

**CITY OF TIOGA, TEXAS**

**ORDINANCE NO. 259**

AN ORDINANCE OF THE CITY OF TIOGA, TEXAS, ADOPTING A COMPREHENSIVE ZONING PLAN AND ZONING MAP AND DIVIDING THE CITY INTO SEVERAL DISTRICTS; ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS AND CREATING ZONING DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; WITHIN SUCH DISTRICTS REGULATING THE USE OF LAND, BUILDINGS AND STRUCTURES; REGULATING THE HEIGHT, SIZE, AND LOCATIONS OF BUILDINGS; ESTABLISHING DENSITY, OPEN SPACE, SCREENING, AND MINIMUM OFF-STREET PARKING REQUIREMENTS; REGULATING THE ERECTION, REPAIR, AND ALTERATION OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR SPECIFIC USE PERMITS FOR CERTAIN USES; RECOGNIZING NONCONFORMING USES AND STRUCTURES AND PROVIDING RULES FOR THE REGULATION THEREOF; PROVIDING FOR CERTIFICATES OF OCCUPANCY AND COMPLIANCE; DEFINING CERTAIN TERMS; PROVIDING A METHOD OF AMENDMENT; PROVIDING A PENALTY FOR VIOLATION OF SUCH ORDINANCE AND FOR INJUNCTIVE RELIEF TO PERSONS AFFECTED BY THE VIOLATION OF SAID ORDINANCE; PROVIDING A SAVING CLAUSE. ALL OTHER GOVERNING PERTINENT ORDINANCES AND LAWS APPLY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS, THAT A COMPREHENSIVE ZONING ORDINANCE AND MAP ARE HEREBY PASSED AND APPROVED WHICH SHALL PROVIDE AS FOLLOWS:

**SECTION 1 TITLE**

This ordinance shall be known and may be cited as "The City of Tioga Zoning Ordinance".

**SECTION 2      PURPOSE**

Zoning Regulations and Districts are herein established in accordance with a Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the citizens of the City. They are designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land, and to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been established with reasonable consideration for the character of each 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.

**SECTION 3      ZONING DISTRICTS ESTABLISHED**

3.1.      Zoning Districts Identified

The City of Tioga, Texas, is hereby divided into zoning districts as listed in this section.

**ABBREVIATED  
DESIGNATION**

**ZONING DISTRICT NAME**

<b>A</b>	<b>Agricultural District</b>
<b>R-1</b>	<b>Single Family Residential District</b>
<b>R-2</b>	<b>Multi-Family Residential District</b>
<b>MH-1</b>	<b>Manufactured Home District</b>
<b>MH-2</b>	<b>Manufactured Home Park District</b>
<b>C-1</b>	<b>Commercial District – Local Business</b>
<b>C-2</b>	<b>Commercial District – General</b>
<b>C-3</b>	<b>Commercial – Central Area</b>
<b>I-1</b>	<b>Manufacturing/Industrial District - Light</b>
<b>I-2</b>	<b>Manufacturing/Industrial District - Heavy</b>
<b>PD</b>	<b>Planned Development District</b>

3.2. Description and Purpose of Zoning Districts

A — Agricultural District: This district provides for the continuance of farming, ranching, and gardening activities on land being utilized for these purposes. When land in an Agricultural District is needed for urban purposes, it is anticipated the zoning will be changed to the appropriate zoning district(s) to provide for orderly growth and development in accordance with the Comprehensive Plan. See Section 8 for A — Agricultural District regulations.

R-1 — Single Family Residential District - 1: The R-1 district permits single family homes. See Section 9 for R-1 — Single Family Residential District regulations.

R-2 — Multifamily District: The R-2 district permits multifamily developments including Duplexes and Apartment Buildings. See Section 10 for R-2 — Multi-Family Dwelling District regulations.

MH-1 — Manufactured Home District: The MH-1 district provides an area for the placement of manufactured home and modular home, units in subdivisions in which most lots and housing units are owner-occupied. See Section 11 for MH-1 — Manufactured Home District regulations.

MH-2 — Manufactured Home Park District: The MH-2 district establishes a category in which manufactured home park development can occur. See Section 12 for MH-2 — Manufactured Home Park District regulations.

C-1 — Commercial District - Office, Light Retail, and Neighborhood Services: Retail, commercial, and office uses developed under the standards of the C-1 District are designed to provide a compatible relationship between the C-1 development and adjacent residential areas. See Section 13 for C-1 — Commercial District - Office, Light Retail, and Neighborhood Services regulations.

C-2 — Commercial District - General: Uses which require considerable space for display, sales, or open storage, or by the nature of the use are generally not compatible with residential uses are located in the C-2 Commercial District. See Section 14 for C-2 — General Commercial District regulations.

C-3 — Central Area Commercial: The Central Area Commercial District is established to accommodate the unique characteristics of the historical center of the city and to ensure that future development is compatible with maintaining the economic and historic integrity of the area. The Central Area Commercial District is designed to provide an area for shopping, dining, working, and entertainment which will remain active during evenings and weekends as well as standard work hours. See section 15 for C-3- Central Area Commercial District regulations.

I-1 — Manufacturing/Industrial District - Light: The Light Manufacturing/Industrial District is established to accommodate uses of a non-nuisance type located in relative proximity to residential and C-1 business areas. Development in the I-1 district is limited primarily to certain wholesale, jobbing, and warehouse uses and certain specialized manufacturing and research uses of a type which will not create nuisances. See Section 16 for I-1 — Manufacturing/Industrial District - Light regulations.

I-2 — Manufacturing/Industrial District - Heavy: The Heavy Manufacturing/Industrial District is established to accommodate industrial uses not appropriate for inclusion in the I-1 district and likely to create noise, traffic, odor and/or other conditions incompatible with most residential and commercial uses. See Section 17 for I-2 — Manufacturing/Industrial District - Heavy regulations.

PD — Planned Development District: The Planned Development District provides a zoning category for the planning and development of larger tracts of land or tracts of land with unique characteristics for a single use or combination of uses requiring flexibility and variety in design to achieve orderly development with due respect to the protection of surrounding property. See Section 18 for PD — Planned Development District regulations.

## **SECTION 4      ZONING DISTRICT MAP**

### **4.1.    Zoning District Boundaries Delineated on Zoning District Map**

The boundaries of the zoning districts set out herein are delineated upon the Zoning District Map of the City of Tioga, Texas, said map being hereby adopted as part of this ordinance as fully as if the same were set forth herein in detail.

### **4.2.    Regulations for Maintaining Zoning District Map**

Two (2) original, official, and identical copies of the Zoning District Map are hereby adopted bearing the signature of the Mayor and attestation of the City Secretary and shall be filed and maintained as follows:

- 4.2.1. One copy shall be filed with the City Secretary, to be retained as the original record and shall not be changed in any manner.
- 4.2.2. One copy shall be filed with the Building Official and shall be maintained up-to-date by posting thereon all changes and subsequent amendments for observation in issuing building permits and for enforcing the Zoning Ordinance. A written record (logbook) shall be kept by the Building Official of all changes made to the Zoning District Map.
- 4.2.3. Reproductions of the official Zoning District Map may be made for information purposes.

## **SECTION 5      ZONING DISTRICT BOUNDARIES**

### **5.1. Rules for Determining 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:

- 5.1.1. Boundaries indicated as approximately following streets, highways, or alleys shall be construed to follow the centerline of such street, highway, or alley.
- 5.1.2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.
- 5.1.3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
- 5.1.4. Boundaries indicated as following railroad or utility lines shall be construed to be the centerline of the right-of-way; if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.
- 5.1.5. Boundaries indicated as approximately following the centerlines of streams, drainageways, or other bodies of water shall be construed to follow such centerlines.
- 5.1.6. Boundaries indicated as parallel to or extensions of features indicated in 5.1.1 through 5.1.5 above shall be so construed. Distances not specifically indicated on the original Zoning Map shall be determined from the graphic scale on the map.
- 5.1.7. Whenever a street, alley or other public way is vacated by official action of the City Council, or whenever a street or alley 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.
- 5.1.8. Where physical features of the ground are at variance with information shown on the official zoning district map, or if there arises a question as to how a parcel of property is zoned and such question cannot be resolved by the application of subsections 5.1.1 through 5.1.7, or the zoning of property is invalidated by a final judgment of a court of competent jurisdiction, the property shall be considered as classified A — Agricultural District, temporarily. In an area determined to be temporarily classified as A — Agricultural District, no person shall construct, add to or alter any building or structure or cause the same to be done, nor shall any use be

located therein or on the land which is not permitted in an A — Agricultural District, unless and until such territory has been zoned to permit such use by the City Council. It shall be the duty of the City Council to determine a permanent zoning for such area as soon as practicable.

## **SECTION 6      ZONING OF ANNEXED TERRITORY**

### **6.1. Permanent Zoning Concurrent with Zoning**

An area or areas being annexed to the City of Tioga shall ordinarily be given permanent zoning concurrently with the annexation.

### **6.2. Temporary Classification**

In instances in which the zoning of an annexed territory concurrently with the annexation is impractical, the annexed territory shall be temporarily classified as A — Agricultural District, until permanent zoning is established by the City Council. The procedure for establishing permanent zoning on annexed territory shall conform to the procedure established by law for the adoption of original zoning regulations. The City Council shall determine a permanent zoning for such area as soon as practicable after annexation.

### **6.3. Regulations in Areas Temporarily Classified**

In an area temporarily classified as A — Agricultural District:

6.3.1. No person shall erect, construct, or proceed or continue with the erection or construction of any building or structure or cause the same to be done in any newly annexed territory to the City of Tioga without first applying for and obtaining a building permit or certificate of occupancy from the building official or the City Council, as may be required.

6.3.2. No permit for the construction of a building or use of land shall be issued by the Building Official other than a permit which will allow the construction of a building permitted in the Agricultural District, unless and until such territory has been classified in a zoning district other than the Agricultural District by the City Council in the manner prescribed by the law.

## **SECTION 7      COMPLIANCE WITH ZONING REGULATIONS**

### **7.1. Compliance With Zoning Regulations Required**

All land, buildings, structures, or appurtenances thereon located within the City of Tioga which are hereafter occupied, used, erected, altered, 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 as hereinafter provided.

### **7.2. Building Permits Prohibited Without Plat**

No permit for the construction or placement of a building or buildings upon any tract or plot shall be issued unless the plot or tract is part of a plat of record, properly approved by the Planning

and Zoning Commission and City Council and filed in the Plat Records of county or counties in which the plot or tract is located.

7.3. Exclusions

Nothing herein contained shall require any change in the plans, construction, or designated use of a building under construction at the time of the passage of this ordinance and which entire building shall be completed within one (1) year from the date of the passage of this ordinance.

7.4. One Main Building on a Lot or Tract

Only one main building for one family or two family use with permitted accessory buildings may be located upon a lot or tract. Every dwelling shall face or front upon a public street or approved place other than an alley. Where a lot is used for retail and dwelling purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking, and density requirements applicable to the uses and districts. Whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the City Council. No parking area, storage area, or required open space for one building shall be computed as being the open space, yard, or area requirements for any other dwelling or other use.

**SECTION 8**      **A — AGRICULTURAL DISTRICT**

8.1. General Purpose and Description

The Agricultural District is intended to apply to land situated on the fringe of an urban area, used for agricultural purposes, and which may become an urban area in the future. Therefore, the agricultural activities conducted in the Agricultural District should not be detrimental to urban land uses; intensity of use permitted in this district is intended to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made.

8.2. Permitted Uses

A building or premise shall be used only for the following purposes:

- 8.2.1. Single-family dwellings on building lots of one (1) acre or more in areas where said dwellings can be adequately served by city utilities or septic tanks located on the building lot.
- 8.2.2. Telephone exchange, provided no public business and no repair or outside storage facilities are maintained; gas lines; and gas regulating stations.
- 8.2.3. Accessory buildings and structures clearly incidental to agricultural operations, including but not limited to barns, stables, equipment sheds, granaries, private garages, pump houses, and servants quarters not for rent, provided that the total area of accessory buildings and structures shall be limited to ten percent (10%) of the gross land area of the tract.
- 8.2.4. Temporary metal buildings of less than six hundred (600) square feet which are used for tool and supply storage.

8.2.5. Riding academy or other equestrian related activities.

8.2.6. Other uses as listed in Section 21 of this ordinance.

8.3. Permitted Specific Uses

The following specific uses shall be permitted in the Agricultural District, when granted in accordance with Section 24:

8.3.1. Uses as listed in Section 21 of this ordinance.

8.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

8.5. Parking Regulations

A minimum of two (2) covered parking spaces shall be provided behind the front yard line for single family dwelling units and HUD Code manufactured homes. Other off-street parking space regulations are set forth in Section 25.

**SECTION 9**      **R-1 — SINGLE FAMILY RESIDENTIAL DISTRICT**

9.1. General Purpose and Description

The Single Family Residential District – R-1 is designed to accommodate the standard single family residential development.

9.2. Permitted Uses

A building or premise in an R-1 District shall be used only for the following purposes:

9.2.1. Uses as listed in Section 21 of this ordinance.

9.3. Permitted Specific Uses

The following specific uses shall be permitted in an R-1 District, when granted in accordance with Section 24:

9.3.1. Uses as listed in Section 21 of this ordinance.

9.4. Height and Area Regulations:

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

9.5. Parking Regulations

A minimum of two (2) covered parking spaces shall be provided behind the building line for single family dwelling units. Other off-street parking space regulations are set forth in Section 25.

**SECTION 10**     **R-2 — MULTIFAMILY RESIDENTIAL DISTRICT**

10.1. General Purpose and Description

The Multifamily Residential District is intended to provide for medium to higher density residential development. This district may function as a buffer or transition between non-residential areas and residential areas.

10.2. Permitted Uses

A building or premise shall be used only for the following purposes:

10.2.1. Two (2) or more single family attached dwelling units, provided that no more than seven (7) dwelling units are attached in one continuous row.

10.2.2. Other uses as listed in Section 21 of this ordinance.

10.3. Permitted Specific Uses

The following specific uses shall be permitted when granted in accordance with Section 24:

10.3.1. Uses as listed in Section 21 of this ordinance.

10.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

When buildings exceed one (1) story in height, an automatic sprinkler system shall be installed in accordance with existing fire codes and each unit shall have two (2) points of entry or exit.

10.5. Parking Regulations

Two (2) off-street parking spaces shall be provided per unit. Required parking may not be provided within the required front yard. Other off-street parking spaces regulations are set forth in Section 25.

10.6. Refuse Facilities

Every dwelling unit in a multifamily complex (apartment building), shall be located within two hundred fifty (250) feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. There shall be available at all times at least six (6) cubic yards of refuse container per thirty (30) multifamily dwelling units. For complexes with less than thirty (30) units, no less than four (4) cubic yards of refuse container shall be provided. Each refuse facility shall be screened from view on three (3) sides from persons standing at ground level on the site or immediately adjoining property, by an opaque fence or wall of wood or masonry not less than six (6) feet nor more than eight (8) feet in height or by an enclosure within a building. Refuse

containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Each refuse facility shall be located so as to provide safe and convenient pickup by refuse collection agencies.

10.7. Screening Fence

Border fencing of wood or masonry of not less than six (6) feet in height shall be installed by the builder at the time of construction of any multifamily complex (apartment building), along the property line on any perimeter not abutting a public street or right-of-way. This fence shall be maintained throughout the existence of the multifamily complex by the owner of the complex.

10.8. Special Fire Protection Requirements

Whenever densities of greater than fifteen (15) units per acre are present, each building in the development shall contain an automatic sprinkler system to be installed at the time of construction, and thereafter operated in accordance with currently applicable fire safety codes.

In addition, each unit in any multi-story design, regardless of density, shall be provided with two (2) points of entry and exit with each providing separate access to places of safety in the event of fire or other emergency.

**SECTION 11      MH-I — MANUFACTURED HOME DISTRICT**

11.1. General Purpose and Description

The Manufactured Home District is intended to provide an area for quality Manufactured Housing containing many of the characteristics and the atmosphere of a standard single family subdivision.

