CITY OF HALLETTSVILLE

NOTICE OF MEETING

PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 28, 2026 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL
101 NORTH MAIN STREET
HALLETTSVILLE, TEXAS 77964

AGENDA

1) Call to Order and Announcement of Quorum
2) Public Comment Period
3) Discuss and approving the meeting minutes from the September 23, 2026 Planning & Zoning Meetings.
4) Public Hearing, discussion, and possible action on an ordinance adopting and enacting the City of Hallettsville Zoning Ordinance, adopting the Official Zoning Map, establishing zoning districts, regulations, and procedures for the administration and enforcement thereof.
5) Announcements
6) Adjournment

PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 CONSULTATION WITH ATTORNEY TO DISCUSS ANY OF THE MATTERS LISTED ABOVE.

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICE SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT OR BRAILLE, ARE REQUESTED TO CONTACT GRACE WARD AT (361) 798-3681 TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Posted by:

Grace Ward, City Administrator/Secretary

Posted on October 16, 2026 at 5:00 P.M.

COMMISSION INFORMATION
WEDNESDAY, OCTOBER 28, 2026
PLANNING AND ZONING COMMISSION MEETING

3) Discuss and approving the meeting minutes from the September 23, 2026 Planning & Zoning Meetings.
Meeting minutes are included in your packet.

4) Public Hearing, discussion, and possible action on an ordinance adopting and enacting the City of Hallettsville Zoning Ordinance, adopting the Official Zoning Map, establishing zoning districts, regulations, and procedures for the administration and enforcement thereof.
Ordinance language, Permitted Use Chart, and Zoning Map are included in your packet.

PLANNING & ZONING MEETING 5:30 PM WEDNESDAY SEPTEMBER 23, 2026
CITY COUNCIL CHAMBERS 101 N. MAIN ST.
HALLETTSVILLE, TX 77964

MEMBERS PRESENT:	Wayne Freytag, Sandra Holy, Ronnie DeLaRosa, Elrose Kalisek, Jared Krischke, Debbie Fischbeck
MEMBERS ABSENT:	None
ALT. MEMBERS PRESENT:	None
ALT. MEMBERS ABSENT:	None
STAFF PRESENT:	Grace Ward, Tammy Bell
GUEST PRESENT:	Kate Thompson, Amanda Padilla, Mieko Mahi

Chairman Wayne Freytag called the meeting to order at 5:30 PM

AGENDA ITEM 2) Public Comment Period
DISCUSSION: None

AGENDA ITEM 3) Discuss and consider approving the meeting minutes from the August 26, 2026, Planning & Zoning Meetings.
DISCUSSION: None.
MOTION: Commissioner Kalisek motioned to approve the meeting minutes from the August 26, 2026 Planning & Zoning Meetings, and Commissioner Krischke seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

AGENDA ITEM 4) Discuss and consider any recommendation to City Council on Preliminary Appelt Subdivision Plat for property generally located at 101 N Rogers Street.
DISCUSSION: Ward gave the Staff Report.
MOTION: Commissioner Holy motioned to approve the recommendation to City Council on Preliminary Appelt Subdivision Plat for property generally located at 101 N Rogers Street, and Commissioner Krischke seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

AGENDA ITEM 5) Discuss and consider any recommendation to City Council on Final Appelt Subdivision Plat for property generally located at 101 N Rogers Street.
DISCUSSION: Ward gave the Staff Report.
MOTION: Commissioner Holy motioned to approve the recommendation to City Council on Final Appelt Subdivision Plat for property generally located at 101 N Rogers Street, and Commissioner Krischke seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

AGENDA ITEM 6) Discuss and consider any recommendation to City Council on Preliminary Jansky Subdivision Plat for property generally located at 111 W Rogers Street.
DISCUSSION: Ward gave the Staff Report.
MOTION: Commissioner Kalisek motioned to approve the recommendation to City Council on Preliminary Jansky Subdivision Plat for property generally located at 111 W Rogers Street., and Commissioner Fishbeck seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

AGENDA ITEM 7) Discuss and consider any recommendation to City Council on Final Jansky Subdivision Plat for property generally located at 111 W Rogers Street.
DISCUSSION: None
MOTION: Commissioner Kalisek motioned to approve the recommendation to City Council on a Final Jansky Subdivision Plat for property generally located at 111 Crockett Street, and Commissioner Krischke seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

AGENDA ITEM 8) Discuss an ordinance adopting and enacting the City of Hallettsville Zoning Ordinance, adopting the Official Zoning Map, establishing zoning districts, regulations, and procedures for the administration and enforcement thereof.
DISCUSSION: City Planner Amanda Padilla presented the code, permitted use chart, and zoning map. The commissioners reviewed the code, permitted use chart, and zoning map. They recommended substantial changes to the code, and redefined the Downtown District.
Mieko Mahi raised her hand and asked for permission to speak. Chairman Freytag granted her request. She asked if they would consider making Hallettsville a Night Sky Community. Planner Padilla briefly explained what that was to the Commission and what the designation would grant them for light regulation. Mahi asked if they would vote on that, Ward interjected that it was not part of the agenda so they cannot.

AGENDA ITEM 9) Announcements
DISCUSSION: None

AGENDA ITEM 10): Adjournment
DISCUSSION: None
MOTION: Commissioner Krischke made a motion to adjourn the meeting and Commissioner Kalisek seconded the motion.
Chairman Freytag called for a vote.
AYE 6
NAY 0

There being no other business, Commissioner Freytag adjourned the meeting at 6:57 P.M.

_____
Chairman
Wayne Freytag

_____
City Secretary
Grace Ward

Zoning Ordinance
City of Hallettsville, Texas

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Subchapter 1. General

Sec. 12.301. Short title

A. This ordinance shall be known and may be cited as "The Zoning Ordinance of the City of Hallettsville, Texas" or the "Hallettsville Zoning Ordinance."

Sec. 12.302. Authority and applicability

A. This Chapter is adopted under the authority of the Constitution and laws of the State of Texas, including but not limited to Chapters 211 and 212 of the Texas Local Government Code.

B. This Chapter shall apply to all land, buildings, structures, and uses located within the corporate boundaries of the City of Hallettsville, unless otherwise provided under the terms of this Chapter.

1. No building or structure shall be erected and no existing building or structure shall be moved, altered, expanded, or extended, nor shall any land, building, or structure be used, designated to be used, or intended to be used for any purpose or in any manner other than as provided for in the regulations for the zoning district in which such land, building, or structure is located.
2. No lot that did not exist on the effective date of this Chapter shall be created, by subdivision or otherwise, that does not conform to the applicable regulations of this Chapter and other regulations of the City of Hallettsville, except as expressly exempted.

C. Annexation. A request for annexation must be accompanied by an application for zoning classification that will be considered concurrently with the annexation under the same process and procedures for a zoning map amendment. The final decision by the City Council on the rezoning must occur after the decision on the annexation, but may be at the same meeting.

D. To the extent allowed by law, this Chapter shall apply to all land, buildings, structures, and uses owned and/or controlled by any municipal, county, state, or federal government agencies within the City. Where the provisions of this Chapter do not legally control such land, buildings, structures, and uses, such agencies are encouraged to meet the provisions of this Chapter.

Sec. 12.303. Purpose and intent

A. It is the purpose of this ordinance to promote the public health, safety, and welfare of residents, visitors, and property owners of the City of Hallettsville. More specifically, this ordinance is intended to:

1. Provide for the division of the City into districts, within which regulations are generally consistent.

2. Promote the beneficial and appropriate development of land in accordance with a well-considered plan.
3. Protect the character and the established pattern of desirable development in each district, including the protection and preservation of places and areas of historical, cultural, or architectural importance and significance.
4. Prevent and minimize land use incompatibilities and conflicts among land uses, while encouraging appropriate mixtures of compatible uses.
5. Maintain property values by stabilizing expectations and ensuring predictability in development, land use, and urban design.
6. Establish a process that effectively and fairly applies the regulations and standards of this ordinance and respects the rights of property owners and citizens.
7. Promote resiliency by providing a clear, consistent, and predictable framework for development and land use.

B. This ordinance has been adopted in accordance with the City's comprehensive plan and is designed to:

1. lessen congestion in the streets;
2. secure safety from fire, panic, and other dangers;
3. promote health and the general welfare;
4. provide adequate light and air;
5. prevent the overcrowding of land;
6. avoid undue concentration of population; and
7. facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

C. The property owner, tenant, business, or other responsible entity shall be responsible for ongoing compliance with the provisions of this ordinance.

Sec. 12.304. Consistency with city comprehensive plan

This ordinance is intended to implement the policies and objectives contained in the City's Comprehensive Plan and other adopted City plans, as amended.

Sec. 12.305. Interpretation and conflicts between regulations

A. In the interpretation and application of the provisions of these regulations, it is the intention of the City Council that the principles, standards, and requirements provided for herein shall be minimum requirements for the use and development of land in the City, and where other ordinances or regulations of the City are more restrictive in their requirements, such other ordinances shall control.

B. The interpretation and application of the provisions of these regulations shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

Sec. 12.306. Violations and penalties

A. Any person, firm, or corporation who shall violate any of the provisions of this ordinance, or fails to comply therewith, or who shall violate or fail to comply with any order or regulation made hereunder, or who shall build any project or facility in violation of any detailed statement of specification or plans submitted and approved hereunder, or any certificate or permit issued hereunder, shall, for each and every violation and noncompliance respectively be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed $2,000 or the appropriate legal maximum as determined by statute. Each and every day that such violation and/or noncompliance shall exist shall be deemed a separate offense. In case any person, firm, or corporation violates any of the provisions of this ordinance or fails to comply therewith, the City, in addition to imposing the penalties above provided may institute any appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business, or use in or about any land, and the definition of any violation of the terms of this ordinance as a misdemeanor shall not preclude the City from invoking the civil remedies given it by law in such cases, but same shall be cumulative of and in addition to the penalties prescribed for such violation.

