) (72)	S	S	S									*	*	*	*		*	*	*	*	*	*	*	*	*	*	*	▲	
Public building (shop or yard) (90)	S											*	*	*	*		*	*	*	*	*	*	*	*	*	*	*	▲	
Rest home or nursing home (93)												*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
School, business or trade (98)				S	*	*	*	*	*	*	*	*	*	*														▲	
School, public or denominational (99)		S	S	S																								▲	
<b>Accessory, Utility and Incidental Uses</b>																													

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
Accessory building or use (1)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Electrical generating plant																													
Home occupation (See Sec. 146-133) (54)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Local utility line	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Parking, incidental to main use																													
Public building (shop or yard) (90)	S																												
Servant's quarters (101)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Sewage treatment plant																													
Stable, private	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Swimming pool, private (112)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Telephone exchange, no garage or shop	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Utility business office	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Utility distribution lines																													
Utility shop or yard	S																												
Utility substation or regulating station	*	S	S	S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Water storage tank	S	S	S	S																*	*		*	*	*	*	*	*	*
Water treatment plant	S																												
<b>Recreational and Entertainment Uses</b>																													
Amusement, commercial (indoor) (4)																				T	T		T	T	T	T	T	T	T
Amusement, commercial (outdoor) (5)																				*	*	*	*	*	*	*	*	*	*
Carnival or circus (temporary)	T					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Country club (34)	S	S	S	S																*	*	*	*	*	*	*	*	*	*
Fairgrounds or rodeo	S	*	*	*	*	*	*	*	*	S	S	S	S	S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Golf course (public)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Golf course, par-3 (commercial)	S				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	S		S	*	*	*	*	*	*
Park or playground (public) (80)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Playfield or stadium (public) (88)	*	*	*	*	*	*	*	*	*	S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Private club (subject to Ch. 138, Art. II) (89)							S	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Recreation area (private) (91)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Recreation center (public) (92)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Sexually oriented business (subject to Ch. 138, Art. V)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Stable, commercial (105)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Stable, private	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

**EXHIBIT A**

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
Swim or tennis club (111)	*								S	S	*	*	*	*	*		*	*	*		*	*	*	*			▲		
Swimming pool (public)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲		
Swimming pool (private) (112)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*		▲		
Theater (indoor)																		*	*		*	*	*	*		▲	*		
Theater (outdoor)																						*	*	*		▲	S		
<b>Transportation Related Uses</b>																													
Airport or landing field																									*		▲		
Automobile sales or repair																		*	*			*	*	*			▲		
Boat sales or repair																		*	*			*	*	*			▲		
Boat storage																		*	*			*	*	*			▲		
Bus station																		*	*			*	*	*			▲		
Heliport or helistop	T																	T	T		T	T	T	T	*	T	▲		
Motor freight terminal																						*	*	*	*		▲		
Parking, incidental to main use	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	*
Parking lot (commercial)																		*	*		*	*	*	*	*	*	▲	S	
Parking lot (truck) (82)																						*	*	*			▲		
Railroad freight station																						*	*	*			▲		
Railroad team truck																						*	*	*			▲		
Railroad track or right-of-way	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
Recreational vehicle sales																			*	*		*	*	*			▲		
Trailer, light truck, tool rental																		*	*			*	*	*			▲		
Truck sales or repair																						*	*	*			▲		
Truck storage																						*	*	*			▲		
<b>Automobile and Related Uses</b>																													
Auto display and sales																		*	*			*	*	*			▲		
Auto glass, muffler, or brake shop																		*	*			*	*	*			▲		
Auto laundry (subject to limitations specified by section 146-41(11a)) (23)																	S	*	*			*	*	*			▲		
Auto painting or body shop																		*	*			*	*	*			▲		
Auto parts sales (indoor)																	*	*	*			*	*	*			▲	S	
Garage, auto repair (52)																		*	*			*	*	*			▲		
Garage, parking (private)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	S
Garage, parking (commercial)																		*	*		*	*	*	*	*	*	▲	S	
Junk or salvage yard (58)																								*			▲		
Motorcycle sales and service																		*	*			*	*	*			▲		
Parking, incidental to main use	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
Parking lot (commercial)																		*	*		*	*	*	*	*	*	▲	S	