11.2. Permitted Uses

A building or premise shall be used only for the following purposes:

- 11.2.1. Uses as listed in Section 21 of this ordinance.

11.3. Permitted Specific Uses

The following specific uses shall be permitted in the MH-I District, when granted in accordance with Section 24:

- 11.3.1. Uses as listed in Section 21 of this ordinance.

11.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

11.5. Parking Requirements

Two (2) spaces shall be provided per unit located on the lot plus additional spaces for accessory uses as required in Section 26.

11.6. Additional Restrictions Applicable to MH-1 District

- 11.6.1. Manufactured housing design and construction will comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the Building Official.
- 11.6.2. All manufactured homes shall be set on solid slab structure and/or 18" to 20" runners. Additional rooms and enclosed porches shall be constructed on a solid slab.
- 11.6.3. Tie-downs will be required and will be secured prior to occupancy.
- 11.6.4. Underpinning and skirting will be required and will be installed prior to occupancy.
- 11.6.5. Accessory buildings will be either manufactured or constructed in accordance with city codes.
- 11.6.6. All manufactured homes and modular homes shall comply with all regulations of the State of Texas and such regulations are hereby incorporated into this section.

**SECTION 12**     **MH-2 — MANUFACTURED HOME PARK DISTRICT**

12.1. General Purpose and Description

The Manufactured Home Park District is intended to provide for quality Manufactured Housing park development and maintenance. Manufactured home parks are defined as tracts or units of land under sole ownership where lots are rented or leased as space to be used for placement of a manufactured home.

12.2. Permitted Uses

A building or lot shall be used only for the following purposes:

- 12.2.1. Manufactured home park of not less than two (2) nor more than ten (10) acres in size.
- 12.2.2. Uses normally accessory to a manufactured home park, including office and/or maintenance buildings for management and maintenance of the park only, recreation buildings and swimming pools, private clubs, laundry facilities, storage facilities, and recreation areas for use by the resident of the park.
- 12.2.3. Other uses as listed in Section 21 of this ordinance.

### 12.3. Permitted Specific Uses

The following specific uses shall be permitted in the MH-2 District when granted in accordance with Section 24:

- 12.3.1. Uses as listed in Section 21 of this ordinance.

### 12.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

### 12.5. Parking Requirements

Two (2) spaces shall be provided per unit located on the lot plus additional spaces for accessory uses as required in Section 25.

### 12.6. Additional Restrictions Applicable to Manufactured Home Park District

- 12.6.1. Manufactured housing design and construction will comply with construction and safety standards published by the Department of Housing and Urban Development pursuant to the requirements of the National Mobile Home and Safety Standards Act of 1974 and all manufactured homes will be subject to inspection by the Building Official.
- 12.6.2. All manufactured homes shall be set on a solid slab structure and/or 18" to 20" runners. Additional rooms and enclosed porches shall be constructed on a solid slab.
- 12.6.3. Tie-downs will be required and will be secured prior to occupancy.
- 12.6.4. Underpinning and skirting will be required and will be installed prior to occupancy.
- 12.6.5. Accessory buildings will be either manufactured or constructed in accordance with city codes.
- 12.6.6. All manufactured homes and modular homes shall comply with all regulations of the State of Texas and such regulations are hereby incorporated into this section.

## **SECTION 13 C-1 — COMMERCIAL DISTRICT - OFFICE, LIGHT RETAIL, AND NEIGHBORHOOD SERVICES**

### 13.1. General Purpose and Description

The Commercial District - 1 is intended for office facilities, neighborhood shopping facilities, and retail and commercial facilities of a service character. The C-1 District is established to accommodate the daily and frequent needs of the community. The following regulations shall be applicable to all uses in the district:

- 13.1.1. The business shall be conducted wholly within an enclosed building;

- 13.1.2. Required yards shall not be used for display, sale, or storage of merchandise or for the storage of vehicles, equipment, containers, or waste material;
- 13.1.3. All merchandise shall be sold at retail on the premises; and
- 13.1.4. Such use shall not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.

13.2. Permitted Uses

A building or premise shall be used only for the following purposes:

- 13.2.1. Discount, variety, or department store of not greater than twenty thousand (20,000) square feet floor space.
- 13.2.2. Food store with floor space not greater than twenty thousand (20,000) square feet.
- 13.2.3. Automobile service station (no garage or automobile repair facilities).
- 13.2.4. Other uses as listed in Section 21 of this ordinance.

13.3. Permitted Specific Uses

The following specific uses shall be permitted in the C-1 District, when granted in accordance with Section 24:

- 13.3.1. Uses as listed in Section 21 of this ordinance.

13.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

13.5. Parking Regulations

Off-street parking and loading shall be provided as set forth in Section 25.

13.6. Buffer Area

Along property line where C-1 zoning abuts R-1 zoning there shall exist a ten foot easement area for non-development. This area shall be considered a buffer area between the property zoned C-1 and R-1. This ten foot wide area shall extend onto properties of C-1 commercial zoning where said property meets R-1 residential zoning.

- 13.6.1 Buffer Wall. On a line no less than 10 feet of property line of R-1 zoning within the C-1 property, a wall shall be constructed on said property. The height should be no more than eight feet and no less than seven feet. This wall to extend to ground elevation.

13.6.2 The wall material as follows:

13.6.2.1 brick or rock or stucco and mortar or,

13.6.2.1 a City approved system at time of development

13.6.3 Wall shall be constructed before property development. Property development to be defined as the moving or building of any temporary or permanent structure on said property. In general, PRIOR to any structures pertaining to private or commercial use for the purpose of office use, storage use, whether for present or future development, this wall must be in place.

## **SECTION 14 C-2 — GENERAL COMMERCIAL DISTRICT**

### **14.1. General Purpose and Description**

The General Commercial District is intended to provide a zoning category similar to the C-1 District, except that additional uses are permitted which are not generally carried on completely within a building or structure and an expanded range of service and repair uses is permitted.

### **14.2. Permitted Uses**

A building or premise shall be used only for the following purposes:

14.2.1. Uses as listed in Section 21 of this ordinance.

### **14.3. Permitted Specific Uses**

The following specific uses shall be permitted in a C-2 District, when granted in accordance with Section 24:

14.3.1. Uses as listed in Section 21 of this ordinance.

### **14.4. Height and Area Regulations**

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

### **14.5. Parking Requirements**

Off-street parking requirements shall be provided in accordance with Section 25.

### **14.6 Buffer Area**

Along property line where C-2 zoning abuts R-1 zoning there shall exist a ten foot easement area for non-development. This area shall be considered a buffer area between the property zoned C-2 and R-1. This ten foot wide area shall extend onto properties of C-2 commercial zoning where said property meets R-1 residential zoning.

14.6.1 Buffer Wall. On a line no less than 10 feet of property line of R-1 zoning within the C-2 property, a wall shall be constructed on said property. The height should be no more than eight feet and no less than seven feet. This wall to extend to ground elevation.

14.6.2 The wall material as follows:

14.6.2.1 brick or rock or stucco and mortar or,

14.6.2.1 a City approved system at time of development

14.6.3 Wall shall be constructed before property development. Property development to be defined as the moving or building of any temporary or permanent structure on said property. In general, PRIOR to any structures pertaining to private or commercial use for the purpose of office use, storage use, whether for present or future development, this wall must be in place.

14.7.1 ENVIRONMENTAL CONTAINERS. All environmental containers (dumpsters) shall be enclosed on three sides with open side enclosed with cyclone type gate for containment.

14.7.1 Materials

14.7.2 brick or rock or stucco and mortar, or

14.7.3 a City approved system at time of development

14.7.4 Wall height to be a minimum of six inches over highest point of container

14.7.5 Unless otherwise approved by the City of Tioga, containers must be in rearward area of structures.

14.7.6 ALLEY. No permanent structure in the C-2 zoning to be located within fourteen feet of wall as to allow access by utility service, municipality service and repair service. This to be considered an alley access.

14.7.7 MAINTENANCE. The Buffer area, wall along buffer area and dumpster enclosures shall be maintained by owner/manager of C-2 zoned property that has been approved for this zoning change. The person or persons owning/occupying said property being held responsible for said property must maintain, repair or rebuild buffer area, wall and any structure housing environmental containers in an original state or a City approve wall system. Property must be maintained in a timely manner determined by the City of Tioga. Thirty to Forty-five days after notification from City that maintenance is needed. Notification also to include citizen written request to City Council.

## **SECTION 15- C-3 - CENTRAL AREA COMMERCIAL DISTRICT**

### **15A.1 General Purpose and Description**

The Central Business District is established to accommodate the unique characteristics of the historical center of the city and to ensure that future development is compatible with maintaining the economic and historic integrity of the area. The Central Area Commercial District is

designed to provide an area for shopping, dining, working, and entertainment which will remain active during evenings and weekends as well as standard work hours.

#### 15A.2 Permitted Uses

15A.2.1 Automobile service stations (no garage or automobile repair facilities).

15A.2.2 Other uses as listed in Section 21 of this Ordinance.

#### 15A.3 Permitted Specific Uses

15A.3.1 Uses as listed in Section 24 of this ordinance.

#### 15A.4 Height and Area Regulations

See Appendix 1, Area, Setback, Height and Coverage Regulations.

#### 15A.5 Parking Regulations

Off-street parking and loading shall be provided as set forth in Section 25.

### **SECTION 16 I-I—INDUSTRIAL/MANUFACTURING DISTRICT—LIGHT**

#### 16.1. General Purpose and Description

The Light Manufacturing/Industrial District is established to accommodate those uses which are of a non-nuisance type located in relative proximity to residential areas, and to preserve and protect lands designated on the Comprehensive Plan for industrial development and use from the intrusion of certain incompatible uses which might impede the development and use of lands for industrial purposes. Development in the I-I District is limited primarily to certain storage, wholesale, and industrial uses, such as the fabrication of materials, and specialized manufacturing and research institutions, all of a non-nuisance type. No use or types of uses specifically limited to the I-2 District may be permitted in the I-I District.

Uses permitted in the I-I District are subject to the following conditions:

- 16.1.1. All business, servicing, or processing, except for off-street parking, off-street loading, display of merchandise for sale to the public, and establishments of the "drive-in" type, shall be conducted within completely enclosed areas.
- 16.1.2. All storage within one hundred (100) feet of a residential district, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened with screening not less than six (6) feet nor more than eight (8) feet in height, provided no storage located within fifty (50) feet of such screening shall exceed the maximum height of such screening.
- 16.1.3. Permitted uses in the I-I District shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence.

16.1.4. Permitted uses in the I-I District shall produce no noise exceeding in intensity, at the boundary of the property, the average intensity of noise of street traffic.

16.1.5. Permitted uses in the I-I District shall not create fire hazards on surrounding property.

16.2. Permitted Uses

A building or premise shall be used only for the following purposes:

16.2.1. Uses as listed in Section 21 of this ordinance.

16.3. Permitted Specific Uses

The following specific uses shall be permitted in the M-I District when granted in accordance with Section 24

16.3.1. Uses as listed in Section 21 of this ordinance.

16.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

16.5. Parking Regulations

Off-street parking requirements shall be provided in accordance with the specific uses set forth in Section 25.

**SECTION 17 I-2 —INDUSTRIAL/MANUFACTURING DISTRICT — HEAVY**

17.1. General Purpose and Description

The Heavy Manufacturing/Industrial District is established to accommodate most industrial uses and protect such areas from the intrusion of certain incompatible uses which might impede the development and use of lands for industrial purposes.

Uses permitted in the I-2 District are subject to the following conditions:

17.1.1. All business, servicing, or processing, except for off-street parking, off-street loading, display of merchandise for sale to the public, and establishments of the "drive-in" type, shall be conducted within completely enclosed buildings unless otherwise indicated.

17.1.2. All storage within one hundred (100) feet of a residential district, except for motor vehicles in operable condition, shall be within completely enclosed buildings or effectively, screened with screening not less than six (6) feet nor more than eight (8) feet in height, provided no storage located within fifty (50) feet of such screening shall exceed the maximum height of such screening.

17.1.3. All uses permitted in the I-2 district must meet the following performance standards and any appropriate city ordinances:

- 17.1.3.a. Smoke: No operation shall be conducted unless it conforms to the standards established by any applicable state and federal health rules and regulations pertaining to smoke emission;
- 17.1.3.b. Particulate Matter: No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to emission of particulate matter;
- 17.1.3.c. Dust, Odor, Gas, Fumes, Glare, or Vibration: No emission of these matters shall result in a concentration at or beyond the property line which is detrimental to the public health, safety or general welfare or which causes injury or damage to property; said emissions shall in all cases conform to the standards established by applicable state and federal health rules and regulations pertaining to said emissions;
- 17.1.3.d. Radiation Hazards and Electrical Disturbances: No operation shall be conducted unless it conforms to the standards established by applicable state and federal health rules and regulations pertaining to radiation control;
- 17.1.3.e. Noise: No operation shall be conducted in a manner so that any noise produced is objectionable due to intermittence, beat frequency, or shrillness. Sound levels of noise at the property line shall not exceed 75 db(A) permitted for a maximum of fifteen (15) minutes in any one (1) hour; said operation shall in all cases conform to the standards established by applicable state and federal health rules and regulations and to other city ordinances pertaining to noise; and
- 17.1.3.f. Water Pollution: No water pollution shall be emitted by manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the appropriate State and national health and environmental protection agencies prior to issuance of a certificate of occupancy. The applicant shall have the burden of establishing that said safeguards are acceptable to said agency or agencies.

17.2. Permitted Uses

The following uses shall be permitted:

- 17.2.1. Uses as listed in Section 21 of this ordinance.

17.3. Permitted Specific Uses

The following specific uses shall be permitted in the M-2 District when granted in accordance with Section 24:

- 17.3.1. Uses as listed in Section 21 of this ordinance.

Other manufacturing and industrial uses which do not meet the general definition for manufacturing processes may be permitted by the City Council after public hearing and review of the particular operational characteristics of each such use, and other pertinent data affecting the community's general welfare. Approval of uses under this section shall be made in accordance with Section 32.2.2.6 .

#### 17.4. Height and Area Regulations

See Appendix 1, Area, Setback, Height, and Coverage Regulations.

#### 17.5. Parking Regulations

Required off-street parking shall be provided in accordance with the specific uses set forth in Section 25.

### **SECTION 18 PD — PLANNED DEVELOPMENT DISTRICT**

#### 18.1. General Purpose and Description

The Planned Development District "PD" prefix is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this ordinance is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the community. A PD District may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

A Planned Development District is created by an amendment to the zoning ordinance. The City must follow procedures established in this zoning ordinance. The creation of a Planned Development District (PD) requires that the City follow this ordinance precisely for each PD amendment.

#### 18.2. Permitted Uses

Any use specified in the ordinance granting a Planned Development District shall be permitted in that district. The size, location, appearance, and method of operation may be specified to the extent necessary to insure compliance with the purpose of this ordinance.

#### 18.3. Development Standards

18.3.1. Development standards for each separate PD District shall be set forth in the ordinance granting the PD District and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, drainage and flood prevention, and other requirements as the City Council may deem appropriate.

18.3.2. In the PD District, the particular district(s) to which uses specified in the PD are most similar shall be stated in the granting ordinance. All PD applications shall list all requested variances from the standard requirements set forth throughout this ordinance (applications without this list will be considered incomplete).

18.3.3. 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 variances in each district or districts and a general statement citing the reason for the PD request.

- 18.3.4. The Planned Development District shall conform to all other sections of the ordinance unless specifically exempted in the granting ordinance.

18.4. Conceptual and Development Plans

In establishing a Planned Development District, the City Council shall approve and file as part of the amending ordinance appropriate plans and standards for each Planned Development District. During the review and public hearing process, the City Council shall require a conceptual plan and a development plan (or detail site plan).

18.4.1. Conceptual Plan

This plan shall be submitted by the applicant. 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 shall be supported by written documentation of proposals and standards for development.