Sec. 12.307. Enforcement

A. The City Administrator shall have the authority to administer and enforce the provisions of this ordinance.

B. A permit or certificate of occupancy may be revoked for violation of this ordinance.

C. The City Administrator may issue a Stop Work Order on a person(s) engaged in conducting work or an activity on a site in violation of this ordinance.

Sec. 12.308. Validity

A. The issuance or granting in error of a permit or approval of permits, plans, plats, site plans, or other such approvals shall not be construed to be a permit for, or an approval of, a violation of any provision of this ordinance or any other City ordinance.

Subchapter 2. Procedures & Administration

Sec. 12.310. Roles and Responsibilities

A. **City Council.** The City Council shall finally decide all types of legislative applications, including zoning text amendments, zoning map amendments, and other such decisions as defined within this ordinance. The City Council shall decide appeals on certain applications as defined within this ordinance.

B. **Planning & Zoning Commission.** The Planning and Zoning Commission, as established in Article 12.101, shall perform the duties authorized in accordance with the provisions of Section 211.007, Tex. Loc. Gov't Code. The word "commission" when used in this ordinance shall mean the Planning and Zoning Commission where appropriate.

C. **Zoning Board of Adjustment.** The Zoning Board of Adjustment, as established in Article 12.402, shall hear variances, special exceptions, and appeals in accordance with the provisions of Section 211.008, Tex. Loc. Gov't Code. The word "board" when used in this ordinance shall mean the Zoning Board of Adjustment where appropriate.

D. **City Administrator.** The City Administrator, or their designee, is the primary responsible official for implementing and enforcing the provisions of this ordinance, except where noted otherwise, including the following:

1. Accepting and processing applications and petitions;
2. Reviewing and making recommendations concerning such applications and petitions;
3. Seeking advice from City departments, staff, consultants, and others regarding applications and petitions;
4. Preparing reports and providing advice to boards and commissions related to such applications and petitions;
5. Promulgating policies, standards, administrative rules, and applications for procedures under this ordinance; and
6. Making interpretations of ordinance provisions; and
7. Interpretating the location of zoning district boundaries based on the official zoning map; and
8. Taking all other actions necessary for the administration and enforcement of the provisions of this ordinance.

E. **Other staff.** The City Engineer, Floodplain Administrator, and other City officials are authorized to take all actions necessary to carry out their responsibilities in accordance with the requirements of this ordinance.

Sec. 12.311. Procedures

A. **General procedures and notice requirements.**

1. Compliance with state and federal law. All requirements of this ordinance shall comply with the Texas Local Government Code and other applicable state or federal laws, rules, or regulations. Where the requirements of this ordinance conflict with the Texas Local Government Code, the Local Government Code requirements control.
2. Pre-application meeting. Pre-application meetings are encouraged to provide an opportunity for informal review of a proposal and for the applicant to become familiar with submittal requirements, development standards, and approval criteria.
3. Applications and completeness. All applications submitted under this ordinance shall comply with all submittal requirements of the ordinance. In addition, application submittals shall comply with applicable application forms, checklists, and application deadlines, as promulgated by the City Administrator. In addition, City staff may request additional information as needed to verify conformance and compliance with all applicable development standards and requirements. An application is not considered complete until all required information is submitted, including applicable fees.
4. Application review. Following a determination of a complete application, the City Administrator shall circulate the application to appropriate City staff and departments, and any other entities deemed advisable, for review.
5. Withdrawal and reapplication. An applicant may withdraw an application at any time, subject to the following:
   a. The withdrawal request must be in writing to the City Administrator or during the public hearing.
   b. Once withdrawn, the city will not take further action on the application.
   c. After withdrawal, reconsideration must be based on a new application and fee.
   d. If the application is withdrawn before notice is mailed or published, or before it is placed on the agenda for a public hearing if no notice is required, the City Administrator may authorize a refund of all or a portion of the application fee, except for any direct costs incurred by the City.
   e. If the application is withdrawn after notice is mailed or published, or after it is placed on the agenda for a public hearing if no notice is required, the applicant shall not be entitled to any refund of fees.

B. Zoning Amendments, Text or Map.

1. Purpose and applicability. The purpose of a zoning amendment is to revise the text of this zoning ordinance or to establish or amend the boundaries of a zoning district by amending the Official Zoning Map. The City Council, upon recommendation by the Planning and Zoning Commission and in accordance with applicable state law, may from time to time amend, supplement, or repeal the regulations, procedures, standards, or zoning district boundaries established by this ordinance.

2. Initiation of amendments. An amendment to this ordinance or the Official Zoning Map may be initiated by the City Administrator or other designated staff or by an action by the City Council or Planning and Zoning Commission. In addition, an amendment to the Official Zoning Map may be initiated upon application by the owner of the property subject to the request or the owner's designated agent.
3. Notice.
   a. Property owner notice.
      i. Written notice of the purpose, time, and place of all public hearings before the Planning and Zoning Commission on a proposed map amendment shall be sent to owners of real property, as indicated by the most recently approved municipal tax roll, within 200 feet of the property on which the change is proposed.
      ii. Such notice shall be given at least 11 days before the date of the public hearing by depositing such notice, properly addressed and postage paid, in the United States mail.
      iii. This subsection does not apply if the proposed change is considered a Comprehensive Zoning Change as defined in sec. 211.0011 of the Texas Local Government Code.
   b. If the proposed zoning amendment will result in a current conforming use of a property becoming a nonconforming use, written mailed notice of the time and place of each public hearing before the Planning and Zoning Commission and City Council shall be provided to each owner of property where the proposed nonconforming use is located, and each occupant of the property, not later than the tenth day before the hearing date, containing the time and place of the hearing and including the following text in bold 14-point type: "THE CITY OF HALLETTSVILLE IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY."
   c. Published notice. Notice of the purpose, time, and place of the City Council public hearing regarding text amendments or map amendments shall be published in a newspaper of general circulation in the city, and on the city's website if the city maintains a website, at least 16 days before the hearing.
   d. School district notice. Notice of the time and place of the public hearings shall be given at least 11 days before the hearing on a proposed change affecting residential or multifamily zoning to each school district in which the subject property is located, if requested by the school district.
4. Criteria for approval. In determining whether to approve, approve with modifications, or deny a proposed zoning amendment, the Planning and Zoning Commission and City Council should consider the following factors:

a. Whether the proposed amendment is compatible and consistent with the City's Comprehensive Plan, including the Future Land Use Map. If the proposed amendment is not consistent with the Comprehensive Plan, a corresponding amendment to the Comprehensive Plan may be required and shall be considered in accordance with Chapter 213 of the Texas Local Government Code and any applicable City procedures.
b. Whether and the extent to which the proposed amendment is compatible with existing and planned uses neighboring the subject land.
c. Whether the tract is suitable for use as presently zoned, including consideration of whether the size, shape, or location of the land renders it unusable as presently zoned.
d. Whether the proposed amendment bears a substantial relationship to the public health, safety, and general welfare or protects and preserves historical and cultural places and areas.
e. Whether and the extent to which the proposed amendment addresses a substantial public need.
f. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community, including addressing substantially changed conditions, availability of necessary infrastructure and services, promotion of infill development, impact on the natural environment, appropriate timing of development, and long-term cost to taxpayers for maintaining and providing services to the area.

5. Action by Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing on any zoning amendment prior to making a report and recommendation to the City Council. The report from the Commission may be included within a staff report.
6. Action by City Council. The City Council shall hold a public hearing on any zoning amendment prior to consideration of the amendment.
   a. Majority vote of quorum required. Except as provided below, a zoning amendment must be approved by a majority of a quorum of members present and voting.
   b. Majority of the entire Council required. An affirmative vote of a majority of all members of the City Council is required to approve a proposed amendment if a written protest of the proposed amendment is signed by the owners of at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses, unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

c. Supermajority vote required. An affirmative vote of three-fourths of all members of the City Council is required to approve a proposed amendment if a written protest of the proposed amendment is signed by the owners of:
   i. at least 20 percent of the area of the lots or land covered by the proposed change; or
   ii. at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, except as provided in b., above.

d. Calculation of land area for a protest. In computing the percentage of land area for a protest:
   i. the area of streets and alleys shall be included; and
   ii. the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.

7. Consideration of previously denied amendments. If an application for an amendment to the Official Zoning Map is denied by the City Council, another application for the same or similar amendment, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.

C. Conditional Uses.

1. Purpose and applicability.
   a. In addition to land uses permitted by right within a zoning district, certain uses may be allowed subject to individualized review and approval and may be subject to conditions of approval to address compatibility with adjacent or nearby uses.
   b. Approval of a Conditional Use follows the same procedures as a zoning map amendment, but does not alter the underlying zoning district for a property.
   c. A Conditional Use may only be approved if the subject land use is indicated as being eligible as a Conditional Use in the permitted uses chart.
   d. An approved Conditional Use is granted to the property until such time as it is revoked and may not be limited to a particular owner.
2. Application. A request for approval of a Conditional Use may be initiated upon application by the owner of the property subject to the request or the owner's designated agent. The application must include a concept plan or site plan, unless a determination is made by the City Administrator that the nature of the proposal does not require such a plan.