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD
Service station or motor vehicle fuel sales (subject to section 146-84 (102))																	*	*	*			*	*	*			▲	
Tires, batteries and accessories (114)																		*	*			*	*	*			▲	
Tire recapping																						*		*			▲	
<b>Retail and Service Uses</b>																												
Antique shop (6)																*	*	*	*			*	*	*			▲	*
Apparel and accessory stores																*	*	*	*			*	*	*			▲	*
Art supplies																*	*	*	*			*	*	*			▲	*
Auto display and sales																		*	*			*	*	*			▲	*
Auto parts sales (indoor)																	*	*	*			*	*	*			▲	S
Bait shop	*																	*	*			*	*	*			▲	
Bakery or confectionery (retail)																	*	*	*			*	*	*			▲	*
Barber or beauty shops																*	*	*	*		*	*	*	*			▲	*
Bed and breakfast (subject to Ch. 138, Art. IV)	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S		S							▲	
Book or card shop																*	*	*	*			*	*	*			▲	*
Cleaning (small shop and pickup) (30)																*	*	*	*			*	*	*			▲	*
Clinic (31)																*	*	*	*	*	*	*	*	*			▲	S
Department or discount store																		*	*			*	*	*			▲	*
Drug-store or pharmacy																	*	*	*			*	*	*			▲	*
Fabrics or needlework shop																*	*	*	*			*	*	*			▲	*
Florist or garden shop																	*	*	*			*	*	*			▲	*
Food stores, groceries																	*	*	*			*	*	*			▲	*
Frozen food lockers																		*	*			*	*	*			▲	
Furniture sales																		*	*			*	*	*			▲	*
Greenhouse or plant nursery																		*	*			*	*	*			▲	N-2
Hardware store																	*	*	*			*	*	*			▲	*
Hobby or handcraft shop																*	*	*	*			*	*	*			▲	*
Household appliance sales (57)																	*	*	*			*	*	*	*	*	▲	N-2
Key shop																*	*	*	*			*	*	*			▲	*
Mimeograph or letter shop																		*	*		*	*	*	*			▲	*
Office supplies																*		*	*		*	*	*	*	*		▲	*
Paint and related sales																	*	*	*			*	*	*	*		▲	*
Pawnshops																		*	*			*	*	*			▲	*
Personal service (85)																*	*	*	*		*	*	*	*			▲	*
Pet stores (no outside runs)																	*	*	*			*	*	*			▲	*

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD
Restaurant or cafeteria (indoor service) (95)																*	*	*	*		S	*	*	*			▲	*
Restaurant or cafeteria (including drive-through window) (96a)																		S	*	*		*	*	*			▲	
Restaurant or cafeteria (drive-in service) (96b)																			*	S		*	*	*			▲	
Retail store (indoor)																*	*	*	*			*	*	*			▲	*
Service station or motor vehicle fuel sales (subject to sections 146-41 & 146-84) (102)																	*	*	*			*	*	*			▲	
Studios, photo, music, art, health, etc.																	*	*	*		*	*	*	*			▲	*
Tattoo Parlor																							*	*			▲	
Travel agent																*	*	*	*	*	*	*	*	*			▲	*
<b>Commercial Type Uses</b>																												
Amusement, commercial (indoor) (4)																			*	*		*	*	*			▲	S
Amusement, commercial (outdoor) (5)																							*	*			▲	T
Auto laundry (subject to limitations specified by section 146-41(11a)) (23)																	S	*	*			*	*	*			▲	
Bakeries (wholesale)																			*			*	*	*			▲	
Banks and financial institutions, including drive-up windows																*	*	*	*	*	*	*	*	*			▲	*
Building materials sales																			*	*		*	*	*			▲	
Carnival or circus (temporary)	T																		T	T		T	T	T	T	T	▲	T
Carpentry, painting shop																						*	*	*			▲	
Cleaning plant, laundry																			*	*		*	*	*			▲	
Construction buildings (temporary)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	▲	T
Creamery, dairy products																			*	*		*	*	*			▲	
Department or discount stores																			*	*		*	*	*			▲	*
Exterminator																			*	*		*	*	*			▲	
Farm implement sales and service																			*	*		*	*	*			▲	
Field office (temporary) (45)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	▲	T
Funeral homes and mortuaries												S	S	S	S				*	*		*	*	*			▲	
Garage, auto repair (52)																			*	*		*	*	*			▲	
Golf course, par-3 (commercial)	S								S	S	S	S	S	S				*				*	*	*			▲	
Hotel or motel (56)																		*	*			*	*	*			▲	*
Laboratories, medical, dental, science																		*	*		*	*	*	*			▲	
Mini-warehouses																		S	S			*	*	*			▲	