- 18.4.1.1. A conceptual plan for residential land use shall show general use, thoroughfares, and preliminary lotting arrangements. For residential development which does not propose platted lots, the conceptual plan shall set forth the size, type, and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and other pertinent development data including drainage and flood control.
- 18.4.1.2. A conceptual plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the City Council, may include but is not limited to the types of use(s), topography, and boundary of the PD area, physical features of the site, including drainage and flood control, existing streets, alleys, and easements, location of future public facilities, building heights and locations, parking ratios, and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final development plan.
- 18.4.1.3. Changes of detail which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, building height, or coverage of the site and which do not decrease the off-street parking ratio, reduce the yards provided at the boundary of the site, or significantly alter the landscape plans as indicated on the approved conceptual plan may be authorized by the building official or his designated representative. If an agreement cannot be reached regarding whether or not a detail site plan conforms to the original concept plan, the City Council shall determine the conformity.

18.4.2. Development Plan or 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. Approval of the development plan shall be the basis for issuance of a building permit. The development plan may be submitted for the total area of the PD or for any section or part as approved on the conceptual plan. The development plan must be approved by the City Council. A public

hearing on approval of the development plan shall be required at the Council level, unless such a hearing is waived pursuant to Section 18.4.3.1 at the time of conceptual plan approval in the original amending ordinance. The development plan shall include:

- 18.4.2.1. A site inventory analysis including a scale drawing showing 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 and impact statement.
  - 18.4.2.2. A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with the topographical contour interval of not more than five (5) feet.
  - 18.4.2.3. A site plan for proposed building complexes showing the location of separate buildings, and between buildings and property lines, street lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
  - 18.4.2.4. A landscape plan showing screening walls, ornamental planting, wooded areas, and trees to be planted.
  - 18.4.2.5. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single family and two-family may be required by the City Council if deemed appropriate. Any or all of the required information may be incorporated on a single drawing if such drawing is clear and can be evaluated by the building official or his designated representative.
- 18.4.3. Procedure for Establishment

The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in Section 35. This procedure is expanded as follows for approval of conceptual and development plans.

- 18.4.3.1. Separate public hearings shall be held by the City Council for the approval of the conceptual plan and the development plan or any section of the development plan, unless such requirement is waived by the City Council upon a determination that a single public hearing is adequate. A single public hearing is adequate when:
  - a) The applicant submits adequate data with the request for the Planned Development District to fulfill the requirements for both plans; or
  - b) Information on the concept plan is sufficient to determine the appropriate use of the land and the detail site plan will not deviate substantially from it; and
  - c) The requirement is waived at the time the amending ordinance is approved. If the requirement is waived, the conditions shall be specifically stated in the amending ordinance.

- 18.4.3.2. The ordinance establishing the Planned Development District shall not be approved until the conceptual plan is approved.
- 18.4.3.3. The development plan may be approved in sections. When the plan is approved in sections, the separate approvals by the City Council for the initial and subsequent sections will be required.
- 18.4.3.4. An initial development plan shall be submitted for approval within six (6) months from the approval of the conceptual plan or some portion of the conceptual plan. If the development plan is not submitted within six (6) months, the conceptual plan is subject to re-approval by the City Council. If the entire project is not completed within two (2) years, the City Council may review the original conceptual plan to ensure its continued validity.
- 18.4.3.5. Regardless of whether the public hearing is waived for the development plan, approval by the City Council is still required.

18.5. Written Report May Be Required

When a PD is being considered, a written report may be requested of the applicant discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, drainage/flood prevention, and traffic. Written comments from the applicable public school district and from private utilities may be submitted to the City Council.

18.6. Planned Developments to Be Recorded

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

**SECTION 19. SIGN REGULATIONS**

19.1 The purpose of this section is to establish reasonable regulations for the design, construction, installation and maintenance of all exterior signs in the City of Tioga, Texas in order to:

- a. balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs;
- b. further the objectives of the comprehensive plan;
- c. reduce traffic hazards;
- d. facilitate the creation of an attractive and harmonious community;
- e. protect property value;
- f. promote economic development; and
- g. Preserve the right of free speech exercised though the use of signs containing non-commercial messages.

19.2 Definitions. As used in this section unless the context otherwise indicates:

- a. "Sign" shall mean any writing, pictorial representation, illustration, emblem, symbol, design or other figure of similar character which is a structure or a part thereof, or is attached to or in any manner represented on a building or other structure, and is placed out of doors in view

- of the general public and is used for purposes of advertisement, announcement, declaration, demonstration, display, identification or expression.
- b. "Illuminated Sign" shall mean any sign which has characters, letters, figures, designs or outlines illuminated externally by electric lights or internally by luminous tubes.
  - c. "Facing" or "Surface" shall mean the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.
  - d. "Incombustible Material" shall mean any material, which will not ignite at or below a temperature of 1200 degrees Fahrenheit and will not continue to burn or glow at that temperature.
  - e. "Other Advertising Structure" shall mean any marquee; canopy, awning or street clock as further defined in this ordinance.
  - f. "Permittee" shall mean a person receiving an erection permit pursuant to the provisions of this ordinance.
  - g. "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
  - h. "Structural Trim" shall mean the molding, battens, capping, nailing strips, latticing, and platforms which are attached to the sign structure.
  - i. "Erect" shall mean to build, construct, attach, hang, suspend, or affix, and shall also include the painting of signs.
  - j. "City" shall mean the Mayor and/or City Council of the City of Tioga or their designee.

19.3 Permit Required. Except as provided in Section 19.3.1, it shall be unlawful for any person to erect, relocate or structurally alter, within the City of Tioga any sign or other advertising structure as defined in this ordinance, without first obtaining an erection permit from the City and making payment of the fee required by section 19.6. All illuminated signs shall, in addition, be subject to the provisions of the Electrical Code and its requisite inspection fees. No permit is required for repair, repainting or maintenance which does not entail structural change or for change of copy or message.

- 19.3.1 Application for Erection Permit. Application for an erection permit shall be made upon a form provided by the City and shall contain and have attached the following information:
- a. Name, address and telephone number of the applicant
  - b. Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
  - c. Survey or plat of the property where the sign or other advertising structure is to be located.
  - d. Position of the sign or other advertising structure in relation to nearby buildings or structures.
  - e. Two blueprints or ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
  - f. Copy of stress sheets and calculations showing that the structure is designed to meet the wind pressure and dead load requirements of this and all other laws and ordinances of the City. (this applies for signs 100 sq. ft or larger).
  - g. Name of the person erecting the structure.
  - h. Written consent of the owner of the building, structure or land to which or on is to be erected.
  - i. Such other information as the Building inspector shall require to show full compliance with this and all other laws and ordinances of the City.

- 19.4 Illuminated Signs. The application for a permit for erection of a sign or other advertising structure in which electrical wiring and connections are to be used shall be submitted to the City. The Building Inspector shall examine the plans and specifications respecting all wiring and connections to determine if they comply with the provisions of the Electrical Code of the City of Tioga, and shall approve the permit if the plans and specifications comply with the Code.
- 19.5 Permit Issuance. Upon the filing of an application for an erection permit, the building inspector shall:
- a. Examine the plans and specifications and the survey or plat of the premises upon which the proposed structure shall be erected.
  - b. Issue a permit if the proposed structure complies with the requirements of this ordinance and all other laws and ordinances of the City of Tioga. If work authorized under an erection permit is not completed within six (6) months after the date of issuance, the permit shall become null and void.
- 19.6 Permit Fee. Every applicant, prior to issuance of a permit pursuant to Section 19.05, shall pay the City a nonrefundable fee set by the schedule of fees. See Section 36.
- 19.7 Periodic Inspection. The Building Inspector shall inspect, whenever deemed necessary, each sign or other advertising structure regulated by this ordinance for the purpose of ascertaining whether the structure is unsafe, in need of repair, not in conformance with the permit application, or otherwise in violation of the provisions of this ordinance. To meet the expense of such inspection the permittee shall pay to the City Secretary an inspection fee at the current rate approved by the City Council for each structure inspected.
- 19.8 Variances. In compliance with Section 24 of this ordinance, the City Council may grant a variance if it finds that the unusual shape or typography of the property in question prevents signage allowable under the provisions of this ordinance from adequately identifying the business or other activity located on such property. A variance may only be granted to: 1) allow a setback less than that required under the ordinance, or 2) allow the area or height of a sign to be increased by up to twenty-five (25) percent of the maximum allowable height or area.
- 19.9 Revocation of Permit. The Mayor may revoke any permit where there has been a violation of the provisions of this ordinance or a misrepresentation of fact on the permit application.
- 19.10 Number, Date and Voltage. Every permitted sign or other advertising structure shall display in a conspicuous place, in letters no less than one inch in height, the date of erection, the permit number, and the voltage of any electrical apparatus used.
- 19.11 Wind Pressure and Dead Load Requirements. Where required by this ordinance, signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than forty (40) pounds per square foot of area and to receive dead loads as required in the Building Code or other ordinances of the City of Tioga.
- 19.12 Exemptions. The following signs are exempt from the permit requirements of this ordinance:
- (a) Temporary real estate signs not exceeding eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which the sign is located. Such signs shall be removed no later than seven (7) days following sale or rental of the subject property.

- (b) Temporary political signs concerning candidates for public office and ballot issues and not exceeding four (4) square feet in area. Such signs shall be erected no earlier than sixty (60) days prior to an election or referendum and removed no later than seven (7) days after the election or referendum.
- (c) Temporary signs advertising the date, time and location of a garage or yard sale and not exceeding four (4) square feet in area. Such signs shall be posted no more than three (3) days prior to and removed one (1) day after the sale.
- (d) Signs attached to the inside of a window and not exceeding four (4) square feet in area which do not exceed twenty-five percent of the area of the window pane.
- (e) Signs which are an integral part of the historic character of a landmark building or historic district.
- (f) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospitals, historical sites or public facilities.
- (g) Flags of any government or governmental agency or any patriotic, religious, charitable, civic educational or fraternal organization not exceeding forty (40) square feet in area.
- (h) Temporary signs in conjunction with special events such as a philanthropic campaign or church, circus, carnival or other community activity. Such signs shall not exceed forty (40) square feet in area, shall not be erected more than fourteen (14) days in advance of the event and shall be removed within three (3) days after the termination of the event.
- (i) Temporary displays or decorations customarily associated with any national, state, local or religious holiday or celebration. Such signs shall be erected no more than forty-five (45) days before and removed no later than fourteen (14) days after the celebration.
- (j) Hand-held signs of a noncommercial nature not set on or affixed to the ground and not exceeding ten (10) square feet in area.
- (k) Temporary signs identifying the architect, engineer, developer or contractor when placed upon construction sites and not exceeding sixty-four (64) square feet in area. Such signs shall not be erected prior to approval of a site plan and shall be removed no later than seven (7) days after completion of the project.
- (l) Home and commercial building occupational signs identifying the name and profession of the occupants and not exceeding two (2) square feet in area.
- (m) Memorial or commemorative plaques or tablets denoting a building name and/or date of erection or a location of historic significance and not exceeding four (4) square feet in area.
- (n) Property identification signs indicating address and/or name and not exceeding two (2) square feet in area for residential land uses or five (5) square feet in area for non-residential land uses.

### 19.13 PROHIBITED SIGNS.

19.13.1 Permitted Signs. No sign or other advertising structure shall be erected or maintained in violation of the permit requirements of Section 19.3.1.

19.13.2 Maintenance. No sign or other advertising structure shall be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration or holes.

19.13.3 Outdated Signs. No sign or other advertising structure shall advertise a business or product, which is no longer in existence.

- 19.13.4 Obstructions to Doors, Windows, or Fire Escapes. No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
- 19.13.5 Traffic Hazards. No sign or other advertising structure shall:
- (a) Obstruct free and clear vision at any street intersection.
  - (b) Interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device because of its position, shape or color.
  - (c) Make use of the words "STOP", "LOOK", "DRIVE-IN", "DANGER" or any other word, phrase, symbol or character in a manner that interferes with, misleads or confuses traffic.
- 19.13.6 Unsafe Signs. No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate design, construction, repair or maintenance.
- 19.13.7 Illuminated Signs. No sign or other advertising structure shall be illuminated with lights, which glare into or upon the surrounding areas or any residential premises or distract operators of vehicles or pedestrians on the public right-of way.
- 19.13.8 Obscene Signs. No sign or other advertising structure shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
- 19.13.9 Vehicular Signs. No sign or other advertising structure shall be painted on or attached to a motor vehicle used primarily for the display of such sign. This section shall not prohibit the identification of a business or its products or services on its vehicle(s) operated and parked in a manner appropriate to the normal course of business.
- 19.13.10 Moving Signs. No sign or other advertising structure shall have visible moving, revolving or rotating parts or visible mechanical movement of any kind, except for the three movable hands on street clocks, or other apparent visible movement achieved by electrical, electronics or mechanical means, except for time-temperature-date signs.
- 19.13.11 Flashing Signs. No sign or other advertising structure shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation.

19.14 PERMITTED SIGNS

19.14.1. Ground Signs.

Definition. Ground Sign as regulated by this ordinance shall mean any sign supported by uprights or braces placed upon the ground and not attached to any building, and shall include billboards.

(b) Construction.

Materials required. Ground signs shall have a surface or facing of incombustible material; provided, however, that combustible structural trim may be used.

Letters, etc, to be secured. All letters, figures, characters or representations in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

(c) Location.

- (1) Height and Area Limitation. Ground signs shall not exceed a height greater than twenty (20) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level. Ground signs shall not exceed two hundred (200) square feet in area.
  - (2) Space Between Sign and Ground and Other Signs and Structures. Ground signs shall have an open space not less than two (2) feet between the base line of said sign and the ground level. This open space may be filled in with a platform or decorative lattice work which does not close off more than one half of any square foot of such open space. No ground sign shall be nearer than two (2) feet to any other sign, building or structure.
  - (3) Setback Line. Ground signs shall be set back at least ten (10) feet from the property line of the property on which the sign is erected.
- (d) Erection.
- (1) Braces Anchorage and Supports. Ground signs shall be securely built, constructed and erected upon posts and standards sunk at least three (3) feet below the natural surface of the ground, and shall be supported and braced by timbers or metal rods in the rear, extending from the top to a point in the ground at least a distance equal to one-half the height of such sign, measured along the ground, from the posts or standards upon which the sign is erected.
  - (2) Wood Preservative. All wooden posts, anchors, and braces, which rest upon or enter into the ground, shall be treated with copper chromated arsenical (CCA) or another commercially available wood preservative. If creosote or any other restricted use substance is used; it shall be applied by a state-certified handler.
  - (3) Wind Pressure and Dead Load Requirements. Ground signs shall conform to the requirements of Section 13.
- (e) Maintenance. Ground signs and their surrounding premises shall be maintained in a clean, sanitary and inoffensive condition and free and clear of all obnoxious substances, rubbish and weeds.

19.15 Wall Signs.

- (a) Definition. "Wall Sign" as regulated by this ordinance shall mean all flat signs of solid face construction which are placed against a building or other structure and attached to the exterior front, or side wall of any building or other structure.
- (b) Construction; Materials required. Wall Signs shall have a surface or facing of incombustible materials; provided, however, that combustible structural trim may be used.
- (c) Location.
  - (1) Limitation on Placement and Area. No wall sign shall cover wholly or partially any neither wall opening, nor project beyond the ends or top of the wall to which it is attached. No wall sign shall exceed three hundred (300) square feet in area.
  - (2) Projection above sidewalk and setback line. No wall sign shall be permitted to extend more than six (6) inches beyond the building line, and shall not be attached to a wall at a height of less than ten (10) feet above the sidewalk or ground.
- (d) Erection.
  - (1) Supports and attachments. Wall signs shall be safely and securely attached to the building wall by means of metal anchors, bolts, or expansion screws of not less than 3/8 inch in diameter embedded into the wall at least five (5) inches. However, such signs may rest in or be bolted to strong, heavy metal brackets or saddles set not over six feet apart, each of which shall be securely fixed to the

wall as provided above. In no case shall any wall sign be secured with wire, strips of wood or nails.

- (2) Wind Pressure and Dead Load Requirements. All wall signs shall conform to the requirements of Section 13.