3. Review process and criteria. The Conditional Use review process shall be the same as the process for zoning map amendment, except that the Commission and the Council shall also consider the criteria as outlined below:
   a. The proposed use is compatible with the general purpose of the applicable zoning district;
   b. The proposed use promotes quality of life in the community and is compatible with and preserves the character of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, visual nuisances, and similar adverse effects on adjacent development and neighborhoods.
4. Conditions. When approving a Conditional Use, the Planning and Zoning Commission may recommend, and the City Council may approve, conditions on the approval as deemed necessary to mitigate potential negative impacts and to carry out the spirit and intent of this ordinance. Conditions placed on the approval of a Conditional Use shall not be subject to a variance that otherwise could be granted by the Zoning Board of Adjustment.
5. Revocation, and amendment. Unless specified otherwise by the ordinance adopted by City Council approving the Conditional Use, an approval may be revoked or amended by the same process by which the Conditional Use was approved.
6. Consideration of previously denied amendments. If an application for approval of a Conditional Use is denied by the City Council, another application for the same or similar request, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.
7. If a use lawfully occupying land or buildings immediately prior to the effective date of this zoning ordinance is classified as requiring a Conditional Use approval under the terms of this ordinance, such use shall be considered to have an approval as a Conditional Use and shall not be considered a nonconforming use.

D. Planned Development Districts

1. Pre-Application Conference. The prospective applicant is encouraged to request a preapplication conference with City staff prior to submission of a formal application. The prospective application should present a draft concept plan and any supporting information regarding the proposed development. City staff will review the presented information and provide comments, including identifying missing information and highlighting potential opportunities or modifications to ensure expedited review and approval of the project.

2. Application requirements. Applications for PD District approval shall include at least the following materials:
   a. PD District Plan in digital format;
   b. Completed application forms, as required;
   c. Payment of all applicable fees;
   d. Letter indicating the purpose and intent of the PD district, as well as a general statement citing the reason for the PD request; and
   e. Any attendant documents needed to supplement the information provided.
3. Review process and criteria. The PD District Zoning Application review process shall be the same as the process for zoning map amendment, except that the Commission and the Council shall also consider the criteria as outlined below:
   a. Compliance with the Planned Development District Standards;
   b. Proposed standards for land uses, maximum height, floor area ratios, density, minimum off-street parking and loading, setbacks, site coverage, building spacing, access, screening walls or landscaping, building area, open space, pedestrian ways, public or private streets, alleys; and
   c. Any other development and protective requirements necessary to protect the health, safety, and general welfare and to create a reasonable transition from property adjacent to a PD District.
   d. Conditions placed on the approval of a Planned Development District shall not be subject to a variance that otherwise could be granted by the Zoning Board of Adjustment.
4. Approval
   a. Any approval of a PD District by the Council shall be accomplished through the adoption of a Planned Development Ordinance. The ordinance shall include the approved PD District Plan, and a statement as to the purpose and intent of the PD District granted therein, as well as a general statement citing the reason for the PD request.
   b. The Planned Development Ordinance and approved PD District Plan shall indicate:
      i. The permitted uses along with any conditions or limitations deemed appropriate for the specified uses;
      ii. Proposed standards; and
      iii. Any special conditions for approval.

5. Consideration of previously denied amendments. If an application for approval of a Planned Development District is denied by the City Council, another application for the same or similar approval, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.

E. Site Plan Review.

1. Purpose. The purpose of a Site Plan is to ensure that a development project is in compliance with all applicable City ordinances and requirements, including the requirement of this Zoning Ordinance and of the City's Subdivision Ordinance, prior to commencement of construction.
2. Applicability. This Section outlines when new development or expansion on an existing, developed property is required to submit a site plan for review.
   a. No permit for construction or expansion of a building or other structure shall be issued until a site plan, if required, including any required engineering or construction plans, has been submitted and approved in accordance with this Subsection.
   b. No certificate of occupancy, or other final approvals, shall be issued for such buildings or structures until all site improvements, as shown on the approved site plan or established in conditions of approval for the site plan, have been completed or otherwise guaranteed, as approved by the City Administrator.
   c. Unless otherwise excepted herein, nothing in this Subsection shall preclude a new development occurring on previously undeveloped property from having to comply with any applicable requirements within the Zoning Ordinance, Subdivision Ordinance, or any other City code, ordinance, or construction standard.
   d. Exemptions.
      i. The construction, reconstruction, alteration, or expansion of a single-family detached dwelling, duplex dwelling, or customary accessory structure shall be exempt from the site plan review and approval requirements of this Section.
      ii. Notwithstanding such exemption, an applicant shall submit a plot plan with any application for a building permit. The plot plan shall be reviewed by the City Administrator for compliance with all applicable zoning, subdivision, and development regulations, including, but not limited to, lot dimensions, setbacks, building height, lot coverage, easements, parking, and access requirements.
   e. Triggers. New construction or expansions on an existing property that meet any of the following criteria shall trigger the requirement for a site plan and all of the improvements outlined in this Subsection, unless otherwise specified:

i. Construction of a new building or structure;
ii. The conversion of a residential use or structure to a nonresidential use.
iii. Expansion of an existing principal structure or expansion in land area of a use.
iv. Any other development where the City's Zoning Ordinance or Subdivision Ordinance specifically requires site plan approval.

f. Required Improvements. Any development that triggers a site plan must comply with all relevant city ordinance, standards, and specifications, where required by ordinance.

3. Application. A complete application, fees, and any other required information for site plan review shall be submitted to the City Administrator.
   a. Area to be included on a site plan. When the overall development project is to be developed in phases, the site plan area shall include only the portion of the overall property that is to be developed/constructed. However, any excluded area must be separately developable as a stand-alone site in the future. This provision shall not be interpreted to allow portions of a property to be excluded so as to avoid development standards, other requirements, or otherwise required improvements to the site.
   b. Submittal and Timing. A Site Plan shall be submitted prior to or in conjunction with a building permit application.
   c. Submission and Contents. The purpose of site plan review is to ensure compliance with all relevant city ordinance, codes, and other requirements. To ensure the submission of adequate information, the City Administrator shall maintain and distribute a checklist of specific requirements for Site Plan review applications. All applications and related contents shall be submitted consistent with these requirements. The authorized reviewer may request additional information necessary to ensure compliance.
4. Review Criteria. The City Administrator, in consultation with relevant City staff in other City departments, shall review the Site Plan for compliance with all applicable City ordinances including the site plan's compliance with all provisions of the City's development ordinances, including this Zoning Ordinance, the Subdivision Ordinance, Sign Ordinance, and other applicable ordinances.
5. Review and Approval.
   a. The City Administrator shall be the responsible official for reviewing Site Plan applications and shall consult with relevant staff from City departments for review and comments on a proposed Site Plan. Based on the review from all relevant departments, the City Administrator shall make the final decision on Site Plan approval.
   b. The City Administrator, based on input from City staff, may reject review of a Site Plan until adequate information for its review is provided by the applicant. Resubmission of a Site Plan, in this instance, shall not require an additional application fee.

c. After completing the review of a Site Plan, the City Administrator may take one of the following actions:
   i. Approve the site plan;
   ii. Approve with conditions; in which case the site plan, along with a written list of conditions, together shall be considered the approved site plan; or
   iii. Disapprove the site plan.
d. The City Administrator may approve issuance of permits following conditional Site Plan approval when it is deemed that the required corrections to the Site Plan are minor in nature. However, no Certificate of Occupancy shall be issued until an amended site plan meeting all conditions has been submitted and approved.
e. Prior to the issuance of a Certificate of Occupancy, the City Administrator shall direct appropriate City staff to inspect the site to ensure compliance with the Site Plan and any conditions imposed with the approval.

6. Revisions to an approved Site Plan.
   a. Minor Revisions/Amendments: It is recognized that final architectural and engineering design may necessitate minor changes in the approved Site Plan. In such cases, the City Administrator shall have the authority to approve minor revisions to an approved Site Plan. Such minor modifications shall be shown on an "amended Site Plan." If revisions are such that the City Administrator decides that the revisions should be reviewed through the normal review process, a new Site Plan application and review shall be required.
   b. Major Revisions/Amendments: In the event of revisions that do not constitute minor revisions as set out above, a new Site Plan application must be submitted, reviewed, and approved.
7. Expiration and Extension.
   a. An approved Site Plan shall be valid for a period of 18 months. An application for a building permit for the site, consistent with the site plan, will extend the validity of the site plan for 18 months from the date of the approved permit.
   b. Prior to the lapse of approval for a Site Plan, the applicant may petition the City Administrator in writing for an extension of up to one year. If no petition for extension of Site Plan approval is submitted and granted, then the Site Plan shall be deemed to have expired and shall become null and void. Any new request for Site Plan approval shall be submitted with a new application form, with a new filing fee, and with new plans and materials in accordance with the procedures set forth in this Subsection.
8. Compliance & Responsibilities.
   a. It shall be incumbent upon the City Administrator, or designees, to make all inspections and certifications necessary to ensure that structures are built in accordance with the approved Site Plan.

b. In the event that the City Administrator, or designees, finds that a condition or modification of the approved Site Plan or a provision of City Codes and Ordinances has not been met, they may issue a stop work order.
   i. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume.
   ii. In the event that the structure has been completed, a Certificate of Occupancy shall not be issued by the City Administrator until the conditions of the Site Plan or City Codes and Ordinances, as applicable, have been substantially fulfilled.
   iii. All action required in order to bring a structure into compliance with the approved Site Plan shall be the responsibility of the property owner.
c. Following issuance of the Certificate of Occupancy, it shall be the continuing duty of the owner and occupant of the site, or their successors in interest, to maintain compliance with the approved Site Plan and amendments thereto. Failure to maintain compliance shall constitute a violation of this Zoning Ordinance and may result in revocation of the Certificate of Occupancy.
d. Site may not become less conforming. Any site that is not subject to an approved site plan, or is governed by a pre-existing site plan that does not conform to current standards, must maintain compliance with the standards within this Ordinance to the extent that the site currently complies with those standards.