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
Mobile home display and sales																			*			*	*	*				▲	
Monument sales											S								*	*			*	*	*			▲	
Motor freight terminal																			*	*			*	*	*	*	*	▲	*
Office building																			*	*			*	*	*	*	*	▲	*
Offices, showrooms, buildings																			S	S			S	*	*	*		▲	S
Office use	*																		*	*	*		*	*	*	*	*	▲	N-1
Pet store or kennel (outside runs)		*																	*	*			*	*	*	*	*	▲	T
Plumbing shop																							T	T	T	T	T	▲	
Printing plant or newspaper																							T	T	T	T	T	▲	
Private club (subject to Ch. 138, Art. II) (89)												T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	▲	
Psychic/paranormal readings												*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
Radio or TV broadcast studio																											▲		
Real estate sales office (temporary)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	▲	S
Rest home or nursing home (93)																											▲		
School, business or trade (98)										S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
Sign shop																											▲		
Stable, commercial (105)		*																									▲		
Swim or tennis club (111)		*																									▲		
Theater (indoor)																											▲		
Theater (outdoor)																											▲		
Tires, batteries and accessories (114)																											▲		
Trailer, light truck, tool rental																											▲		
Upholstery shop																											▲		
Veterinarian (no outside runs)																									*	*	▲		
Veterinarian (with outside runs)		*																							*	*	▲		
Warehousing																										*	*	▲	
Wholesale establishments																										*	*	▲	
<b>Industrial and Manufacturing Uses</b>																													
Acid manufacture																													
Apparel and related manufacture																													
Cement, lime, gypsum, plaster																													
Chemicals and allied products																													
Concrete or asphalt batch plant																													
Contractor's yard																													

Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
Drugs and pharmaceutical manufacture																							*	*			▲		
Dirt or topsoil extraction	S																						S	S			▲		
Electrical generating plant																							*	*			▲		
Electronic products manufacture																							*	*			▲		
Fat rendering, animal reduction																								*			▲		
Fertilizer manufacture																								*			▲		
Food processing																							*	*			▲		
Forge plant																								*			▲		
Gas, butane, propane storage																								*			▲		
Heavy machinery sales and storage																						*	*	*			▲		
Industrial and manufacturing plants																							*	*			▲		
Junk or salvage yard (58)																								*			▲		
Laboratories, medical, dental, science																						*	*	*	*			▲	
Machine shop or welding																							*	*	*			▲	
Metal fabrication																							*	*	*			▲	
Motor freight terminal																							*	*	*			▲	
Open storage (78)																								*	*			▲	
Paper or pulp manufacture																								*	*			▲	
Parking lot (truck) (82)																							*	*	*			▲	
Petroleum products refining or storage																								*				▲	
Plastic products manufacture																							*	*				▲	
Printing plant or newspaper																							*	*				▲	
Sand or gravel mining or storage	S																							S	S			▲	
Sanitary landfill																							*	*				▲	
Smelting of ores or metals																								*	*			▲	
Soft drink bottling plant																							*	*				▲	
Stockyards or slaughterhouse																								*	*			▲	
Utility shop or yard	S																						*	*	*			▲	
Utility substation or regulating station	*	S	S	S	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	S
Warehousing																							*	*	*			▲	
Welding shop																							*	*	*			▲	
<b>Agricultural and Related Uses</b>																													
Agricultural and ranching uses	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	▲	
Feed lots	*																						*	*			▲		



Type Use	AG	RED-1	RED-2	RS 120	RS 84	RS-72	RS 60	RS 45	RD 30	RG 25	RG 18	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	PD	CHD	
Farms, nurseries, truck gardens (43)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Forestry, mining and oil/gas drilling uses	*																												
Hatchery, poultry, egg farm	*																												
Kennel, animal boarding (outside runs)	*																												
Livestock auction (62)	*																												
Stable, commercial (105)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Stable, private	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

• Footnotes for Commercial Historic District ("CHD"):

- N-1 Above ground level only.
- N-2 With limited warehousing and assembly, as determined by the Director of Planning and Community Development, in support of retail services or commercial services located on premises.
- N-3 Signs will be considered as part of the downtown historic zoning district in the Sign Ordinance. (See Section 134-9 of the Code.)
- N-4 The shop or yard portion of the public building land use shall not be permitted in the Commercial Historic District (CHD)

• The following is the legend for interpreting schedule of uses (Sec. 146-66):

*	Use is permitted by right.
	Use is prohibited.
S	Use is permitted with a Specific Use Permit under Sec. 146-41.
T	Use is permitted with a Temporary Use Permit.
▲	Refer to the governing Planned Development Ordinance to verify if use is permitted.

This schedule of uses shall be modified to indicate that private street developments will be considered through the specific use permit process within the following zoning districts: RED-1, RED-2, RS 120, RS 84, RS 60, RS 45, RD 30, RG 27, RG 25, RG 18, and PD. Private street developments are subject to Chapter 142, Art. VII.

**EXHIBIT A**