#### 19.16 Roof Signs.

- (a) Definition. "Roof Sign" as regulated by this ordinance shall mean any sign erected, constructed and maintained wholly upon or above the roof of any building with the principal support attached to the roof structure.
- (b) Construction; Materials Required. Roof signs, including upright supports and braces, shall be constructed entirely of incombustible materials; provided, however, that combustible structural trim may be used.
- (c) Location.
  - (1) Height and Area Limitations. No roof sign shall have a surface or facing exceeding three hundred (300) square feet, nor have its highest point extended more than twenty (20) feet above the roof level.
  - (2) Setback from Roof Edge. No roof signs shall be erected or maintained with the face nearer than five (5) feet to the outside wall toward which the sign faces.
  - (3) Space Between Sign and Roof. Roof signs shall have a space at least five (5) feet in height between the base of the sign and the roof level, and have at least five (5) feet clearance between vertical supports.
  - (4) Prohibited Obstructions. No roof sign shall be placed on the roof of any building or structure in such manner as to prevent free passage along the roof or interfere with openings in the roof.
- (d) Erection.
  - (1) Bracing, Anchorage and Supports. Roof signs shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods, or braces. When erected upon buildings, which are not constructed entirely of fireproof material, the bearing plates of said sign shall bear directly upon masonry walls and intermediate steel columns in the building. No roof sign shall be supported or anchored to the wooden framework of a building.
  - (2) Wind Pressure and Dead Load Requirements. All roof signs shall conform to the requirements of Section 13 of this ordinance.

#### 19.17 Projecting Signs.

- (a) Definitions.
  - (1) "Projecting Sign" as regulated by this ordinance shall mean any sign which is attached to a building or other structure and extends beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached. All projecting signs shall be illuminated signs as defined in Section 3.
  - (2) "Horizontal Projecting Sign" shall mean any sign which is greater in width than in height.
  - (3) "Vertical Projecting Sign" shall mean any sign which is greater in height than in width.
- (b) Construction.
  - (1) Projecting signs, including frames, braces and supports, shall be designed by a structural engineer or manufacturer, constructed of incombustible materials, illuminated and two-faced.
  - (2) Illumination. Reflectors shall be provided with the proper glass lenses concentrating the illumination upon the area of the sign and preventing glare

upon the street or adjacent property. No floodlight or spotlight nor reflectors of the goose neck type shall be permitted on projecting signs.

- (3) Glass Requirements. The lettering or advertising designs to be illuminated may be composed of glass or other transparent or semi-transparent incombustible material. Any glass forming a part of any sign shall be safety glass or plate glass at least ¼ inch thick and in case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass. One section, not exceeding three (3) square feet in area, constructed of wire glass or safety glass shall be permitted on each side of a sign.
- (4) Movable Parts to be Secured. Any movable part of a projecting sign such as the cover of a service opening shall be securely fastened by chains or hinges.

Area Limitations. Except by special permission of the City Council, projecting signs shall be limited in area as follows:

- a. Horizontal projecting signs shall not exceed fifty (50) square feet on each side.
- b. Vertical projecting signs shall not exceed one hundred (100) square feet on each side.
- (5) Thickness Limitation. The distance measured between the principal faces of any projecting sign shall not exceed eighteen (18) inches.
- (c) Location; Projection over Public Property. Every projecting sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected, no more than two (2) feet from the face of the wall to which it is attached, measuring from the point of the sign nearest the wall, and at least one (1) foot from the curb line. Every projecting sign shall be placed at least fifteen (15) feet above the public driveway, alley or thoroughfare over which it is erected.
- (d) Erection.
  - (1) Bracing, Anchorage and Supports. Projecting signs exceeding ten (10) square feet in area or fifty (50) pounds in weight shall not be attached to nor supported by frame buildings nor the wooden framework of a building. Such signs shall be attached to masonry walls with galvanized expansion bolts at least 3/8 inch in diameter, shall be fixed in the wall by means of bolts extending through the wall, shall contain proper size metal washer or plate on the inside of the wall, and shall comply with the wind pressure and dead load requirements of Section 19.11.
  - (2) Prohibited Anchorage. No projecting sign shall be secured with wire, strips of wood or nails, nor shall any projecting sign be hung or secured to any other sign.
- (e) V-Shaped Signs Prohibited. V-shaped signs consisting of two single faced signs erected without a roof or ceiling shall not be permitted.
- (f) Illumination at Night Required. Projecting signs shall be illuminated between sunset and : P.m. every night Monday through Saturday, on each side thereof, by at least five (5) watts per square foot of sign surface, but in no case less than sixty (60) watts for each sign surface.

#### 19.18 Temporary Signs.

- (a) Definition. "Temporary Sign" as regulated by this ordinance shall mean any sign, banner, pennant or other advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials, with or without frames, intended to be displayed for a limited period of time.
- (b) Construction.
  - (1) Materials and Area Limitations. No temporary sign of combustible material shall exceed four (4) feet in one of its dimensions or one hundred (100) square feet in

- area. Such signs in excess of sixty (60) square feet shall be made of rigid materials such as wallboard or other light materials with frames.
- (2) Weight Limitation. Temporary signs weighing in excess of fifty (50) pounds must be approved by the Building Inspector as conforming to the safety requirements of the Building Code of the City of Tioga.
  - (c) Location; Projection over Public Property. No temporary sign shall extend over or into any street, alley, sidewalk, or other public thoroughfare more than four (4) inches from the wall upon which it is erected and shall not be placed or project over any wall opening.
  - (d) Erection; Anchorage and Support. Every temporary sign shall be attached with wire or steel cables. No strings, ropes or wood slats for anchorage or support purposes shall be permitted.
  - (e) Duration of Permits. Permits for temporary signs shall authorize their erection and maintenance for a period not exceeding thirty (30) days.
  - (f) Advertising Permitted. The advertisement contained on any temporary sign shall pertain only to the business, industry or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.

#### 19.20 Marquees.

- (a) Definition. "Marquee" as regulated by this ordinance shall mean any hood or awning of permanent construction projecting from the wall of a building above an entrance and extending over a thoroughfare.
- (b) Construction.
  - (1) Materials Required. Marquees, including the anchors bolts, supports, rods and braces, shall be constructed of incombustible materials, designed by a structural engineer and illuminated.
  - (2) Drainage. Marquee roofs shall be properly guttered and connected by down spouts to a sewer so that rainwater will not drip or flow onto public property.
  - (3) Roofs: Use and Construction. Marquee roofs shall be used for no other purpose than to form and constitute a roof, and at least twenty-five (25) percent of the area of the roof of every marquee shall be of glass or other incombustible transparent substance.
- (c) Location.
  - (1) Height Above Sidewalk. No portion of a marquee shall be less than ten (10) feet above the level of the sidewalk or other public thoroughfare over which it is erected.
  - (2) Set-Back from Curb Line. No marquee shall be permitted to extend beyond a point one (1) foot inside the curb line.
  - (3) Width. No marquee shall be wider than the entrance or entrances of the building, plus five (5) feet on each side. However, where the entrances to a building are not more than twenty (20) feet apart, a marquee may be made a continuous single structure between the entrances.
- (d) Erection.
  - (1) Bracing, Anchorage and Supports. Marquees shall be supported solely by the building to which they are attached, and no columns or posts shall be used as supports.
  - (2) Roof Live Load Requirement. Marquee roofs, except the glass area required, shall be designed and constructed to support a live load of not less than one hundred (100) pounds per square foot. Marquees shall be designed to meet the wind pressure requirement provided in Section 19.11.

- (3) Anchorage to Wood Structure Prohibited. No marquee shall be erected on any building of wood frame construction unless attached to the masonry, concrete or steel supports of the building.
- (e) Signs Attached to Marquee. Signs attached to or hung from a marquee shall be completely within the borderline of the marquee outer edge and shall in no instance be lower than ten (10) feet above the sidewalk or public thoroughfare. No sign or advertising material shall exceed five (5) feet in height exclusive of the name of the establishment exhibiting such marquee. No advertising material shall be placed upon the roof of any marquee.
- (f) Illumination Required. Marquees projecting over public property shall be illuminated by at least sixteen (16) candle power of illumination for each 50 square feet or fraction thereof of area from sunset to : p.m. ever Monday through Saturday night of each week.

19.21 Awnings and Canopies.

- (a) Definitions.
  - (1) "Awning" as regulated by this ordinance shall mean any structure made of cloth or metal with a metal frame attached to a building and projecting over a thoroughfare which can be retracted to a position flat against the building when not in use.
  - (2) "Canopy" as regulated by this ordinance shall mean any structure, other than an awning, made of cloth or metal with metal frames attached to a building and projecting over a thoroughfare which is carried by a frame supported by the ground or sidewalk.
- (b) Construction.
  - (1) Materials; Awnings. Awnings may be constructed of cloth or metal; provided, however, all frames and supports shall be of metal.
  - (2) Materials; Canopies. Canopies may be constructed of cloth or metal hood; provided, however, all frames and supports shall be of metal.
- (c) Location.
  - (1) Height above Sidewalk; Awnings. No portion of an awning shall be less than eight (8) feet above the level of the sidewalk or public thoroughfare over which it is erected.
  - (2) Height Above Sidewalk; Canopies. No portion of a canopy shall be less than nine (9) feet above the level of the sidewalk or public thoroughfare over which it is erected.
  - (3) Setback from Curb Line. No awning or canopy shall be permitted to extend beyond a point one (1) foot inside the curb line.
  - (4) Width. No limitation on width of awnings; provided however, full compliance with the wind pressure and dead load requirements of Section 19.11 is required. No canopy shall be permitted to exceed eight (8) feet in width.
- (d) Erection.
  - (1) Support; Awnings. Awnings shall be securely attached to and supported by a building. Posts or columns beyond the building line shall not be permitted for awnings. No awning shall be attached to the wood jambs, frames, or other wood members of a building (frame buildings excepted) when such building is less than ten (10) feet from public property.
  - (2) Support; Canopies. The framework of canopies shall be designed by a structural engineer and approved by the Building Inspector as in compliance with the

building code of the City of Tioga. All frames and supports shall be of metal and designed to withstand a wind pressure as provided in Section 19.11.

- (e) Advertising. No advertising shall be placed on any awning or canopy, except that the name of the owner and the business, industry or pursuit conducted within the premises may be painted or otherwise permanently placed in a space not exceeding twelve (12) inches in height on the front and side of the awning or canopy.
- (f) Awnings to be Rolled. Awnings shall be rolled or folded against the building wall except when serving as a protection from sun, rain, snow or other inclement weather.

#### 19.22 Street Clocks.

- (a) Definition. "Street Clock" as regulated by this ordinance shall mean any timepiece erected upon a standard and located on a sidewalk or an exterior of a building or structure for the convenience of the public and which advertises a place of business.
- (b) Construction.
  - (1) Street clocks shall be constructed of incombustible material, including the frames, braces and supports.
  - (2) Regulation of Size of Dial. The dial of such clocks shall be not less than thirty (30) inches nor more than forty (40) inches in diameter.
  - (3) Glass Requirements. Any glass forming a part of a clock shall be safety glass or plate glass at least ¼ inch thick and in case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be constructed of wire glass, securely held in place.
  - (4) Movable Parts to be Secured. The cover or service openings of street clocks shall be securely fastened by metal hinges.
- (c) Location.
  - (1) Clocks Erected on Walls. Clocks supported on the corner of any building or structure at the intersection of two streets shall not be less than fifteen (15) feet nor more than twenty (20) feet above the sidewalk and shall not project from the face or wall of the building or structure more than five (5) feet.
  - (2) Clocks Erected on Sidewalk. Clocks erected on the sidewalk shall be supported upon a post of ornamental design, shall be not less than fifteen (15) feet in height, shall be not more than twenty (20) inches from the outer edge of the curb, and shall be at least twenty (20) feet from the point of intersection of the lines of any street, measured parallel with the street.
- (d) Erection.
  - (1) Clocks Erected on Walls. Clocks erected on the exterior of any building or structure shall comply with the requirements set forth in Section 19.15 regulating wall signs, or Section 19.17 regulating projecting signs, whichever is applicable.
  - (2) Wind Pressure and Dead Load Requirements. Street clocks, whether erected on exterior walls or on the sidewalk, shall comply with the requirements of Section 19.11.
- (e) Limitation of permits; Clocks on Sidewalks. Any person erecting a street clock on any public sidewalk shall obtain the special written permission of the City Council in addition to all other permits required by this ordinance.
- (f) Limitations on Permits; General. No person shall be permitted to erect more than one street clock at any one business location.
- (g) Advertising Permitted. Only the name of the owner, proprietor or manager of the place of business erecting and maintaining such clock, and the nature of the business, shall be permitted as advertising matter on such clocks.
- (h) Must Keep Accurate Time. Street clocks shall keep accurate time and shall be promptly repaired or removed if this requirement is not complied with.

## ENFORCEMENT

### 19.23 Billboards.

- (a) Definition. "Billboard" as regulated by this ordinance shall mean any sign, which is not located on the premises that it advertises or identifies.
- (b) Erection Ban. Subsequent to the effective date of this ordinance, no new erection permits shall be issued by the City of Tioga for billboards within the City of Tioga. Existing billboards must comply with the requirements of Section 19.24.

19.24.1 Nonconforming Signs. Any sign or other advertising structure legally in existence on the date of adoption of this ordinance which violates or does not conform to its provisions shall be removed, altered, or replaced so as to conform with the provisions of this ordinance within five years. An unlawful sign is not a nonconforming sign. No nonconforming sign is required to be removed solely by the passage of time if to so require is otherwise prohibited by state or federal law.

19.24.2 Unlawful Signs. If the City finds that any sign or other advertising structure is prohibited by the provisions of this ordinance, the City shall give written notice to the permittee or the owner of the property upon which the structure is located. If the permittee or owner fails to remove or alter the structure so as to comply with the standards set forth in this ordinance within ten (10) days after such notice, the City may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the permittee or owner. The City may cause any sign or other advertising structure which presents an immediate peril to persons or property to be removed or altered immediately and without notice.

## **SECTION 20. RECREATIONAL EQUIPMENT AND VEHICLES**

- 20.1 No major recreational equipment shall be parked or stored in the required front yard of any lot or tract of land in a residential district except on a driveway, and except that such equipment may be parked on a residential yard not to exceed twenty-four hours during loading and unloading.
- 20.2 No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on any lot or tract of land in all zoning districts, except under the following conditions:
  - 20.2.1 In a residential district or area, the temporary housing of guests not to exceed seven (7) consecutive days. The property owner or agent must apply for a permit for these temporary guests, to the building official who shall issue the permit if the property owner or agent is eligible. Only four (4) permits per calendar year per property owner will be issued. There will not be a fee for this permit.
- 20.3 For the purpose of these regulations, "major recreational equipment" is defined as including boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tents, tent trailers and the like, and cases or boxes used for transporting recreational equipment whether occupied by such equipment or not.

**SECTION 21 USE OF LAND AND BUILDINGS**

No land shall hereafter be used and no building or structure shall hereafter be occupied, used, erected, altered, removed, placed, demolished or converted which is arranged or designed to be used for other than those uses specified for the district in which it is located as set forth by the following Schedule of Uses listed in the following:

**LEGEND FOR INTERPERTING SCHEDULE OF USES**

Y	Designates use <b><i>permitted</i></b> in district indicated.
	Designates use <b><i>prohibited</i></b> in district indicated.
S	Designates use which may be approved as <b><i>Specific Use Permit</i></b> .

Additional regulations relating to use of land and buildings in individual zoning districts are listed in Section 8 through 18 and Section 28 of this ordinance.