F. **Appeals.**

1. Any of the following persons may appeal to the Zoning Board of Adjustment a decision made by an administrative official acting under the authority of this ordinance, that is not related to a specific application, address, or project:
   a. A person aggrieved by the decision; or
   b. Any officer, department or board of the city affected by the decision.
   c. A member of the City Council who serves on the Board may not bring an appeal.
2. Any of the following persons may appeal to the board of adjustment a decision made by an administrative official acting under the authority of this ordinance, that is related to a specific application, address, or project:
   a. A person who:
      i. filed the application that is the subject of the decision;
      ii. is the owner or representative of the owner of the property that is the subject of the decision; or
      iii. is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
   b. any officer, department, board, or bureau of the municipality affected by the decision.

c. A member of the City Council who serves on the Board may not bring an appeal.

3. The appellant must file with the City Administrator a properly completed notice of appeal, specifying the grounds for the appeal, within 20 days of the date of the decision.
4. Upon receiving the properly completed notice, the City Administrator will make all city records related to the appeal available to the Board.
5. An appeal stays all city enforcement proceedings that relate directly to the matter that is being appealed unless the City Administrator certifies in writing to the Board facts supporting the opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the Board or a court of record on application, after notice to the City Administrator, if due cause is shown.
6. The Board shall set a reasonable time for the appeal hearing and give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney.
7. In exercising its authority under this ordinance, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination, and for that purpose the Board may exercise the same authority as the administrative official.
8. Judicial Review.
   a. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
      i. A person aggrieved by the decision of the Board;
      ii. A taxpayer; or
      iii. An officer, department, board or bureau of the city.
   b. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.

G. **Variances.**

1. A variance is a grant of relief from a specific requirement of this ordinance, where strict enforcement would result in unnecessary hardship. The Zoning Board of Adjustment may grant a variance upon making findings that the evidence submitted by the applicant demonstrates that <u>all</u> of the following conditions exist:
   a. The variance arises from the condition that is unique to the property in question, where the condition was not created by an action of the property owner, occupant, or applicant;

b. The particular physical surroundings, shape, or topographical condition within or adjacent to the property would result in a practical difficulty or unnecessary hardship or inequity upon or for the owner or occupant, as distinguished from a mere inconvenience, if the provision in question were literally enforced;
c. The request for a variance is not based exclusively upon a desire of the owner or occupant for increased financial gain from the use of the property, or to reduce a personal financial hardship, except that the Board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the request would result in unnecessary hardship:
    i. the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
    ii. compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
    iii. compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
    iv. compliance would result in the unreasonable encroachment on an adjacent property or easement; or
    v. the municipality considers the structure to be a nonconforming structure;
d. The variance will not alter the essential character of the zoning district within which the property is located, and is in harmony with the intent and purposes of this chapter;
e. The granting of the variance will not adversely affect the public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same zoning district;
f. The degree of variance requested is the minimum amount necessary to allow a reasonable use of the property; and
g. The variance would not allow the establishment of a use not otherwise permitted in the applicable zoning district.

2. Variances may be granted for substantive requirements of this ordinance including, but not limited to, dimensional standards, setbacks requirements, lot coverage limitations, height limits, parking standards, and similar standards. Variances may not be granted for any of the following:
    a. Procedural requirement of the ordinance; or
    b. Modifications to conditions of approval for a Conditional Use or Planned Development District.
3. Procedures.

a. Application. An application for a variance, along with the required fee per the City fee schedule, shall be submitted to the City Administrator who shall review the application for completeness.
b. Review. Once the application is determined to be complete, the City Administrator may request a review and recommendation from any City department or consultant as deemed necessary and shall forward the application, along with a recommendation, to the Zoning Board of Adjustment.
c. Notice. Prior to consideration by the Board, the City Administrator shall prepare a list, based on the most recent municipal tax roll, of all owners of any portion of a tract of land within the city limits and within 200 feet of the property for which the variance is requested. A notice shall be mailed to these property owners at least 11 days prior to the hearing date. The notice shall include the address or location of the property subject to the request, the purpose of the request, and the time and place of the public hearing before the Board.
d. Burden. The applicant for a variance bears the burden to demonstrate that the required criteria for approval have been met.
e. Decision. Upon completion of the public hearing and after deliberation the Board shall make a decision to approve, approve with conditions, or deny the request.
f. Judicial review. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
    i. A person aggrieved by the decision of the Board;
    ii. A taxpayer; or
    iii. An officer, department, board or bureau of the city.
g. Judicial review procedures. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.
h. Reapplication. If the request is denied, or if the applicant rejects any of the conditions imposed on an approval of the request, another request for the same or similar variance on the same property may not be submitted for one year.
i. Expiration. If a granted variance is not acted upon within one year of approval, the variance becomes void.

H. Special Exceptions.

1. The purpose of a special exception is to provide flexibility in the zoning regulations by allowing an exception to otherwise applicable regulations as authorized below:

a. A change from one nonconforming use to another upon finding that the proposed nonconforming use is not more nonconforming than the previously existing nonconforming use;
b. To permit the resumption of a nonconforming use that has been discontinued for a period exceeding one year;
c. To allow the expansion of a nonconforming use, except that in the case of a residential use such expansion does not increase the number of dwelling units to more than the number existing when the use first became nonconforming;
d. To allow the reconstruction of a nonconforming structure that has been damaged beyond 50% of the replacement cost of the structure; or
e. To allow another special exception as specifically authorized elsewhere in this ordinance.

2. Criteria
   a. The Zoning Board of Adjustment may grant a special exception upon making findings that the evidence submitted by the applicant demonstrates that <u>all</u> of the following conditions exist:
      i. Will be compatible with the use and permitted development of adjacent property, either as requested or with conditions the Board finds necessary to protect adjacent properties;
      ii. The special exception will not alter the essential character of the zoning district within which the property is located, and is in harmony with the intent and purposes of this chapter; and
      iii. The granting of the variance will not adversely affect the public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same zoning district.
3. Procedures.
   a. Application. An application for a special exception, along with the required fee per the City fee schedule, shall be submitted to the City Administrator who shall review the application for completeness.
   b. Review. Once the application is determined to be complete, the City Administrator may request a review and recommendation from any City department or consultant as deemed necessary and shall forward the application, along with a recommendation, to the Zoning Board of Adjustment.

c. Notice. Prior to consideration by the Board, the City Administrator shall prepare a list, based on the most recent municipal tax roll, of all owners of any portion of a tract of land within the city limits and within 200 feet of the property for which the special exception is requested. A notice shall be mailed to these property owners at least 11 days prior to the hearing date. The notice shall include the address or location of the property subject to the request, the purpose of the request, and the time and place of the public hearing before the Board.

d. Burden. The applicant for a special exception bears the burden to demonstrate that the required criteria for approval have been met.

e. Decision. Upon completion of the public hearing and after deliberation the Board shall make a decision to approve, approve with conditions, or deny the request.

f. Judicial review. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:

   i. A person aggrieved by the decision of the Board;

   ii. A taxpayer; or

   iii. An officer, department, board or bureau of the city.

g. Judicial review procedures. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.

h. Reapplication. If the request is denied, or if the applicant rejects any of the conditions imposed on an approval of the request, another request for the same or similar special exception on the same property may not be submitted for one year.

i. Expiration. If a granted special exception is not acted upon within one year of approval, the special exception becomes void.

Sec. 12.312. Nonconformities

A. **Purpose.** This section governs the requirements for uses and structures that were established prior to the applicability of this ordinance on its effective date, or as amended, but do not comply with one or more requirements of this ordinance.

B. **Policy.** Nonconformities are deemed to be incompatible with permitted uses and structures in the applicable zoning district and are contrary to the purposes of this ordinance. It is intended that these nonconformities be eliminated and be required to conform to the regulations of this ordinance. However, such nonconformities may continue, subject to the conditions and limitations set forth below. The burden of establishing that a use or structure meets the criteria below rests with the property owner.

C. Nonconforming uses.

1. A nonconforming use is any use of land or structures that does not conform to the regulations and requirements prescribed in this ordinance, including subsequent amendments.
2. A legal nonconforming use is such a use that was lawful upon the effective date of this ordinance.
3. Continuation. Any legal nonconforming use of land may be continued, but may not be expanded or made more nonconforming except as specifically authorized by this ordinance.
4. Change of use. A nonconforming use may only be changed to a conforming use, except as authorized through a Special Exception by the Zoning Board of Adjustment to allow change to a use that, while nonconforming, is more conforming than the current nonconforming use.
5. Enlargement or expansion. A nonconforming use shall not be enlarged or expanded either within the structure or to occupy a greater area of land, except in compliance with the requirements of the zoning district within which it is located, except as authorized by this ordinance.
6. Abandonment of a nonconforming use. If a nonconforming use is abandoned, or no longer used, for a period of six months, the property may only be subsequently used for a conforming use.
7. Illegal use. An illegal nonconforming use shall not be entitled to continuation or protection under this section.
8. Existing Lawful Uses Upon Initial Adoption. Any lawful use of a property on the effective date of this Ordinance shall be deemed a conforming use and shall not be considered nonconforming solely as a result of the initial adoption of this Ordinance. Such conforming status shall be limited to the current tract or lot occupied by the use on the effective date of this Ordinance. This section applies only to the initial adoption of this Ordinance and shall not apply to subsequent amendments or rezonings. The property owner shall bear the burden of demonstrating that the use lawfully existed on the effective date of this Ordinance.