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Animal Care and Sales:										
Animal Clinic, Hospital or Clinic (no outside pens)	Y					S	Y	S	Y	Y
Animal Clinic, Hospital or Clinic (outside pens)	Y						Y		Y	Y
Animal Feeding Lot	S						S		S	S
Animal Pound (Public or Private)	S						S		Y	Y
Kennel (no outside pens)	S					S	S	S	Y	Y
Kennel (outside pens)	S						S		Y	Y
Livestock Auction	S								Y	Y
Pet Shop, Small Animals, Bird, Fish									Y	Y
Stable or Animal Shelter (Private)	Y	S	S	S		S	S	S	S	S
Stable or Animal Shelter (Commercial)	Y									S
Art and Antiques:										
Antique shop										
Art Gallery or Museum		S	S	S		Y	Y	Y	Y	Y
Art Supply Store		S	S	S		Y	Y	Y	Y	Y
Handcraft and Art Objects, Sales						Y	Y	Y	Y	Y
Automobile and Motorcycle Sales/Service:										
Automobile glass, muffler or seat cover shop						Y	Y		Y	Y
Automobile leasing or rental						S	Y	S		
Automobile paint or body rebuilding shop							Y		Y	Y
Automobile parts and accessory sales						Y	Y	Y	Y	Y
Automobile repair garage						S	Y		Y	Y
Automobile sales, new or used						Y	Y		Y	Y
Automobile storage							S		Y	Y
Car Wash						S	Y	S	Y	Y
Engine and motor repair							Y		Y	Y
Gasoline or Fuel Service Station	S					S	Y		Y	Y
New or Used Auto Sales						Y	Y		Y	Y
Quick oil change facility							Y		Y	Y
Tire dealer (no outside storage)										
Wrecking or Auto Salvage Yard									S	S
									S	S

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Books, Stationery, Cameras, Florist:										
Book or Stationery Shop						Y	Y	Y	Y	Y
Camera Shop						Y	Y	Y	Y	Y
Florist Shop						Y	Y	Y	Y	Y
Commercial Dwelling:										
Boarding or Rooming House			S			Y	Y	S		
Hotel or Motel						Y	Y	Y		
Residence Hotel			S			Y				
Construction:										
Asphalt/Concrete Batching Plant, Permanent									Y	
Asphalt/Concrete Batching Plant, Temporary									S	
Contractor Storage or Equipment, Yard	S	S	S	S		S	S	S	Y	Y
Temporary Field Office of Construction Yard or Office									S	S
Top Soil, Earth or Stone Ext. or Storage	S								S	S
Department, Discount, Furniture, Appliance Store:										
Department or Discount Store						Y	Y	S	Y	Y
Furniture or Appliance Store						Y	Y	Y	Y	Y
Furniture or clothing, second hand						S	Y	S	Y	
Dwelling and Structure Accessories:										
Business/Industry Accessory Building						Y	Y	Y	Y	Y
Carport	Y	Y	Y	Y		Y	Y	S		
Farm Accessory Building	Y					Y	Y			
Garage, private	Y	Y	Y	Y		Y	Y	S		
Residential Accessory Building	Y	Y	Y	Y	S	Y	Y	Y		
Farm, Ranch and Projects:										
Farm or Ranch	Y									
Hatchery, Poultry	S								S	S
Slaughter House or Meat Packing Plant										S

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Financial Institution:										
Bank or Savings and Loan Office						Y	Y	Y	Y	Y
Manufacturing:										
Brick Kiln or Tile Plant										
Clothing or Similar Light Manufacturing Process									Y	Y
Fertilizer manufacture										S
Furniture and upholster manufacture									Y	Y
General manufacturing									Y	Y
Heavy Manufacturing or Industrial Uses										Y
Meat processing/locker plant/frozen food products									Y	Y
Milk Depot, Dairy or Ice Cream Plant										Y
Smelter or Refinery										Y
Medical, Dental, Pharmacies:										
Clinic, Medical or Dental						Y	Y	Y	Y	Y
Drug Store or Pharmacy						Y	Y	Y	Y	Y
Hospital, Acute Care	Y	S	S	S		S	Y	S	Y	Y
Hospital, Chronic Care	Y	S	S	S		S	Y	S	Y	Y
Institution for Alcoholic, Narcotic or Psych. Patients	S					S	Y	S	Y	Y
Laboratory, Medical or Dental						Y	Y	Y	Y	Y
Medical Appliances, Fitting, Sales or Rental						Y	Y	Y	Y	Y
Miscellaneous Public or Private Facilities:										
Cemetery or Mausoleum	S									
Church or Rectory	Y	S	S	S	S	Y	Y	Y	Y	Y
Child Care Center		S	S	S	S	S	Y	S		
Community Center, public or private		S	S	S	S	Y	Y	Y		
Inst. Of Religious, Charitable or Philanthropic Nature	Y					Y	Y	Y	Y	Y
Library		S	S	S	S	Y	Y	Y	Y	Y
Nursing Home or Residence for Aged	Y					S	Y	S	Y	Y
Post Office, government and private						Y	Y	Y	Y	Y
Prison, jail, place of incarceration	S						S	S	S	S
Retirement housing			Y			S	S	S		

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Miscellaneous Sales and Storage:										
Boat sales and storage							Y		Y	
Building Materials, hardware (inside storage)						Y	Y	Y	Y	Y
Building Materials, hardware (outside storage)						S	S		Y	Y
Building Material Sales							Y		Y	Y
Feed and farm supply (outside sales and storage)							Y		Y	Y
Flea market							S		Y	Y
Farm seed and/or fertilizer sales/storage (inside)							S		Y	Y
Farm seed and/or fertilizer sales/storage (outside)							S		Y	Y
Garden Shop and Plant Sales		S	S	S		Y	Y		Y	Y
General merchandise shop							Y	Y		
Heavy Machinery Sales, Storage or Repair							Y		Y	Y
Petroleum Collecting and Storage Facilities	S								Y	Y
Petroleum or Gas Well	S								Y	Y
Petroleum Products, Storage and Wholesale							S		Y	Y
Pipe sales and supply							S		S	Y
Portable building sales							Y		Y	Y
Retail shop and stores other than listed						Y	Y	Y	S	
Scrap metal sales and storage							S		Y	Y
Self-storage; mini warehouse						Y	Y	Y		
Shopping center										
Storage Warehouse							S	Y	Y	Y
Trailer or Mobile Home Sales or Rental					S		S		Y	Y
Miniwarehouse							S		Y	Y

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Miscellaneous Services:										
Air conditioning & refrigeration contractor							S		Y	Y
Cabinet and Upholstry Shop						S	Y		Y	Y
Green House or Plant Nursery, commercial	Y						Y		Y	Y
Green House or Plant Nursery, non-commercial	Y	Y		S		S	Y	S	Y	Y
Home Occupations	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Household appliance service and repair						Y	Y	Y	Y	Y
Key Shop						Y	Y	Y	Y	Y
Mortuary						Y	Y	Y	Y	Y
Off Street Parking Incidental to Main Use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Offices, General Business or Pro						Y	Y	Y	Y	Y
Optical Shop or Laboratory						Y	Y	Y	Y	Y
Pawn Shop						Y	Y	Y	Y	Y
Taxidermist						S	Y	S	Y	Y
Personal Services:										
Barber or Beauty Shop						Y	Y	Y	Y	Y
Cleaning, Dyeing or Laundry Plant							Y		Y	Y
Cleaning or Laundry Self Service						Y	Y	Y	Y	Y
Cleaning or Laundry (Limited Area)						Y	Y	Y	Y	Y
Custom Personal Service Shop						Y	Y	Y	Y	Y
Health Club; gymnasium						Y	Y	Y		
Tanning salon						Y	Y	Y		
Printing, Plumbing, Welding, Painting:										
Lithographic or Print Shop							Y		Y	Y
Paint Shop							Y	S	Y	Y
Plumbing Shop							Y		Y	Y
Welding or Machine Shop							Y		Y	Y
Radio, Television, Telephone:										
Radio or Television Microwave Tower	S						Y		Y	Y
Radio or Television Transmitting Station	S					Y	Y	Y	Y	Y
Telephone Business Office						Y	Y	Y	Y	Y
Telephone Exchange, Switching Relay or Transmitting Station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Utility Shops or Storage Yards or Buildings	S						S		Y	Y

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Recreational Facilities (Public or Private):										
Amusement, Commercial (Indoors):						Y	Y	Y	Y	Y
Amusement, Commercial (Outdoors):						S	S	S	S	Y
Arcade						S	S	S	S	S
Carnival or Circus (Temporary)	S								S	S
Community Theater	S					Y	Y	Y	Y	Y
Country Club (Private)	S					Y	Y	Y	Y	Y
Dance Hall or Night Club							Y	Y	Y	Y
Day Camp for Children	Y	S	S	S	S	S	Y		Y	Y
Drag Strip for Commercial Racing	S								Y	Y
Fairgrounds or Exhibition Area	S						Y		Y	Y
Go-Cart Track	S								Y	Y
Golf Course (Commercial)	S								Y	Y
Golf Driving Range	S								Y	Y
Gymnastic or dance studio	S						S		Y	Y
Park or Playground (Public)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Private Club	S					S	S	S		
Race track	S								Y	Y
Riding Club	S								Y	Y
Rodeo Grounds	S					S	Y	Y	Y	Y
Roller or Ice Skating Rink	S								Y	Y
Sexually oriented business	S					S	Y	S	Y	Y
Shooting range, target range-indoor									S	S
Shooting range, target range-outdoor							S		S	S
Stadium or playfield, public	S	S	S	S	S	S	Y		S	S
Stadium or playfield, private							S		S	S
Swim or Tennis Club	S	S	S	S	S		Y		S	S
Swimming Pool (Commercial)	S	S	S	S	S	Y	Y	Y	Y	Y
Swimming Pool (Private)	S						Y	Y	Y	Y
Theater (Drive-In)	Y	Y	Y	Y	Y	Y	Y	Y		
Theater or Playhouse in Building	S								Y	Y
Zoo (Commercial)	S					Y	Y	Y	Y	Y
Zoo (Public)	S								Y	Y

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Residential:										
Guest house	S	S								
Manufactured Home as a Fixed Dwelling	S		S	Y	Y		S			
Manufactured Home Park				Y	Y					
Manufactured Home sub-division				Y	Y					
Mobile Home				S	S					
Modular or Factory Fabricated Dwelling	S	S	S	Y	Y	S	S			
Multiple Family Dwelling (apartment or tri-plex)			Y			S	Y			
Single Family Dwelling - Existing Structure moved -in	S	S	S	S		S	S	S		
Single Family Dwelling Attached -Site Built			Y	Y		Y	Y	Y		
Single Family Dwelling Detached -Site built	Y	Y	Y	Y		Y	Y	Y		
Townhouse or row dwelling			S			S	S	S		
Travel trailer park					Y					
Two Family Dwelling (Duplex)			Y			S	Y	S		
Restaurants, Bakeries, Food and Beverage Sales:										
Bakery, Commercial						S	S	S	Y	Y
Bakery or Confectionary Shop (Retail)						Y	Y	Y	Y	Y
Bakery, Wholesale							Y		Y	Y
Convenience store							Y	Y	S	
Food and Beverage Sales Store		S	S	S	S	Y	Y	Y	Y	Y
Restaurant or Eating Establishment (Drive-In Service)						S	Y	S	Y	Y
Restaurant (No Drive-In Type)						Y	Y	Y	Y	Y
Truck Stop							S		Y	Y
Schools:										
College or University	Y	S	S	S	S	Y	Y	Y	Y	Y
Kindergarten or Nursery	Y	S	S	S	S	Y	Y	Y	Y	Y
School, Business						Y	Y	Y	Y	Y
School, Commercial Trade						Y	Y	Y	Y	Y
School, Private (primary and/or secondary)	Y	S	S	S	S	Y	Y	Y	Y	Y
School, Public or Denominational	Y	S	S	S	S	Y	Y	Y	Y	Y

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Transportation:										
Airport or Landing Field	S						S		Y	Y
Bus Station or Terminal						S	Y	S	Y	Y
Hauling or Storage Company							Y		Y	Y
Heliport	S					S	S	S	Y	Y
Helitrip	S	S	S	S	S	S	S	S		
Motor Freight Terminal							Y		Y	Y
Parking Lot or Structure						Y	Y	Y	Y	Y
Parking Lot Truck							Y		Y	Y
Railroad Freight Terminal							Y		Y	Y
Railroad Team Tracks									Y	Y
Railroad Track or Right-Of-Way	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Utility and Public Facilities:										
Dump or Sanitary Fill Area	S									
Electrical Energy Generating Plant	S									
Electrical Substation	Y								Y	Y
Electrical Transmission Line	Y	Y	Y	Y	Y	S	S	S	Y	Y
Gas Line and Regulating Station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Local Utility Line	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public Building, Shop or Yard	S	S	S	S	S	Y	Y	Y	Y	Y
Sewage Pumping Station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sewage Treatment Plant	S		S	S	S	S	S	S	S	S
Water Reservoir, Well or Pumping Station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Water Standpipe or Elevated Water Storage	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Water storage, ground	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Water Treatment Plant	S	S	S	S	S	S	Y	Y	Y	Y

TIOGA ZONING ORDINANCE SCHEDULE OF USES

TYPE OF USE	A	R-1	R-2	MH-1	MH-2	C-1	C-2	C-3	I-1	I-2
Signs and Identification:										
Advertising Sign						Y	Y	Y	Y	Y
Agricultural Sign	Y					Y	Y	Y	Y	Y
Apartment Name Sign			Y			Y	Y	Y		
Construction Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Development Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
General Business Sign						Y	Y	Y	Y	Y
Institutional Sign			S			S				
Mobile Home Signs	S		S	Y	Y					
Name Plate	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Real Estate Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

## SECTION 22 DESCRIPTIONS/DEFINITIONS OF USES

### 22.1. Residential Uses

- 22.1.1. Boarding or Rooming House — A building, other than a hotel or multiple family dwelling, where lodging is provided to persons for compensation, and where facilities for food preparation are not provided in individual rooms. Facilities usually referred to as "bed and breakfast" arrangements are included in this definition.
- 22.1.2. Dormitory — A building in which housing is provided for individual students under the general supervision or regulation of an accredited college or university and as distinguished from an apartment, hotel, motel, or rooming house. A dormitory may provide apartment units for guests, faculty, or supervisory personnel on a ratio not to exceed one (1) such apartment unit for each fifty (50) students for which the building is designed. Individual rooms or suites of rooms may have cooking facilities. The dormitory may include facilities such as a commissary and/or snack bar, lounge, and study area, dining halls, and accessory kitchen, recreation facilities, and laundry, provided that these facilities are for the benefit and use of the occupants and their guests and not open to the general public.
- 22.1.3. Duplex — See Two Family Dwelling.
- 22.1.5. Guest House — Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.
- 22.1.6. Manufactured Housing, HUD Code — A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. All references in this ordinance to manufactured housing or manufactured home(s) shall be references to HUD Code Manufactured Housing, unless otherwise specified.
- 22.1.7. Manufactured Home Park — Any tract of land under single ownership of not less than two (2) acres and not more than ten (10) acres approved for occupancy by manufactured housing and accessory structures related thereto and designed and operated in accordance with standards herein set forth or as set forth in any other ordinance of the City of Tioga relating to the location, use, construction, operation, or maintenance of manufactured housing.
- 22.1.8. Manufactured Home Subdivision — A tract of land of not less than ten (10) acres which has been final platted of record in its entirety in accordance with the subdivision regulations of the city for occupancy primarily by HUD-Code manufactured housing and industrialized housing.