D. Nonconforming structures.

1. A nonconforming structure is any building or structure on a lot which does not conform to the required setbacks, lot coverage requirements, or any building or structure which does not conform to the height, size, parking, loading, building spacing or any other regulations or any requirements of this chapter.
2. Continuation. An existing nonconforming structure that was legally permitted and allowed on the effective date of this ordinance may continue to be used and occupied, subject to the requirements of this ordinance.

3. Enlargement or expansion. A legal nonconforming structure shall not be enlarged or expanded unless the enlargement or expansion is in compliance with all applicable requirements for such structure and does not become more nonconforming.
4. Damage or destruction of a nonconforming structure. If a nonconforming structure is destroyed, or damaged such that repair or reconstruction exceeds 50% of the appraised value of the structure prior to the damage, it may not be repaired or reconstructed except in conformance with all applicable requirements. Repair to damage beyond 50% of the value may be authorized through a Special Exception by the Zoning Board of Adjustment.
5. Illegal structures. A structure that was constructed in violation of this ordinance, or other city ordinances in place at the time of construction, or constructed without obtaining required building permits, shall not be entitled to continuation or protection under this section.

E. Nonconforming lots.

1. Legal nonconforming lots. A lot of record that was lawfully created and recorded prior to the effective date of this ordinance or any amendment thereto, and that does not meet the current minimum lot area, width, or dimensional requirements of the zoning district in which it is located, shall be deemed a legal nonconforming lot.
2. Use and Development. A legal nonconforming lot may be used for a permitted use within the applicable zoning district, provided that all other applicable requirements of this ordinance are met.
3. Limitations. No nonconforming lot shall be further reduced in area, width, or dimensional size so as to increase its nonconformity, nor shall any lot be created or altered in a manner that results in a new nonconforming lot, except as permitted by this ordinance.

Subchapter 3. Zoning Districts

Sec. 12.320. General

A. **Establishment of zoning districts.** The City is hereby divided into districts as described below.

B. **Official zoning map.** The location and boundaries of the districts shall be shown upon the official zoning map of the City, which is incorporated in and made a part of the ordinance for all purposes. An official copy of such map may be kept on file in the office of the City Secretary or as a digital map available on the City's website.

C. **Interpretation of district boundaries.** Where uncertainty exists regarding the boundaries of a zoning district as shown on the official zoning map, the following considerations shall be used:

   a. A boundary shown to coincide with a street, railroad, or utility right-of-way, or shown along a property line adjacent to a street, railroad, or utility right-of-way, shall be considered to follow the centerline of such right-of-way, unless clearly intended to be otherwise.
   b. Where a boundary line does not follow a property line, right-of-way line, or other identifiable feature or is not identified , the boundary shall be determined based on the scale of the map
   c. Where a boundary line is uncertain, the City Administrator shall make the final determination as to the boundary location.

Sec. 12.321. Residential Districts

A. Residential, Low Density (RLD). This district is intended primarily for detached single-family homes on individual lots to preserve the character of traditional neighborhoods.

B. Residential, Medium Density (RMD). This district is intended for medium density residential, including duplexes, triplexes, quadplexes, townhomes, and small apartment buildings.

Sec. 12.322. Non-residential Districts

A. Commercial (C) District. This district is intended for a mix of retail, service, office, and lodging uses to meet community needs outside of the downtown area, while including standards that promote compatibility with nearby residential uses.

B. Downtown (D) District. This district is intended to accommodate a pedestrian-oriented mix of commercial, residential, office, and civic uses that preserve downtown character, encourage reinvestment, and support the city's economic and cultural center.

C. Industrial (I). This district is intended to provide areas for manufacturing, warehousing, distribution, and related employment uses that support the local and regional economy. The district is established to accommodate these uses in locations with appropriate access and infrastructure while minimizing potential impacts on surrounding land uses through performance standards, buffering, and site design requirements.

Sec. 12.323. Planned Development Districts

A. Purpose. The Planned Development (PD) District is a zoning district that accommodates the creative master planning of developments often with a mixture of integrated land uses. A PD District may be used to permit new or innovative concepts in land use not permitted within standard zoning districts, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community.

B. Permitted and Prohibited Uses

1. A PD District may be approved with any combination of uses allowed by this zoning ordinance. The uses permitted in any specific PD District shall be detailed in the ordinance establishing such district, along with any conditions or limitations deemed appropriate for the specified uses.
2. Any use deemed by the City Council as being detrimental to the health, safety, or general welfare of the citizens of the City for the proposed development site may be listed as prohibited within the PD District.

C. Site Layout and Project Design Standards

1. Each PD District shall establish regulations deemed necessary and appropriate for the development of the property within the district and the protection of neighboring properties. These regulations may include, but are not limited to, the following:
   a. Front, side, and rear yard requirements;
   b. Minimum lot width, depth, and area requirements;
   c. Maximum lot coverage;
   d. Maximum building size and/or height;
   e. Landscaping, open space, and screening requirements;
   f. Off-street parking and loading requirements; and
   g. Signage requirements.

Subchapter 4. Use Regulations

Sec. 12.330. Interpretation and unclassified uses

A. Applicability. When a proposed land use is not specifically listed as a permitted, conditional, or prohibited use within a zoning district, the use shall be classified in accordance with this section. The omission of a use from the zoning ordinance shall not be interpreted as permitting or prohibiting the use unless so determined under this section.

B. Similar Uses — Administrative Classification. If the proposed unlisted use is determined to be substantially similar in nature, function, operational characteristics, and land use impacts to a use expressly listed in the zoning ordinance, the City Administrator shall classify the proposed use as the most similar listed use. Upon classification, the proposed use shall be subject to all regulations, standards, and approval requirements applicable to the similar listed use within the zoning district.

C. New Uses. If the City Administrator determines that the proposed unlisted use is not substantially similar to any use expressly listed in the zoning ordinance, the use shall be deemed a new use and shall be considered a prohibited use unless or until the zoning ordinance is amended to classify the new use as a permitted use, conditional use, or prohibited use in each zoning district.

Sec. 12.331. Table of land uses

A. Land and buildings in each of the zoning districts may be used for any of the specified uses in this section. No land shall be used and no building or structure shall be erected, altered, or converted for any use other than those specified as a permitted use or an approved conditional use in the district in which it is located, as shown in the Use Chart.

B. Legend for Table

P	Use is permitted by-right
P(#)	Use is permitted by-right subject to additional standards set forth in Section 12.332
C	Use is permitted upon approval of a Conditional Use Permit
	Use is prohibited

C. INSERT PERMITTED USE CHART.

Sec. 12.332. Supplemental standards for land uses

A. Alcohol sales. The sale of alcohol is prohibited within 300 feet of a church, public or private school, day-care center and a child-care facility, or public hospital or 1,000 feet of a public school, if the governing body receives a request from the board of trustees of a school district under certain provisions in the education code.

B. Automobile wash. Requires approval as a Conditional Use if located within 100 feet of a property used or zoned for residential purposes.

C. Entertainment & Recreation (Outdoor). This use requires approval as a Conditional Use if located within 200 feet of a property used or zoned for residential purposes.

D. Industrialized housing

1. Industrialized homes in any residential zoning district must meet all of the following requirements:
   a. Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located as determined by the most recent certified tax appraisal roll;
   b. Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with any single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located;
   c. Comply with aesthetic standards, building setbacks, side and rear yard offsets, subdivision standards, architectural requirements, landscaping, square footage, and other site requirements applicable to single-family dwellings in the zoning district in which the industrialized home is located; and
   d. Be securely affixed to a permanent foundation.

E. Manufactured Homes. All manufactured homes shall meet the following minimum design and installation standards:

1. Installation of a Mobile Home is not permitted, consistent with the City's authority under Texas Occupations Code Section 1201.008.
   a. Existing Mobile Homes may continue to be occupied if they were legally permitted at the time of installation.
   b. An existing mobile home may be replaced by a new manufactured home.
2. Used manufactured homes may be installed only if they are 5 years old or newer. Used manufactured homes more than 5 years old are prohibited. Manufactured homes that have never been occupied or used are not subject to the 5 year age limitation.

3. Notwithstanding any zoning or other law, in the event that a manufactured home occupies a lot in the City, the owner of the manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home. Except in the case of a fire or natural disaster, the owner of the manufactured home is limited to a single replacement of the manufactured home on the same property.
4. Fire-resistant skirting with the necessary vents, screens, and/or openings shall be installed on each manufactured home within 30 days after its installation. Such skirting shall be of weather resistant materials typical for such use, which may include metal panels, siding, or masonry and be compliant with federal installation standards.
5. Manufactured home base. All manufactured homes must be installed on a base that complies with the home manufacturer's approved installation instructions or the state's generic installation standards, including required footers, piers, and anchoring systems. A foundation may alternatively follow a stabilization or foundation design approved and stamped by a Texas-licensed professional engineer or architect. All foundations must meet the minimum requirements of the federal Model Manufactured Home Installation Standards.

F. Mobile Food Vendors.

1. Distribution or sale of food from a mobile food vendor shall require approval of a mobile food vendor permit, issued by the State of Texas.
2. A Mobile Food Unit (MFU) located on a site for a period of more than 7 days shall comply with the following standards:
   a. The MFU shall be located on an all weather surface approved by the City Administrator.
   b. The MFU shall meet all building setbacks for the subject property and may not be located in required parking spaces, fire lanes, or drive aisles.
   c. The operator shall provide a restroom facility on-site or have an agreement for access to a commercial restroom facility within 300 feet that is available for use by employees and customers during the hours of operation of the MFU.
   d. Sufficient trash receptacles must be provided and adequately maintained for disposal of customer waste.
3. Mobile Food Vendors operating within a public right-of-way or on City-owned property shall be subject to any applicable permits, agreements, conditions, or requirements imposed by the City and shall not be governed by the standards of this subsection.

G. Smoke / Vape / CBD Shop. Smoke/Vape/CBD shops shall not be established or maintained within 1,000 feet of any school, child care center, or regular place of religious worship.

H. Subdivision Sales Office, Temporary. A sales office may be located within a residential subdivision until such time as 90% of the lots within the subdivision have been leased or sold, or when an associated temporary permit expires or is revoked.

I. Telecommunications towers.

1. Applicability. The subsection applies to telecommunication towers and related facilities that exceed 35 feet in height.
2. Conditional Use. Any proposed tower that exceeds 35 feet in height is only permitted in a non-residential district, or on a property used exclusively for agricultural uses, and must obtain approval as a Conditional Use.
3. Setbacks.
   a. Towers and related facilities must be setback from all property lines by a distance equal to the height of the tower.
   b. Guy wires or other peripheral supports may be located within this setback, but may not be located within a front or street-side yard and must not be located within five feet of a property line.
4. Separation from residential districts. In addition to the setbacks required above, no telecommunications tower exceeding 35 feet in height shall be located closer than 100 feet to a zoned or used for residential purposes.
5. Security fences or wall. With the exception of a tower located on top of a building, a fence or wall at least seven feet in height shall be constructed around the base of any tower, including enclosing of any related buildings or equipment.
6. Removal. Obsolete or unused telecommunication towers shall be removed within 12 months of cessation of use.

J. Vehicle repair and maintenance services.

1. Parking of disabled vehicles awaiting service must be located indoors or screened from view of a public right-of-way and any residential zoning district and in no case shall be parked within a public right-of-way.
2. Long-term storage of disabled vehicles, defined as storage for a period of 30 days or longer, is not allowed except as permitted as a Salvage, Junk, And Vehicle Impound Services use.

Sec. 12.333. Accessory uses and structures

A. Accessory buildings.

1. Accessory buildings, other than authorized carports or patio covers, may not be located within a front yard or street side yard setback and must be no closer than three feet to any other property line.

2. The lot must maintain compliance with all lot coverage and impervious coverage limits for the property.

B. Accessory Dwellings

1. One accessory dwelling is permitted on each lot containing a single-family dwelling.
2. An accessory dwelling shall not exceed one-half of the floor area of the principal dwelling or 600 square feet, whichever is greater.
3. The lot must maintain compliance with all lot coverage and impervious coverage limits for the property.

C. Drive throughs and drive-ins.

1. A business may only operate with drive-through service or as a drive-in where specifically permitted, either by right or by Conditional Use.
2. The City Administrator may require additional queuing spaces for particular uses based on anticipated demand for the particular use.
3. Drive through queuing lanes may not be located so as to impede traffic flow on the site, block required parking spaces, or cause queuing lines to extend into the public right-of-way.
4. Drive-through and drive-in uses shall be designed and operated so as not to create a nuisance for adjacent properties, including but not limited to excessive noise, light glare, traffic congestion, or other disturbances.

D. Fuel Sales / Gas Pumps

1. Fuel station pumps, and their associated canopy structures, shall be located at least 10 feet from any property line and at least 18 feet from any property line adjacent to a street. For pumps that are perpendicular or diagonal to a street, the minimum distance shall be 30 feet to prevent vehicles stacking into the street.

E. Garage Sales.

1. Garage sales may only include personal property. If other than personal property is offered for sale, the use will be considered a retail sales use.
2. No more than one garage sale shall be allowed on the same lot during any three-month period and the duration of any garage sale is limited to the daylight hours of three consecutive days.

F. Home based businesses. Home-based businesses are allowed on a property with a dwelling, subject to the following standards.

1. All home-based businesses must comply with the following:
   a. Must be in compliance with adopted fire and building codes, health and sanitation regulations, transportation or traffic control requirements, solid or hazardous waste regulations, and pollution and noise control regulations.

b. The use does not generate on-street parking or a substantial increase in traffic, including no commercial deliveries exceeding that which is typical for a residential dwelling.
c. No activities are visible from the street, including any specialty vehicles or equipment that is not typical for a residence.
d. Does not substantially increase noise or violate city noise regulations.
e. One non-illuminated sign is permitted advertising the business provided that it does not exceed four square feet.

G. Itinerant Business.

1. An itinerant business must be located on a property within a zoning district allowing such use.
2. The itinerant business must have the written permission of the property owner.
3. Any tent, trailer, or other vehicle or structure housing the itinerant business must be no closer than ten feet from all property line.
4. Nothing related to the itinerant business, including merchandise, signs, storage, vehicles, trailers, tents, or structures may be placed within fire lanes or sight triangles.
5. The following items may not be sold through an itinerant business: knives, firearms, or other weapons, live animals, alcoholic beverages, or tobacco, tobacco products, e-cigarettes, vaping devices, CBD or hemp-derived products, or tobacco paraphernalia or any similar use.

H. Parking Lots. A parking lot accessory to a principal use must be located within a zoning district where the principal use is permitted.

I. Shipping Containers, Permanent. The permanent or indefinite placement of a shipping container on a property is subject to the following:

1. No more than two shipping containers may be placed on a property zoned Industrial for use as storage only. No more than one shipping container may be placed on a property within any other zoning district.
2. A shipping container may not be placed within a front yard setback on any property.
3. The stacking of containers is prohibited.
4. No container may exceed 450 square feet.
5. Each container shall meet all requirements, including building setbacks, as an accessory building on the property, but may not be connected to electrical or plumbing unless meeting all building codes for an occupiable structure.

Sec. 12.334. Temporary uses

A. Construction Office, Temporary. A temporary construction office may be placed on the site of an active construction project, but shall be removed within three months of expiration or revocation of the building permit.

B. Shipping Containers, Temporary. The short term or temporary placement of a shipping container on a property is subject to the following:

1. No more than three shipping container may be placed on a tract of land, or adjacent tract of land under the same ownership, subject to an active building permit where the use of the container is used solely for the storage of construction materials and equipment related to the construction under the permit. Such container must be removed within 30 days of completion of construction or expiration of the building permit.
2. For temporary or short term purposes, such as moving, property cleanup, and similar purposes, one shipping container may be placed on a tract of land for a period not to exceed 30 days up to two times per calendar year. Such container shall not exceed 160 square feet on a property with a single-family residential use and shall not exceed 450 square feet on all other property.

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Subchapter 5. Site Development, Design Standards, and Performance Standards

Sec. 12.340. Dimensional standards

A. Setbacks

1. Minimum or maximum setbacks are required per the dimensional standards table below.
2. In addition to the setbacks required in the table below, and any flood prevention standards, no building may be located within 100 feet from the Lavaca River, as measured horizontally from top of bank.
3. Where a lot, or portion of a lot, is used for a permitted use without a structure, such as outdoor storage or certain industrial or extractive uses, the outdoor activities related to the use must comply with the required setbacks as if the use were conducted within a structure.
4. Encroachments. Yard areas, as defined by required setbacks, must remain open and unobstructed, except for the following allowable encroachments:
   a. Ordinary projections of window sills and other ornamental feature projecting no more than 12 inches.
   b. Eaves and awnings on primary residential buildings projecting no more than two feet.
   c. Chimneys or flues projecting no more than three feet.
   d. Open fire escapes or fireproof exterior stairs, including balconies that open onto them, projecting no more than three and one-half feet.
   e. Open and unenclosed porches covered by a roof projecting no more than six feet.
   f. Uncovered porches, decks, and platforms that do not exceed more than three feet above ground level may project into required rear or side yards, but may not extend closer than two feet to any lot line.
   g. Carports and detached accessory buildings may extend into required yards in accordance with exceptions identified within this ordinance.

B. Lot Area, Width, Depth, and Frontage. Minimum lot area, lot width, lot depth, and street frontage are required per the dimensional standards table below.

C. Height. Maximum building height shall not exceed those heights shown in the dimensional standards table below. Building features such as chimneys, mechanical equipment, elevator overruns, parapet walls, rooftop screening, antennas, and similar appurtenances may exceed the maximum building height, but may not exceed an additional 15 feet without a Special Exception. Such projections shall not be used for habitable space.

D. Impervious Cover. Impervious coverage of a lot shall not exceed that listed in the dimensional standards table below. Impervious coverage does not include landscaped areas, natural ground, swimming pools, or other pervious surfaces as determined by the City Administrator. Roof eaves, or similar projections with pervious surfaces underneath, that do not exceed 18 inches will not be considered in computing coverage.

E. Visibility. On any corner lot, a visibility triangle shall be maintained at the intersection of street right-of-way lines, formed by measuring 25 feet along each frontage and connecting those points. Within this triangle, no fence, wall, structure, sign, berm, landscaping, or other obstruction between 30 inches and 8 feet in height above the closest adjacent roadway grade shall be permitted. A similar visibility triangle of 15 feet shall be preserved where a driveway or alley intersects a street.