- 22.1.9. Mobile Home — A structure constructed before June 15, 1976, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.
- 22.1.10. Motel, Motor Hotel, or Motor Lodge — A building or group of buildings designed for and occupied as a temporary dwelling place, providing four (4) or more room units for compensation, and where an office and register is maintained separately and apart from any of the rooms or units provided for the customers and where the operation is supervised by a person or persons in charge at all hours. A motel, motor hotel, or motor lodge may include restaurants, club rooms, banquet halls, ballrooms and meeting rooms as accessory uses.
- 22.1.11. Multiple Family Residence — Any building or portion thereof which is designed, built, rented, leased, or let to be occupied as three (3) or more dwelling units or apartments or which is occupied as a home or place of residence by three (3) or more families living in independent dwelling units.
- 22.1.12. Residence Hotel — A multi-dwelling unit extended stay lodging facility consisting of efficiency units or suites with a complete kitchen suitable for long term occupancy. Customary hotel services such as linen, maid service, telephone, and upkeep of furniture shall be provided. Meeting room, club house and recreational facilities intended for the use of residents and their guests are permitted. This definition shall not include other dwelling units as defined in this ordinance.
- 22.1.13. Retirement Housing — A development providing dwelling units specifically designed for the needs of ambulatory retired persons. The following subsidiary uses shall be permitted to provide on-site goods and services for residents and their guests, but are not intended for use by the general public:
- a) cafeteria and/or dining room
  - b) library
  - c) game room
  - d) swimming pool and/or Jacuzzi
  - e) exercise room
  - f) arts and crafts facilities
  - g) greenhouse
  - h) housekeeping service
  - i) transportation service
  - j) snack bar with a maximum of 350 square feet per 100 dwelling units
  - k) beauty/barber shop with a maximum of 250 square feet per 100 dwelling units or a maximum of 450 square feet per 100 dwelling units
  - l) convenience retail shop with maximum of 350 square feet per 100 dwelling units to provide for sale of food items, non-prescription drugs, small household items, and gifts.
- 22.1.14. Single Family Dwelling, Attached — A dwelling that is part of a structure containing three (3) or more dwellings, each designed and constructed for occupancy by one family, with each dwelling unit attached by a common wall to another with a minimum length of

attachment of twenty (20) feet, in which each dwelling is located on a separate platted lot.

- 22.1.15. Single Family Dwelling, Detached — A detached building designed exclusively for occupancy by one (1) family, excluding manufactured housing and modular homes.
- 22.1.16. Townhouse or Row Dwelling — One of a series of not less than three (3) nor more than ten (10) attached one (1) family dwellings under common roof with common exterior wall, and separated from one another by single partition walls without openings from basement to roof. No townhouse dwelling unit is to be constructed above another townhouse dwelling unit.
- 22.1.17. Reserved for future use.
- 22.1.19. Travel Trailer Park — Any tract of land under single ownership, ten (10) acres or more, where accommodation is provided for travel trailer use.
- 22.1.20. Two Family Dwelling — A building designed for occupancy by two (2) individuals or families living independently of each other within separate units which have a common wall and are under one (1) roof.

## 22.2 Educational, Institutional, and Special Uses

- 22.2.1. Child Care Center — An establishment where four (4) or more children are provided care, training, education, custody, treatment, or supervision for less than 24 hours a day. The term "child care center" shall not include overnight lodging, medical treatment, counseling, or rehabilitative services and does not apply to any school. (Also see Registered Family Home.)
- 22.2.2. Church, Rectory, or Place of Worship — A building for regular assembly for religious worship which is used primarily for such purpose and customary accessory activities including a place of residence for ministers, priests, rabbis, teachers, or directors on the premises. The place of residence may be a separate building.
- 22.2.3. Civic Center — A building or complex of buildings that houses municipal offices and services and which may include cultural, recreational, athletic, convention and/or entertainment facilities owned and/or operated by a governmental agency.
- 22.2.4. College or University — An institution established for educational purposes offering courses of study beyond the secondary education level, but excluding trade and commercial schools.
- 22.2.5. Community Center, Public — A building or buildings dedicated to social and/or recreational activities, serving the city or a neighborhood and owned and operated by the city or by a non-profit organization dedicated to promoting the health, safety, morals, or general welfare of the city.
- 22.2.6. Community Center, Private — A building or buildings dedicated to social and/or recreational activities serving residents of a subdivision or development which is operated by an association or incorporated group for their use and benefit; not to be a commercial, for profit, business.

- 22.2.7. Continuing Care Facility — A place as defined in the Texas Continuing Care Facility Disclosure and Rehabilitation Act in which a person provides board and lodging, together with personal care services and nursing services, medical services, or other health-related services, regardless of whether the services and lodging are provided at the same location, under an agreement that requires the payment of a fee and that is effective for the life of the individual or for a period of more than one (1) year, such individual or individuals being cared for not being related by consanguinity or affinity to the person providing the care. (Also see Household Care Facility and Household Care Institution and Personal Care Home.)
- 22.2.8. Country Club (Private) — Land and buildings customarily containing a golf course and a clubhouse and available only to specific private membership; such a club may contain adjunct facilities such as private club, dining room, swimming pool, tennis courts, and similar recreational or service facilities.
- 22.2.9. Reserved for future use.
- 22.2.10. Exhibition Area — An area or space either outside or within a building for the display of topic-specific goods or information.
- 22.2.11. Fairgrounds — An area where outdoor fairs, circuses or exhibitions are held.
- 22.2.12. Family Home — A community-based residential home operated by either the State of Texas, a non-profit corporation, a community center organized pursuant to State statute, or an entity which is certified by the State as a provider for a program for the mentally retarded. Family homes provide care for persons who have mental and/or physical impairments that substantially limit one or more major life activities. To qualify as a family home, a home must meet the following requirements:
- a. Not more than six (6) disabled persons and two (2) supervisory personnel may reside in a family home at the same time.
  - b. The home must provide food and shelter, personal guidance, care, rehabilitation services, or supervision.
  - c. All applicable licensing requirements must be met.
- 22.2.13. Farm, Ranch, or Orchard — An area of five (5) acres or more which is used for growing of usual farm products and/or raising of usual farm products and animals and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law. Farm, ranch, or orchard use shall not cause a hazard to health by reason of unsanitary conditions and shall not be offensive by reason of odors, dust, fumes, noise, or vibrations or be otherwise detrimental to the public welfare.
- 22.2.14. Fraternal Organization, Lodge, or Civic Club — An organized group having a restricted membership and specific purpose related to the welfare of the members.
- 22.2.15. Golf Course — An area of twenty (20) acres or more improved with trees, greens, fairways, hazards and which may include clubhouses.
- 22.2.16a. Greenhouse or Plant Nursery, Commercial — A place, often including artificially heated and/or cooled buildings, where trees or plants are raised and/or sold, including related

storage of equipment for landscape contracting.

- 22.2.16b. Greenhouse, Non-Commercial — A building, often artificially heated and/or cooled, used as a location for cultivating plants which are used by the grower and not sold as a commercial activity.
- 22.2.17. Hospital (Chronic Care); Long Term Health Care Facility — An institution providing in-patient health, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease and which is licensed by the State of Texas.
- 22.2.18. Hospital (Acute Care) — An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life and which is licensed by the State of Texas.
- 22.2.19. Household Care Facility — A dwelling unit which provides residence and care to not more than nine (9) persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial adversity; living together with not more than two supervisory personnel as a single housekeeping unit. (See also Household Care Institution, Personal Care Home and Continuing Care Facility.)
- 22.2.20. Household Care Institution — A facility which provides residence and care to ten (10) or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster or financial adversity, living together with supervisory personnel. (See also Household Care Facility, Personal Care Home] and Continuing Care Facility.)
- 22.2.21. Kennel — Any lot or premises on which four (4) or more dogs, cats or other domestic animals more than four (4) months of age are housed or accepted for boarding, breeding, training, selling, grooming and/or bathing for which remuneration is received.
- 22.2.22. Library — Any institution for the loan or display of books, tapes, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.
- 22.2.23. Museum or Art Gallery — An institution for the collection, display and distribution of objects of art or science and which is sponsored by a public or quasi-public agency and which facility is open to the general public.
- 22.2.24. Nursery School; Kindergarten — A child care facility offering a program four (4) hours or less per day for children who have passed their second birthday but who are under seven years old.
- 22.2.25. Nursing Home — See Rest Home or Nursing Home.
- 22.2.26. Park, Playground, or Recreation Center (Public) — An open recreation facility or park owned and operated by a public agency and available to the general public.
- 22.2.27. Park, Playground, or Recreation Center (Private) — A privately owned park, playground,

open space or building dedicated to recreational activities, maintained by a community club, property owner's association, or similar organization.

- 22.2.28. Personal Care Home (Custodial Care) — An owner-occupied, home-operated non-licensed facility for the elderly providing custodial care to not more than three (3) individuals not related to the provider of such care. Custodial care is that type of care which assists elderly persons who are incapable because of physical or mental limitations of performing routine daily activities and which do not require the continuing attention of trained medical or paramedical personnel. (Also see Continuing Care Facility.)
- 22.2.29. Reserved for future use.
- 22.2.30 Race Track — A facility used for the racing of motor-driven vehicles and/or animals.
- 22.2.31. Registered Family Home — A child care facility that regularly provides care in the caretaker's own residence for not more than six (6) children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six (6) additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own, does not exceed twelve (12) at any given time. (Also see Child Care Center.)
- 22.2.32. Rehabilitation Care Facility — A dwelling unit which provides residence and care to not more than nine (9) persons, regardless of legal relationship, who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or antisocial or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit.
- 22.2.33. Rehabilitation Care Institution — A facility which provides residence and care to ten (10) or more persons, regardless of legal relationship, who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or antisocial or criminal conduct together with supervisory personnel.
- 22.2.34. Rest Home or Nursing Home — A place of residence or care for persons suffering from infirmities of age or illness where care is provided on a prolonged or permanent basis. This term shall include a convalescent home.
- 22.2.35. School, Private (Primary or Secondary) — An institution of learning having a curriculum equivalent to public schools but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.
- 22.2.36. School, Public (Primary or Secondary) — An institution under the sponsorship of a public agency which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of Texas but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.
- 22.2.37. School, Trade or Commercial — Establishments, other than public or parochial schools, private primary and secondary schools or colleges, offering training or instruction in a trade, art, or occupation.
- 22.2.38a. Stable, Commercial — A structure housing horses which are boarded or rented to the

public or any stable other than a private stable, but not including a sale barn, auction or similar trading activity.

- 22.2.38b. Stable, Private — An accessory building set back from adjacent property lines a minimum distance of one hundred (100) feet and used for quartering horses, not to exceed one (1) horse per one and one half (1.5) acre area of a farm or lot.
- 22.2.39. Stadium or Playfield, Public — An athletic field or stadium owned and operated by a public agency for the general public including a baseball field, golf course, football field or stadium which may be lighted for nighttime play.
- 22.2.40. Swimming Pool, Commercial — A swimming pool with accessory facilities, not part of the municipal or public recreational system and not a private swim club, but where the facilities are available to the general public for a fee.
- 22.3. Transportation, Utility, and Communications Uses
- 22.3.1. Airport; Landing Field — A place where an aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers and/or freight.
- 22.3.2. Electrical Substation — A subsidiary station in which electric current is transformed.
- 22.3.3. Gas Metering Station — Facility at which natural gas flows are regulated and recorded.
- 22.3.4. Heliport or Heliatop — A landing facility for rotary wing aircraft which may include fueling or servicing facilities for such craft.
- 22.3.5. Public or Private Franchised Utility — A utility such as one distributing heat, chilled water, closed circuit television, or similar service and requiring a franchise to operate in the City of Tioga. Such utility usually requires special facilities in residential areas or on public property such as heating, cooling, or communications.
- 22.3.6. Radio, Television, or Microwave Communications Operations, Amateur — The transmission, retransmission, or reception of radio, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.
- 22.3.7. Radio, Television, or Microwave Communications Operations, Commercial — The transmission, retransmission, or reception of radio, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or financial gain.
- 22.3.8. Railroad Station — Any premises for the transient parking of trains and the loading and unloading of passengers.
- 22.3.9. Railroad Team Track and Right-Of-Way — A facility/place for the loading and unloading of materials on trains.
- 22.3.10. Railroad Track and Right-Of-Way — Includes track and undeveloped right-of-way, but does not include railroad stations, sidings, team tracks, loading facilities, dock yards, or

maintenance areas.

- 22.3.11. Service Yard of Governmental Agency — An area for the servicing and storage of vehicles or other property of a governmental agency.
  - 22.3.12. Shops, Office, and/or Storage Area of Public or Private Utility — The pole yard, maintenance yard, and/or administrative offices of a municipality or franchised utility.
  - 22.3.13. Solid Waste Transfer Station — A facility and/or premises at which solid waste is temporarily deposited prior to ultimate removal to a permanent solid waste storage site.
  - 22.3.14. Telephone Exchange — A switching or transmitting station owned by a public utility but not including business offices, storage, or repair shops or yards.
- 22.4. Automobile and Related Service Uses
- 22.4.1. Auto Laundry — See Car Wash.
  - 22.4.2. Auto Leasing — Storage and leasing of automobiles, motorcycles, and light load vehicles.
  - 22.4.3. Auto Parts Sales (Inside) — The use of any building or other premise for the display and sale of new or used parts for automobiles, panel trucks, vans, trailers, or recreational vehicles.
  - 22.4.4. Auto Parts Sales (Outside) — The use of any land area for the display and sale of new or used parts for automobiles, panel trucks vans, trailers, or recreation vehicles.
  - 22.4.5. Automobile Repair, Major — General repair or reconditioning of engines and air-conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under "automobile repair, minor"; and other similar uses.
  - 22.4.6. Automobile Repair, Minor — Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems, and other similar minor services for light load vehicles, but not including any operation named under "automobile repair, major" or any other similar use.
  - 22.4.7. Automobile and Trailer Sales, New — Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of primarily new automobiles, light trucks, and trailers, to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the automobiles and trailers to be displayed and sold on the premises, and no dismantling of automobiles or trailers for sale or keeping of used automobile and trailer parts or junk on the premises.
  - 22.4.8. Automobile and Trailer Sales, Used — Building(s) and associated open area other than a street or required automobile parking space used for the display and sale of used

automobiles, light trucks, or trailers in operating condition and where no repair work is done except the minor adjustments of the vehicles to be displayed or sold on the premises. A used car sales area shall not be used for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.

- 22.4.9. Automobile Service Station — A building or place arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, liquified petroleum gases, greases, batteries, and other automobile accessories at retail direct to the on-premise motor vehicle trade provided that the above services shall not be construed to include major overhaul, the removal and/or rebuilding of an engine, cylinder head, oil pan, transmission, differential, radiator, springs, or axles; steam cleaning, body or frame work, painting, upholstering and replacement of glass. If the dispensing or offering for sale of auto fuel at retail is incidental, the premises shall be classified as a public garage. Service stations shall not allow automobiles which are inoperative or are being repaired to remain outside such service station for a period greater than seven (7) days.
- 22.4.10. Auto Storage — The storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.
- 22.4.11. Automobile Wrecking Yard or Junk Yard — Any building, structure, or open area used for the dismantling or wrecking of any type of used vehicles or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts and accessories, including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition, including the commercial salvaging, storage, and scraping of any other goods, articles, or merchandise.
- 22.4.12. Bus Terminal — Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.
- 22.4.13. Car Wash — Facility or structure used to wash motorcycles, automobiles, and light load vehicles.
- 22.4.14. Parking Lot or Parking Garage, Automobile — Area for parking light load vehicles.
- 22.4.15. Parking Lot or Parking Garage, Truck — Area for parking heavy load vehicles.
- 22.4.16. Quick Oil Change Facility — A business engaging in the changing of oil, oil filters, and the chassis lubrication of motor vehicles. All new oil shall be dispensed from drums and all old oil shall be kept in sumps until removed by pumper trucks.
- 22.4.17. Quick Tune-up Facility — A business engaging in engine adjustment and minor part replacement for motor vehicles, limited to spark plugs, condensers, spark plug wires, distributor caps, distributor points, PCV valves, air cleaners, fan belts and radiator hoses. Such a facility shall not repair or replace carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.
- 22.4.18. Truck and Bus Leasing — The rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.
- 22.4.19. Truck and Bus Repair — An establishment providing major and minor automobile repair

services to heavy load vehicles.

- 22.4.20 Truck or Motor Freight Terminal — A building or area in which freight brought by motor truck is assembled and/or stored for shipping by motor truck.
- 22.4.21 Truck Sales — Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of primarily new heavy load vehicles (for definition, see Section 34.2.44), to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the vehicles to be displayed and sold on the premises, and no dismantling of vehicles for sale or keeping of used vehicle parts or junk on the premises.
- 22.4.22 Truck Stop -- Any premises where heavy load vehicles are serviced, repaired, and/or where maintenance on such vehicles is undertaken and which includes facilities for dispensing fuels and other petroleum products directly into motor vehicles. Such premises may include the incidental sale of accessories or equipment for heavy load vehicles and similar commercial vehicles, overnight lodging accommodations, and/or restaurant facilities.
- 22.5. Retail and Service Type Uses
- 22.5.1. Air Conditioning and Refrigeration Contractor — A place from which a person performs design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems, under terms and conditions described in the Texas Air Conditioning and Refrigeration Contractor License Law, Vernon's Ann.Civ.St., art. 8861.
- 22.5.2a. Amusement, Commercial (Indoor) — An establishment providing for activities, services and instruction for the entertainment, exercise and improvement of fitness and health of customers, clients or members but not including hospitals, clinics, massage parlors or arcades. Uses would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms and/or practice areas, gymnasiums and indoor running or jogging tracks.
- 22.5.2b. Amusement, Commercial (Outdoor) — An outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.
- 22.5.3. Antique Shop — A retail establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, with all sales and storage occurring inside a building.
- 22.5.4. Arcade — Any place to which the public is permitted or invited wherein six(6) or more coin-operated, slug or token operated or electronically, electrically, or mechanically controlled still or motion picture machines, projection or other image producing devices or skill machines are located.
- 22.5.5a. Bakery and Confectionery, Retail Sales — A place for preparing, cooking, baking and selling of products on the premises.
- 22.5.5b. Bakery and Confectionery, Commercial — A place for preparing, cooking or baking of

products primarily intended for off-premise distribution.

- 22.5.6. Bank, Savings and Loan, Credit Union — An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.
- 22.5.7a. Barber Shop — A place where barbering, as defined in Texas Barber Act, Vernon's Annotated Civil Statutes (Vernon's Ann.Civ.St.), art. 8407, is practiced, offered, or attempted to be practiced, except when such place is duly licensed as a barber school or college.
- 22.5.7b. Barber School or College — A place of training for practice of barbering, as defined in Texas Barber Act, Vernon's Ann.Civ.St., art. 8407, meeting standards established in Section 9 of said Texas Barber Act.
- 22.5.7c. Beauty Culture School; Cosmetology Specialty Shop — A specialized place of training, as defined in the Cosmetology Regulatory Act, Vernon's Ann.Civ.St., art. 8451.
- 22.5.7d. Beauty Shop — A place where cosmetology, as defined in the Cosmetology Regulatory Act, Vernon's Ann.Civ.St., art. 8451, is practiced.
- 22.5.8. Building Materials, Hardware Sales — The sale of new building materials and supplies indoors with related sales for hardware, carpet, plants, electrical and plumbing supplies all of which are oriented to the retail customer, rather than contractor or wholesale customer.
- 22.5.9. Business Service — Establishments primarily engaged in providing services not elsewhere classified to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.
- 22.5.10. Cabinet and Upholstering Shop — An establishment used for the production, display and sale of furniture and soft coverings for furniture.
- 22.5.11. Cleaning and Dyeing, Small Plant or Shop — A custom cleaning shop not exceeding five thousand (5,000) square feet of floor area or a pickup station. (Also see Cleaning and Dyeing; Dry Cleaning.)
- 22.5.12. Clinic, Medical or Dental — A facility or station designed and used for the examination and treatment of persons seeking medical care as outpatients who do not remain on the premises overnight.
- 22.5.13. Convenience Store — A retail establishment providing for the sale of food items, non-prescription drugs, small household items, and gifts. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than six (6) pumps are offered. Maximum size of the establishment will be no more than 2,500 square feet not including storage areas and administrative offices.
- 22.5.14. Custom Personal Service Shop — Includes such uses as tailor, shoe repair, barber/beauty shop, health studio, or travel consultant.
- 22.5.15. Discount, Variety, or Department Store — A retail store offering a wide variety of

merchandise in departments and exceeding 7,000 square feet of floor area.

- 22.5.16. Feed and Farm Supply Store — An establishment for the selling of food stuffs for animals and including implements and goods related to agricultural processes but not including farm machinery.
- 22.5.17. Flea Market — A site where space inside or outside a building is rented to vendors on a short-term basis for the sale of merchandise. The principal sales shall include new and used household goods, personal effects, tools, art work, small household appliances, and similar merchandise, objects or equipment in small quantities. The term flea market shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal services establishments, food services establishments, retail sales establishments, and auction establishments.
- 22.5.18. Florist — An establishment displaying plants, flowers, floral supplies, and similar items.
- 22.5.19. Food Store; Grocery Store — An establishment that displays and sells consumable goods that are not to be eaten on the premises.
- 22.5.20. Furniture and Appliance Repair or Storage: The storage, maintenance, or rehabilitation of appliances customarily used in the home including but not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, kitchen appliances, vacuum cleaners, and hair dryers.
- 22.5.21. Furniture, Appliance Store — Retail stores selling goods used for furnishing the home, including but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators and other household electrical and gas appliances.
- 22.5.22. Garden Center (Retail Sales) — Location including land and buildings at which plants, trees, shrubs, horticultural supplies, and similar items are displayed for sale to the general public. All such displays shall be located behind the front yard line established in the district in which the garden center is located.
- 22.5.23. General Merchandise Store — Retail stores which sell a number of lines of merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general stores, and other similar stores.
- 22.5.24. Laboratory, Scientific or Research — Facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.
- 22.5.25. Laundry and Cleaning, Self-Service — An establishment including facilities for laundering and cleaning of clothing and similar items to be operated by the patron; not a commercial laundry or cleaning plant.
- 22.5.26
- 22.5.26a. Metal Dealer, Secondhand — A place of business in which a person purchases, gathers, collects, solicits or procures scrap metal or where scrap metal is gathered together or kept for shipment, sale, or transfer, under terms and conditions found in Vernon's Ann.Civ.St.,

art. 9009. (Also see Junk or Salvage Yard.)

- 22.5.26b. Metal Dealer, Crafted Precious — A place of business in which a person engages in the business of purchasing and selling crafted precious metals, including jewelry, silverware, art objects, or any other thing or object made in whole or in part from gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or their alloys, excluding coins and commemorative medallions, under terms and conditions found in Vernon's Ann.Civ.St., art. 9009a.
- 22.5.27. Reserved for future use.
- 22.5.28. Office Center — A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.
- 22.5.29. Office, Professional or General Administrative — A room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations, and association but excluding medical offices.
- 22.5.30. Office - Showroom/Warehouse — An establishment with a minimum of seventy-five percent (75%) of its total floor area devoted to storage and warehousing not accessible to the public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.
- 22.5.31. Pawn Shop — An establishment where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker).
- 22.5.32. Personal Service Shop — An establishment primarily engaged in providing services generally involving the care of the person or his apparel including but not limited to barber and beauty shops, dry cleaning and laundry pick-up stations and reducing salons/health clubs.
- 22.5.33. Pet Shop — A retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.
- 22.5.34. Plumbing, Heating, Refrigeration, or Air Conditioning Business — An establishment primarily engaged in the sales, service, or installation of equipment pertaining to plumbing, heating, refrigeration, or air conditioning. (Also see Air Conditioning and Refrigeration Contractor.)
- 22.5.35. Plumbing Service — The operation of a business which involves only retail sales and off-premises service, installation, and repair of units and fixtures. The premises shall not include a workshop for repair or fabrication of parts, fixtures, or units. Sheet metal work of any type shall not be permitted. Storage shall be permitted for units and supplies incidental to retail sales, off-premises service and repair only. No outside storage shall be permitted. This section shall not be interpreted to allow a plumbing, heating, refrigeration, or air conditioning contractor or similar type wholesale operation.

- 22.5.36. Portable Building Sales — An establishment which displays and sells structures which are capable of being carried and transported to another location, not including mobile homes or manufactured housing.
- 22.5.37. Post Office, Government or Private — Local branch of the United States Postal Service or private commercial venture engaged in the distribution of mail and incidental services.
- 22.5.38. Print Shop — An establishment which reproduces printed or photographic impressions including but not limited to the process of composition, binding, platemaking, microform, type casting, presswork, and printmaking.
- 22.5.39. Racquetball Facilities — Courts housed in an acoustically-treated building and designed for one (1) to four (4) persons to play racquetball, plus subsidiary uses to include office, pro shops, locker rooms, sauna, exercise rooms, waiting area, child nursery, and related uses up to a maximum of forty percent (40%) of the total floor area.
- 22.5.40a. Restaurant or Cafeteria, With Drive-In or Drive-Through Service — An eating establishment where service is primarily to customers at tables and not providing facilities for the consumption of food in automobiles on or near the restaurant premises but providing service to persons in cars.
- 22.5.40b. Restaurant or Cafeteria, Without Drive-In or Drive-Through Service — An eating establishment where service is primarily to customers at tables and not providing facilities for the consumption of food in automobiles on or near the restaurant premises.
- 22.5.40c. Restaurant, With Drive-In Service — An eating establishment where food or drink is primarily served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.
- 22.5.40d. Restaurant, With Drive-Through Service — An eating establishment which serves food only to persons in cars and which does not provide facilities for the consumption of food in automobiles on or near the restaurant premises.
- 22.5.41. Retail Stores and Shops — Establishments offering all types of consumer goods for sale, not elsewhere classified, but excluding the display and sale in the open outside a building of new or used automobiles, heavy machinery, building materials, used appliances, furniture, or salvage materials.
- 22.5.42. Second Hand Store, Furniture or Clothing — An establishment offering for sale used merchandise, with the storage and display of such items wholly contained inside a building or structure.
- 22.5.43. Service, Retail — an “specified anatomical area” An establishment engaged in the selling and/or servicing of goods where a minimum of eighty percent (80%) of the floor area is devoted to service, repair or fabrication of such goods. The service area must not be accessible to the general public. Automotive uses and rental stores are specifically excluded.
- 22.5.44. Shopping Center — A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking

provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

- 22.5.45. Theater (Outdoor) — An open lot with its appurtenant facilities devoted primarily to the showing of motion picture or theatrical productions on a paid admission basis to patrons seated in automobiles.
- 22.5.46. Trailer, Manufactured Housing, or Mobile Home Display and Sales — The offering for sale, storage, or display of trailers, manufactured housing, or mobile homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.
- 22.5.47. Trailer Rental — The display and offering for rent of trailers designed to be towed by passenger cars or other prime movers.
- 22.5.48. Washateria — A building or place where clothes and linens are washed and thoroughly dried by the use of not exceeding three (3) employees and four (4) automatic single family machines and where the operation of washing and/or drying and/or mangle machines is done exclusively by the customer on a self-service basis, and where the fuel and power for the heating of water and drying shall be smokeless and odorless. (See Laundry and Cleaning, Self-Service.)
- 22.6. Manufacturing, Storage, and Warehousing Uses
- 22.6.1. Bottling Works — A manufacturing facility designed to place a product into a bottle for distribution.
- 22.6.2. Cleaning and Dyeing; Dry Cleaning Plant — An industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents. (Also see Cleaning and Dyeing, Small Plant or Shop, Section 23.5.11.)
- 22.6.3. General Commercial Plant — An establishment other than a personal service shop for the treatment and/or processing of products as a service on a for-profit basis including but not limited to newspaper printing, laundry plant, or cleaning and dyeing plant.
- 22.6.4. General Manufacturing — Manufacturing of finished products and component products or parts from the transformation, treatment, or processing of materials or substances, including basic industrial processing. Such operations must meet the performance standards, bulk controls, and other requirements in this ordinance.
- 22.6.5. Industrial Park — A large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.
- 22.6.6. Junk or Salvage Yard — A lot upon which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes an automobile wrecking yard and automobile parts yard. A "junk yard" does not include such uses conducted entirely within an enclosed building. (Also see Metal Dealer, Secondhand,.)

- 22.6.7. Light Manufacturing — Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.
- 22.6.8. Self-Storage, Mini-Warehouse — A facility used for storage of goods and/or materials with separate access to individual storage units by persons renting the individual units.
- 22.6.9. Storage or Wholesale Warehouse, Light — A building used primarily for the storage of goods and materials, containing less than 5,000 square feet of floor space.
- 22.6.10. Storage or Wholesale Warehouse, Heavy — A building used primarily for the storage of goods and materials, containing more than 5,000 square feet of floor space.
- 22.7. Accessory Uses
- 22.7.1. Accessory Building or Use — An accessory building or use is one which: (a) is subordinate to and serves a principal building or principal use; and (b) is subordinate in area, extent, or purpose to the principal building or principal use served; and (c) contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and (d) is located on the same building lot as the principal use served.
- 22.7.2. Carport — A structure open on a minimum of three (3) sides designed or used to shelter vehicles, not to exceed twenty-four (24) feet on its longest dimension.
- 22.7.3. Construction Yard (Temporary) — A storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at completion of construction and subject to same restrictions as Field Office. (Also see Section 24.2.)
- 22.7.4. Field or Sales Office (Temporary) — A building or structure, of either permanent or temporary construction, used in connection with a development or construction project for display purposes or for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project. Permits for "temporary buildings" shall be issued for a period of time not to exceed eighteen (18) months. Extensions may be granted only by the City Council. Upon due notice and hearing by and before the City Council, any such permits granted may be revoked if the City Council finds the use of the building or structure is contrary to the intent of this section or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard. (Also see Section 23.7.3 above.)
- 22.7.5. Customary Home Occupation — An occupation, profession, domestic craft, or economic enterprise which is customarily conducted in a "residential dwelling" as hereinafter defined, subject to compliance with each of the following conditions:
- a) "Residential dwelling" shall mean a detached building designed, used and occupied exclusively by members of one (1) family as a residence.

- b) No person other than members of a family who reside in the residential dwelling shall be engaged in such occupation, profession, domestic craft or economic enterprise.
- c) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such occupation, profession, domestic craft, or economic enterprise shall never exceed twenty-five percent (25%) of the total of the floor area of the residential dwelling.
- d) Not more than one (1) non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than one (1) square foot in area and shall be mounted on the building in which the home occupation is being conducted.
- e) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.
- f) No exterior storage of material, equipment, and/or supplies used in conjunction with such occupation, profession, domestic craft, or enterprise shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.
- g) No offensive noise, vibration, smoke, dust, odors, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.
- h) The occupation, profession, domestic craft, or enterprise shall be conducted wholly within the residential dwelling and no accessory building shall be used in conjunction therewith.
- i) No stock, goods, wares, or merchandise shall be sold or kept for sale on the premises.
- j) The only equipment to be used in such occupation, profession, domestic craft, or enterprise shall be that which is ordinarily used in a private home in a like amount and kind.
- k) A home occupation shall not generate such additional traffic as to create a traffic hazard or disturbance to nearby residents.

22.7.6. Garage, Private — A detached accessory building or portion of the main building for the parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

## **SECTION 23      SPECIAL USES**

### **23.1. Child Care Centers**

- 23.1.1. No portion of a child care center site may be located within three hundred (300) feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive or highly combustible materials.
- 23.1.2. Site plan approval by the Planning and Zoning Commission shall be required for all child care center sites, whether or not a Specific Use Permit is required.

23.1.3. Child care centers located within any single family or two family residential district shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum district requirements and must be platted in a configuration which can be converted into standard lots for residential development.

23.1.4. All child care centers shall comply with the following standards:

23.1.4.1. All vehicular entrances and exits shall be clearly visible from the street.

23.1.4.2. All passenger loading and unloading areas shall be located so as to avoid safety hazards from vehicular traffic and adequate walkways shall be provided.

23.1.4.3. Outdoor play areas shall be provided at a rate of 65 square feet per child based on maximum design capacity of the center. This requirement may be waived by the Planning and Zoning Commission if the child care is provided for less than four (4) hours per day for an individual person.

23.1.4.4. In residential districts, a maximum of one-half of the required outdoor play space may be provided off-site. When off-premises outdoor play area is utilized, it must be located within one hundred (100) feet of the child care facility premises and safely accessible without crossing, at-grade, any major or secondary thoroughfare.