F. Dimensional Standards Table:

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Dimensional Standards Table					
	Residential		Commercial		Industrial
Zoning Districts:	RLD	RMD	C	D	I
Minimum Front Setback	20 feet	20 feet	25 feet	0 feet[1]	25 feet
Min. Side Setback (Interior/Exterior)	5 feet / 10 feet	5 feet / 10 feet	5 feet / 10 feet	0 feet / 5 feet	15 feet / 25 feet
Min. Rear Setback	5 feet	5 feet	10 feet	0 feet	20 feet
Min. Lot Area	6,000 sf	6,000 sf; 3,000 sf for townhouse	10,000 sf	N/A	20,000 sf
Min. Lot Frontage[2]	60 feet	60 feet; 30 feet for townhouse	60 feet	N/A	60 feet
Min. Lot Width	60 feet	60 feet; 30 feet for townhouse	60	N/A	60
Min. Lot Depth	100 feet	100 feet	100	N/A	100
Maximum Building Height	35 feet or 2 stories, whichever is less	35 feet or 2 stories, whichever is less	35 feet	45 feet	45 feet
Maximum Impervious Cover	50%	50%	70%	100%	70%

[1]In the Downtown district for properties facing the courthouse square this is a build-to line requiring buildings to be between 0 feet and 5 feet from the property line.

[2]The minimum lot frontage for a cul-de-sac or curved lot is 35 feet chord length.

Sec. 12.341. Fencing, screening, and buffering

A. Applicability. The purpose of this section is to regulate the location, height, materials, and maintenance of fences, walls, and landscape screening in order to prevent the creation of nuisances and to promote the aesthetic standards of the community.

B. Fences, walls, or hedges within a residential zoning district that are not adjacent to a street or within a front yard shall not exceed 7 feet in height between the property line and the building setback line.

C. Fences, walls or hedges within a residential zoning district that are within a front yard adjacent to a street may not exceed 4 feet in height for a non-opaque fence, or 2½ feet in height for an opaque fence, between the property line and the building setback line.

D. Fences, walls, or hedges within a non-residential zoning district may not exceed 10 feet in height.

E. Decorative columns or similar treatments may exceed the maximum height by no more than two feet at intervals no closer than 10 feet.

F. Gates. Gates for vehicular access that are adjacent to a street must be set back from the curb or edge of pavement of the adjacent street by at least 20 feet.

G. Any commercial or industrial use, including parking areas for such use, that has a lot line adjacent to any residential use or district shall be screened to a height of at least six feet by an opaque wall, fence, or landscaping for the purpose of mitigating negative impacts such as noise, light, trash, and visual appearance.

H. Design and materials.

1. Required masonry walls shall be constructed of brick, stone, stucco, concrete block, tile, or other similar materials and supported by a continuous concrete footing.
2. Fencing or walls shall be constructed of standard materials customarily used for such purposes, including but not limited to wood, vinyl, chain-link, ornamental metal, masonry, or similar materials. Fencing constructed of scrap materials, barrels, pallets, scrap metal, or similar materials not designed for fence construction is prohibited.
3. Where a fence is adjacent to or visible from the public right-of-way, except an alley, the "finished" side of the fence should face the right-of-way.
4. Razor wire, barbed wire, or similar materials are prohibited with the exception of agricultural and industrial uses.

I. Maintenance. Fences shall be maintained in good and structurally sound condition.

Sec. 12.342. Outdoor storage and display

A. Outdoor storage or display may not be located within required fire lanes, landscape areas, or required parking spaces, and may not impede vehicular or pedestrian traffic or visibility.

Sec. 12.343. Parking, loading, and circulation standards

A. Purpose. These standards for parking, loading, and on-site circulation apply to off-street parking areas and drive-through facilities that are provided and are intended to promote safe and efficient vehicle circulation, adequate stacking, proper construction and maintenance, and compatibility with nearby land uses.

B. Required parking.

1. Applicability. No building or structure, with the exception of those within the Downtown District, shall be designed, erected, altered, used, or occupied, and no use shall be operated, unless the following on-site parking requirements are satisfied.
2. Enlarging, expanding or changing the structures or uses of a property after the execution of this chapter shall require conformity of all new additions, expansions, or changes to the onsite parking requirements of this chapter, as if the expansion, addition or change were a separate tract, structure, or use.
3. Responsibility for provision of facilities. The provision for and maintenance of on-site parking facilities shall be the joint and several responsibility of the operator and owner of the land, building, structure or use for which the on-site parking facilities are required.
4. Parking spaces required.
   a. The calculation of the number of parking spaces will be based on the table below.
   b. Fractional parking spaces will be rounded up to a full parking space.
   c. For a mixed use building or development, calculations shall be made for each individual use and combined for a total for the building or site.
   d. Parking for unlisted uses shall be determined by the City Administrator based on the closest listed use.

Use	Minimum Parking Spaces Required
Dwelling, Single-Family	2 spaces per dwelling
Dwelling, Multifamily	1.5 spaces per dwelling
Assembly use, such as church, auditorium, gym, etc.	1 space per 5 seats
Auto repair & service uses	2 spaces per service bay plus 1 per employee on largest shift Vehicles awaiting repair, service, or maintenance may not be parked in required spaces and must be stored on site and shall not use on-street parking areas
Clinic/Medical Office	1 space for 300 square feet of gross floor area (GFA)
Daycare, Center-based	1 space per employee on duty on largest shift plus 1 space per 3 children
Entertainment & Recreation facilities	1 space per 800 square feet of GFA and outdoor recreation area
Fuel sales	1 space per fuel pump
Hospital	1 space per 2 beds
Hotel or other lodging	1 space per guest room plus 1 per each 2 employees on duty on largest shift
Long-term care facility	1 space per 4 beds
Manufacturing, processing, wholesaling, or warehousing	1 space per 1000 square feet of GFA
Mobile Food Vendor	a) 3 spaces or b) 1 space per 4 seats plus 1 per employee on the largest shift, whichever is greater
Office/Personal Service/Civic Uses	1 space per 400 square feet of GFA
Residential care facility	1 space for each care provider on duty on largest shift plus 1 per bedroom
Restaurant/Bar	a) 1 space per 100 square feet of GFA or b) 1 space per 4 seats and 1 per employee on the largest shift, whichever is less
Retail, business, or other commercial use not listed	1 space per 300 square feet of GFA
Retirement Community/Group Living	1 space per dwelling
Schools, Elementary & Middle	1.5 spaces per classroom or per a parking study provided by the school

Schools, High School/ Trade School	9 spaces per classroom or per a parking study provided by the school
Shopping Center	1 space per 250 square feet of GFA

C. Loading standards. Every building erected or occupied for retail or wholesale service, manufacturing, storage, warehouse, hotel, or any other use similarly involving the receipt or distribution of materials or merchandise, with the exception of those within the Downtown District, shall provide and maintain, on the same premises, loading space in accordance with the following regulations:

1. Review. Proposed parking areas shall be reviewed for compliance with these standards as part of the site plan review process or prior to issuance of a certificate of occupancy for a site that does not require a site plan review.
2. Types. Based on the business need there shall be two sizes of off-street truck loading spaces designated "large" and "small."
   a. Large spaces. Each "large" space shall have an overhead clearance of at least 14 feet, shall be at least 12 feet wide, and shall be at least 50 feet long, exclusive of access or maneuvering area, platform, and other appurtenances.
   b. Small spaces. Each "small" space shall have an overhead clearance of at least ten feet, shall be at least eight feet wide and shall be at least 20 feet long, exclusive of access or maneuvering area, platform, and other appurtenances.
3. Location. Off-street truck loading spaces shall be located such that:
   a. Trucks will not extend into a public street while positioning to or parking at the loading space; and
   b. Trucks will not block any fire lane while parked at the loading space.
4. Development and maintenance of off-street loading areas. Off-street truck loading facilities shall be constructed, maintained, and operated in accordance with the following specifications:
   a. Drainage, surfacing, and maintenance. Areas shall be properly graded for drainage, surfaced with concrete or asphalt, and maintained in good condition, free of weeds, dust, trash, and debris.
   b. Screening. Large loading spaces must be located on the side or rear of the building and screened from streets and residentially zoned property by a landscape buffer or by an opaque fence or wall at least 7 feet in height.
   c. Protective screening. Loading areas shall be provided with a landscape buffer, fence, wall, or other screening such that occupants of adjacent structures are not unreasonably disturbed during the night by vehicle lights.
5. Minimum loading spaces required. The number of loading spaces shall be:
   a. At least one large or small loading space for structures with a gross floor area of 0 to 15,000 square feet.
   b. At least two large or small loading spaces for structures with a gross floor area of 15,001 to 30,000 square feet.

c. Two large loading spaces for structures with a gross floor area of 30,001 to 50,000 square feet.
d. Three large loading spaces for structures with a gross floor area of 50,001 to 100,000 square feet.
e. One additional large loading space for each 50,000 square feet over 100,000 square feet.

D. Design and maintenance standards. Areas on a property used for parking, loading, vehicle maneuvering, including sales lots for automobiles and other vehicles or equipment, shall be developed and maintained in accordance with the following requirements:

1. Maintenance for parking, loading, and maneuvering areas.
   a. For agricultural or single-family residential uses, shall be surfaced with an all-weather surface, including concrete, asphalt, gravel, caliche, or similar surfacing as approved by the City Administrator.
   b. For all other uses, shall be surfaced with concrete or asphalt, unless through an approved Special Exception.
   c. Shall be maintained in good repair, free of potholes, rutting, or surface failure, and free of weeds, dust, trash, and debris.
2. Perimeter protection. Parking area boundaries shall include curbs, wheel stops, or bumper guards located to prevent any portion of a parked vehicle from extending beyond the property line or encroaching into sidewalks or designated accessible routes.
3. Lighting. Lighting shall be so arranged that it neither unreasonably disturbs occupants of adjacent properties nor interferes with traffic.
4. Fire lanes. Parking and loading spaces shall be designed so as not to interfere with required fire lanes.
5. No more than two off-street parking spaces may utilize the public right-of-way for maneuvering, such as “head-in parking”, but in no case shall such parking be allowed from an arterial street or state highway.