23.1.4.5. No child care center shall be part of a one family or two family dwelling.

23.2. Construction Yards, Field Offices, and Other Temporary Buildings

Temporary permits for construction yards and field offices and special use permits or variances regulating temporary buildings shall be issued for a period of time not to exceed eighteen (18) months. Extensions may be granted by the City Council. Upon due notice and hearing before the City Council, any such permit may be revoked if the City Council finds the use of the building or structure is contrary to the intent of this ordinance or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard.

23.3. Radio, Television, and Microwave Towers

23.3.1. No commercial radio, television, or microwave tower shall be located within a distance equal to at least the height of such tower from any residential structure or from any area zoned residential, or shown as residential on the current Comprehensive Plan. Such distance shall be measured as the shortest possible distance in a straight line from the closest point of the tower to the closest point of such area or residence.

23.3.2. No commercial radio, television, or microwave reflector antenna support structure shall be closer to any residential district boundary line or any area shown as residential on the current Comprehensive Plan than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the structure above two (2) stories. Such distance shall be measured as the shortest possible distance in a straight line from the structure to the closest point of such area or residence.

23.3.3. The location of commercial radio, television, or microwave reflectors, antennas, or support

structures and associated foundations and any support structures and associated foundations and any support wires shall be prohibited within any required front or side yard.

23.3.4. All commercial communication operations or radio, television, or microwave reflectors, antennas, or structures shall be prohibited in residential districts.

23.3.5. All commercial signs, flags, lights and attachments other than those required for communications operations, structural stability, or as required for flight visibility by the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) shall be prohibited.

23.4. Residence Hotels

Residence hotels shall be designed to allow for their potential conversion to multifamily residences and as such shall comply with all minimum standards set forth in Section 15. Residence hotels constructed in the MF district shall comply with the MF district requirements. Open space shall be provided in sufficient quantity and locations to allow for required additional parking should the residence hotel convert to multifamily residences.

23.6. Multifamily Residence

23.6.1. Courts: Where an apartment building is erected so as to create inner courts, the faces of all opposite walls in such courts shall be a minimum distance of thirty (30) feet apart and no balcony or canopy shall extend into such court area for a distance greater than five (5) feet.

23.6.2. Usable Open Space: Each lot or parcel of land which is used for multiple-family residences shall provide on the same lot or parcel of land usable open space (as defined in Section 34.2.101), in accordance with the table below:

USABLE OPEN SPACE REQUIREMENT

Number of Bedrooms  
or Sleeping Rooms

---

1 or Less

600 Sq. Ft.

Each Additional  
Bedroom Over 1

---

300 Sq. Ft.

In those instances where a parcel of land has been zoned for multifamily use with a Specific Use Permit or Planned Development classification and the permitted densities do not conform exactly with those permitted in the R-2 District, usable open space shall be provided in accordance with that required for the multifamily zoning district which most closely approximates the density permitted under the SUP or PD.

In meeting this requirement, a credit of three (3) square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within ten (10) feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings. Tennis courts are specifically excluded from this increased credit

allowance. At the time of site plan approval, the Planning and Zoning Commission and/or City Council may allow a credit not to exceed ten percent (10%) of the total required usable open space for adjacent and immediately accessible public parks. The combined credit for areas calculated at a three-to-one basis and for public parks shall not exceed fifty percent (50%) of the total usable open space for an individual lot or parcel of land.

At the time of site plan approval, the City Council may give full or partial credit for open areas that exceed the maximum slope, if it is determined that such areas are environmentally significant and that their preservation would enhance the development.

23.7. Service Stations

Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the front property line. An unenclosed canopy for a gasoline filling station may extend beyond the front building line but shall not be closer than ten (10) feet to the property line.

23.8. Swimming Pools

It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly, or commercially owned or operated.

23.8.1. No in-ground swimming pool or above-ground swimming pool that holds more than 2,500 gallons of water shall be constructed or used until a swimming pool building permit has been issued therefore. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and State health department regulations.

23.8.1.5 Above-ground swimming pools that hold 2,500 gallons of water or less and have no permanent electric or plumbing connections do not require a permit.

23.8.2. A swimming pool may be constructed and operated when:

23.8.2.1. the pool is not located in any required front or side yard abutting a street;

23.8.2.2. a wall or fence, not less than six (6) feet in height, with self-enclosing and self-latching gates at all entrances, completely encloses either the pool area or the surrounding yard area;

23.8.2.3. all lighting of the pool is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible from adjacent properties;

23.8.2.4. no broadcasting system is used for the purpose of advertising the operation of the pool or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the pool and the safety of swimmers; and

23.8.2.5. the swimming pool is no closer than eight (8) feet from any property line.

23.9. Fences

23.9.1. No fence or hedge shall exceed three feet (3') height in the required front yard in any district.

23.9.2. No fence shall exceed eight feet (8') in height.

23.9.3. Fences shall be constructed of customary urban fencing materials and shall be aesthetically consistent with buildings and fences in the area.

23.9.4 No fence, screen, wall or other visual barrier shall be located or placed so that it obstructs the vision of a motor vehicle driver approaching any street, alley, or drive intersection. At all street intersections clear vision shall be maintained across the lot for a distance of fifteen (15) feet back from the property corner along both streets.

23.9.5 No fence, screen, wall, hedge or other barrier can cover or obstruct access to a water meter.

**SECTION 24**      **SPECIFIC USE PERMIT**

24.1. General Provisions

24.1.1. As permitted under the provisions of this ordinance, a property owner or the person he designates in writing may petition the City for a specific use of property, as authorized by the zoning district in which the property is located. Such petition shall be considered by the Planning and Zoning Commission. After proper notice and a public hearing, the Planning and Zoning Commission shall make a recommendation to the City Council regarding any application for a Specific Use Permit. The Planning and Zoning Commission may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.

24.1.2. An application for a Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale and showing the general arrangements of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and locations of buildings; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; drainage and flood prevention, visual screening such as walls, landscaping, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred (200) feet.

24.1.3. After proper notice and a public hearing, the City Council may grant a permit for a specific use of property as authorized by the zoning district in which the property is situated. The City Council may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.

24.2. Specific Use Permit Regulations

24.2.1. In recommending that a specific use permit for the premises under consideration be granted,

the Planning and Zoning Commission shall determine that such use or uses are harmonious and adaptable to building structures and uses of adjacent 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 access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.

- 24.2.2. The City Council shall authorize issuance of a Specific Use Permit only after determining that the proposed use or uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration.
- 24.2.3. The City Council shall authorize issuance of a Specific Use Permit only after determining that adequate provisions have been made for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.
- 24.2.4. 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 permit, as attached to the site plan drawing (or drawings) and approved by the City Council. No public hearing is necessary for site plan approval.
- 24.2.5. Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restrictions which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law, drainage or flood control or regulation.
- 24.2.6. When the City Council authorizes granting of a Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses.

## **SECTION 25**      **OFF-STREET PARKING AND LOADING REQUIREMENTS**

### 25.1 Purpose

To secure safety from fire, panic and other dangers; to lessen congestion in the streets; to facilitate the adequate provisions 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.

### 25.2. Special Off-Street Parking Provisions - Residential Districts

- 25.2.1. Required off-street parking shall be provided on the same site as the use it serves.
- 25.2.2. No parking shall be allowed except on a No. 2 base rock or higher quality surface or a paved concrete or asphalt parking space surface.

### 25.3. Size of Space

- 25.3.1. Each standard off-street surface parking space shall measure not less than nine (9) feet by twenty (20) feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way, or adjacent property, the length of the standard space may be reduced to eighteen (18) feet.
- 25.3.2. Each small car off-street parking space shall measure not less than eight and one-half (8.5) feet by sixteen (16) feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way or adjacent property, the length of the small car space may be reduced to fifteen (15) feet. All small car parking spaces shall be grouped and located in specific areas so as not to be scattered throughout a parking lot.
- 25.3.3. A maximum of fifty percent (50%) of the required parking for a general office or light manufacturing plant may be permitted as small car spaces upon approval of a site plan but only when both of the following conditions are met:
  - 25.3.3.a. Signage will identify the small car spaces; and
  - 25.3.3.b. The entire grounds and building served by the small car spaces are occupied and controlled by one tenant who shall be responsible for policing the use of the small car spaces.
- 25.3.4. Each parking space (on-street or off-street) designed for parallel parking shall have a minimum dimension of eight (8) feet by twenty-two (22) feet.
- 25.3.5. Each standard parking space located in a parking garage shall measure not less than nine (9) feet by eighteen (18) feet, exclusive of access drives or aisles.

### 25.4. Parking Area Standards

- 25.4.1. To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties. For safety and fire-fighting purposes, free access through to adjacent parking areas shall be provided where practical.
- 25.4.2. Except for single family and duplex uses, parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Nonpermanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

### 25.5. Off-Street Parking Incidental to Main Use

Off-street parking shall be provided in accordance with the requirements specified by this ordinance and located on the lot or tract occupied by the main use or in accordance with Section 25.9 and located within the same zoning district as the main use.

25.6. Schedule of Parking Requirements Based on Use

Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated. [Where a calculation results in requiring a fractional space, one additional space shall be required.]

- 25.6.1. Bank, savings and loan or similar financial establishment:  
One (1) space for each two hundred (200) square feet of total floor area.
- 25.6.2. Business or professional office, studio, medical or dental clinic:  
Three (3) parking spaces plus one (1) additional parking space for each two hundred (200) square feet of floor area over five hundred (500) feet.
- 25.6.3. Church or other place of worship:  
One (1) parking space for each four (4) seats in the main auditorium.
- 25.6.4. Clinic of doctor's or dentist's office:  
One (1) space for each two hundred (200) square feet of total floor area.
- 25.6.5. Community center, library, museum or art gallery:  
Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (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 (1) space for each four (4) seats that it contains.
- 25.6.6. College or university:  
One (1) space for each two (2) students, plus one (1) space for each classroom, laboratory or instruction area.
- 25.6.7. Commercial amusement (indoor):
  - 25.6.7.a. Bowling Alley - 6 spaces for each lane;
  - 25.6.7.b. Racquetball or handball courts - 4 spaces for each court;
  - 25.6.7.c. Indoor tennis courts - 6 spaces for each court;
  - 25.6.7.d. Gymnasium, skating rinks, and martial arts schools or areas - 1 space for each 3 seats at maximum seating capacity, plus 1 space for each two hundred (200) square feet;
  - 25.6.7.e. Swimming Pool - 1 space for each one hundred (100) square feet of gross water surface and deck area;
  - 25.6.7.f. Weight lifting or exercise areas - 1 space for each one hundred (100) square feet;
  - 25.6.7.g. Bingo Parlors - 1 space for 3 seats (design capacity) or 1 per one hundred (100) square feet of total floor area, whichever is greater;
  - 25.6.7.h. Indoor jogging or running tracks - 1 space for each one hundred (100) linear feet;
  - 25.6.7.i. All areas for subsidiary uses not listed above or in other parts of Section 25:6 (those

noted uses such as restaurants, offices, etc., shall be calculated with the minimum specified for those individual uses) - 1 space for each one thousand (1,000) square feet.

- 25.6.7.j. Other - 1 space for each three (3) persons accommodated (design capacity).
- 25.6.8. Dance hall, assembly or exhibition hall (without fixed seats):  
One (1) parking space for each one hundred (100) square feet of floor area used thereof.
- 25.6.9. Day nursery, day care, kindergarten school:  
One (1) space per ten (10) pupils/clients (design capacity).
- 25.6.10. Dwellings, single-family attached or detached:  
Two (2) parking spaces for each dwelling unit.
- 25.6.11. Dwellings, multifamily:  
One (1) parking space for each dwelling unit plus one-half (.5) space for each individual bedroom in all dwelling units.
- 25.6.12. Flea market:  
One and one-half (1.5) spaces for each two hundred (200) square feet of floor area or market area.
- 25.6.13. Fraternity, sorority or dormitory:  
One (1) parking space for each two (2) beds.
- 25.6.14. Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service:  
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) square feet.
- 25.6.15. Gasoline service station:  
Minimum of five (5) spaces.
- 25.6.16. Golf course:  
Minimum of thirty (30) spaces.
- 25.6.17. Health care facility:  
One (1) space for each four (4) rooms or beds, whichever is greater.
- 25.6.18. Hospital:  
One (1) space for each two (2) beds.
- 25.6.19. Hotel or motel:  
One (1) parking space for each sleeping room, unit, or guest accommodation plus one (1) space for each three hundred (300) square feet of commercial floor area contained therein.
- 25.6.20. Lodge, or fraternal organization:  
One and one-fourth (1.25) spaces per two hundred (200) square feet.
- 25.6.21. Manufacturing, processing or repairing:  
One (1) parking space for each two (2) employees on the maximum working shift, plus

space to accommodate all vehicles used in connection therewith, but not less than one (1) parking space for each 1,000 square feet of floor area, whichever is greater.

- 25.6.22. Massage establishment:  
One (1) space for each two hundred (200) square feet of floor area.
- 25.6.23. Mini-warehouse:  
Four (4) spaces per complex plus one (1) space per five thousand (5,000) square feet of storage area.
- 25.6.24. Mortuary or funeral home:  
One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors, or individual funeral service rooms.
- 25.6.25. Motor vehicle salesrooms 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 outdoor uses.
- 25.6.26. Office, general:  
One (1) space for each three hundred (300) square feet of total floor area.
- 25.6.27. Office, medical:  
One (1) space for each one hundred seventy-five (175) square feet of floor area.
- 25.6.28. Office - showroom or office - warehouse:  
One (1) space for each one thousand (1,000) square feet of floor area for storage and warehousing, plus one (1) space for each one hundred (100) square feet of office, sales or display area.
- 25.6.29. Private club:
- 25.6.29.1. If free standing or located in a shopping center of 150,000 square feet or less, one (1) space for each ten (10) square feet of bar, lounge and waiting areas, plus one (1) space for each one hundred (100) square feet of remaining floor area.
- 25.6.29.b. If located in a shopping center of greater than 150,000 square feet, one (1) space for each one hundred (100) square feet of gross floor area.
- 25.6.30. Private country club or golf club:  
One (1) parking space for each two hundred fifty (250) square feet of floor area or for every five (5) members, whichever is greater.
- 25.6.31. Recreational area or building (other than listed):  
One (1) space for each two (2) persons to be normally accommodated in the establishment.
- 25.6.32. Restaurant, cafeteria, cafe or similar establishment:  
One (1) parking space for every one hundred (100) square feet of floor area.
- 25.6.33. Retail store or personal service establishment, except as otherwise specified herein:  
One (1) parking space for each two hundred (200) square feet of floor area.

- 25.6.34. Sanitarium, convalescent home, home for the aged or similar institutions:  
One (1) parking space for each six (6) beds.
- 25.6.35. School, elementary and middle:  
One (1) parking space for each five (5) seats in the auditorium or main assembly room, or one (1) space for each classroom plus ten (10) spaces, whichever is greater.
- 25.6.36. 26.6.36.
- 25.6.37. Shopping center:  
One (1) space for each two hundred (200) square feet of floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds ten percent (10%) of the shopping center floor area, shall require additional parking to be provided in accordance with the requirements for restaurants.
- 25.6.38. Storage or warehousing:  
One (1) space for each two (2) employees, or one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater.
- 25.6.39. Theater, auditorium (except school), meeting room, sports arena, stadium, gymnasium, or other places of public assembly:  
One (1) parking space for each four (4) seats or bench seating spaces.
- 25.6.40. Vehicle repair garage:  
Three (3) spaces per service bay, plus one (1) space per employee (maximum shift), plus one (1) space per tow truck or other service vehicle.

25.7. Off-Street Parking Requirements for Uses Not Listed

For those uses which are not matched with a parking requirement in 25.6, the following standards shall apply:

<u>General Use Category</u>	<u>Parking Space Requirements</u>
a. Educational, Institutional, & Special Uses	One space per employee
b. Transportation, Utility & Communications Uses	One space per employee plus one space per stored vehicle
c. Accessory & Incidental Uses	One space per employee
d. Office & Professional Uses	One space per 300 square feet of gross floor area
e. Automobile & Related Uses	One space per employee plus one space per stored vehicle
f. Retail Uses	One space per 200 square feet of gross floor area
g. Service Uses	One space per 200 square feet of gross floor area