E. Dimensions of parking spaces. Each off-street parking space shall meet the following standards

1. Except for parallel parking spaces, a parking space shall have a minimum width of 9 feet and minimum length of 18 feet, exclusive of access or maneuvering area, ramps and other appurtenances.
2. For parallel parking spaces, a parking space shall have a minimum width of 9 feet and minimum length of 23 feet, exclusive of access or maneuvering area, ramps and other appurtenances.

3. The maneuvering aisle between parking spaces shall have a minimum width of 24 feet for 90-degree parking spaces, 20 feet for 45-degree parking spaces, and 12 feet for parallel parking spaces if one-way traffic or 24 feet if two-way traffic. For unique circumstances, the City Administrator will make a determination using the above measurements as a guide.

F. Vehicle queuing and stacking. A minimum number of off-street stacking spaces shall be provided as follows for vehicle drive through facilities:

1. Automated Teller Machines (ATM), banks, pharmacies, or similar uses
   a. 4 spaces, measured from teller or window.
2. Carwash, quick lube, or similar uses
   a. One lane, 4 spaces, measured from entrance
   b. Multiple lanes, 2 spaces per lane, measured from entrance
3. Restaurant or other food service drive-through
   a. 4 spaces per lane, measured from pickup window to ordering location
   b. 4 spaces per lane, measured from ordering location

G. Prohibition of other uses. Required parking areas shall not be used for the storage, display, repair, dismantling, or servicing of any vehicle, equipment, materials, or supplies.

H. Alternative parking. The City Council may approve an Alternative Parking Plan to allow for shared parking, parking provided off-site, or provision of fewer parking, loading, or stacking spaces than otherwise required based on the unique characteristics of the use, subject to the following standards.

1. Shared Parking. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of an Alternative Parking Plan and if the shared parking complies with the all of following standards.
   a. Shared parking spaces must be located within 500 feet of the primary entrance of all uses served, measured along the shortest legal, practical walking route.
   b. An analysis demonstrating the feasibility of the proposed shared parking plan, including the proposed uses, estimated parking needs, and location and layout of shared parking.
   c. A shared parking plan shall be enforced through written agreement among all owners of record. A shared parking agreement may be rescinded only if all required off-street parking spaces are otherwise provided.
   d. Adequate accessible pedestrian connections are provided connecting the shared parking area and the served uses, including on-street improvements where necessary.

2. Off-site Parking. Developments that wish to utilize parking not provided on the development site may provide required parking off-site if such parking complies with all of the following standards.
   a. Off-site parking spaces must be located within 500 feet of the primary entrance of all uses served, measured along the shortest legal, practical walking route.
   b. Off-site parking shall be allowed through written agreement among all owners of record in a form approved by the City Administrator. A shared parking agreement may be rescinded only if all required off-street parking spaces are otherwise provided.
   c. Adequate accessible pedestrian connections are provided connecting the off-site parking area and the subject development, including on-street improvements where necessary.
3. On-Street Parking. On-street parking immediately adjacent to the subject property may be allowed to satisfy up to 50 percent of the required parking for a site.
4. Reduced Parking. Developments which show a reduced need for parking based on the unique characteristics of a particular use or location, including shared parking, high percentage of non-motorized customer traffic, or as part of pedestrian-oriented mixed-use development, may be allowed to provide fewer parking spaces than otherwise required herein based upon sufficient evidence provided to the Board in an Alternative Parking Plan.

Subchapter 6. Definitions

Sec. 12.350. Rules of Construction

For the purposes of this ordinance the following terms, phrases, words, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words in the plural number include the singular number. The words "shall" and "will" are always mandatory, while the word "may" is merely discretionary. The words “may not” and “shall not” are both prohibitive.

Any term not expressly defined in this section shall be defined by a relevant definition from a common dictionary as determined by the City Administrator.

Sec. 12.351. Measurements

- **Building Height:** The vertical distance from the finished grade adjacent to a building to the top of the roof for a flat roof, to the deck lines for a mansard roof, and the midpoint between the lowest eave and highest ridge for a gable, hip, or gambrel roof.
- **Days:** Unless specified otherwise, reference to a “day” within this ordinance shall mean a

calendar day.

- **Fence Height:** The greatest vertical distance between the top of the fence and the immediately adjacent ground surface on both sides of the fence.
- **Lot Area:** The area of a lot bounded by lot lines, including any portion of easements which may exist within such lot lines.
- **Lot Depth:** The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or the rear most point of the lot where there is no rear lot line
- **Lot Width:** The horizontal distance between the side lot lines measured at the required building setback line.
- **Seats:** The seating capacity of a building or site. In the event individual seats are not provided, each 20 inches of benches or similar seating accommodations shall be considered as one seat.
- **Story:** That portion of a building between the upper surface of any floor, excluding a basement, and the upper surface of the floor immediately above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Sec. 12.352. General Definitions

- **Adjacent/Abutting/Adjoining:** Unless otherwise defined elsewhere in this Zoning Ordinance, the terms adjacent, abutting, and adjoining shall mean lying immediately next to one another, or having a common boundary.
- **All Weather Surface:** A durable, dust-free surface suitable for vehicle travel and parking in all weather conditions, constructed of concrete, asphalt, or other stabilized material capable of supporting vehicular loads and preventing rutting or erosion, such as caliche, gravel, or similar surface, as determined by the City Administrator.
- **Applicant:** A person applying for a permit, zoning amendment, or other development approval under this ordinance.
- **Awning: A roof-like cover, often of fabric, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like and that does not have posts, columns, or other supports that connect to the ground.**
- **Basement:** The portion of a structure which between the floor and ceiling has more than one half of its height below grade.
- **Berm:** A mound or wall of earthen materials raised up intended to separate two areas from one another, often used for screening, buffering, or other aesthetic purposes.
- **Board:** The Zoning Board of Adjustment of the City of Hallettsville, Texas.
- **Buffer:** A strip of land with vegetation or screening to mitigate visual, noise, or light impacts.
- **Buildable Area:** The portion of a lot remaining after required yards, buffers, and easements are excluded.
- **Building:** Any structure designed or built for the enclosure, support, shelter, or protection of persons, animals, chattels, or property.
- **Build-to-line:** A line, generally parallel to the front lot line, along which the facade of a

building is required to be constructed establishing a maximum permitted building setback.

- **Carport:** A roof-covered structure intended for the purpose of storing vehicles and remaining substantially open on at least two of its sides.
- **City Council:** The City Council of the City of Hallettsville, Texas.
- **City Engineer:** A registered professional engineer employed or designated by the City to provide professional engineering services for and on behalf of the City.
- **City Administrator:** The City Administrator of the City of Hallettsville, Texas, or their designee.
- **City:** The City of Hallettsville, Texas.
- **Commission:** The Planning and Zoning Commission of the City of Hallettsville, Texas.
- **Conditional Use:** A use that may be authorized on a property through a zoning process that requires separate discretionary approval to ensure compatibility of the proposed use and which may include conditions of approval.
- **Council:** The City Council of the City of Hallettsville, Texas.
- **Development:** Any change to improved and unimproved land, including, but not limited to, construction of buildings or other structures, paving, parking areas, outdoor storage, or similar changes to unimproved land.
- **Encroachment:** Any building, other structure, or object extending into a required yard, easement, right-of-way, or sight triangle.
- **Family:** A collective number of individuals living together in one dwelling whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization, or a group of more than four students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or other similar determinable period.
- **Floor Area:** The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages or space used for off-street parking or loading, breezeways, unenclosed porches, and accessory structures.
- **Frontage or Lot Frontage:** The length of a lot line abutting a street right-of-way.
- **Grade:** The average level of the finished surface of the ground adjacent to the exterior walls of the building.
- **Impervious Cover:** The percentage of a lot covered by impervious surface.
- **Impervious Surface:** A hard surface that prevents water infiltration and increases runoff, including buildings, paved areas, patios, all weather surfaces, and the like.
- **Lot:** A parcel of land that is identified on a duly approved and properly recorded subdivision plat. Requirements for a “lot” are also applicable to a “tract”.
- **Lot Coverage:** The percentage of lot area covered by building footprints.
- **Lot Line, Front:** For an interior lot, a front lot line is the lot line adjacent to the street right-of-way. For a corner lot, the front lot line is a lot line adjacent to a street right-of-way on the primary frontage, which is the frontage that the principal building faces or

takes access from, as determined by the City Administrator.

- **Lot Line, Interior Side:** A side lot line not adjacent to a street right-of-way.
- **Lot Line, Rear:** A lot line that is parallel to the front lot line or within 45 degrees of being parallel to the front lot line. For an irregular or triangle lot, the rear lot line is a line at least 10 feet long and parallel to and most distant from the front lot line.
- **Lot Line, Side:** A side lot line is any lot line which is not a front lot line or a rear lot line.
- **Lot Line, Street Side:** A side lot line adjacent to a street right-of-way.
- **Lot, Corner:** A lot situated at the intersection of two or more streets, which streets have an angle of intersection of not more than 135 degrees.
- **Lot, Double Frontage:** Any lot, not a corner lot, with frontage on two non-intersecting streets.
- **Lot, Flag:** A lot that abuts the street by a narrow strip of land that does not meet the minimum lot width requirements of this Chapter. A flag lot is made up of two components, the flag portion that is the developable part of the lot and the flagpole, which is the narrow strip connecting the flag portion to the street.
- **Lot, Interior:** A lot other than a corner lot.
- **Nonconforming Lot:** A lot that complied with all applicable standards when created but does not meet current standards.
- **Nonconforming Structure:** A structure that does not conform to the current zoning regulations, or other city regulations, for the property.
- **Nonconforming Use:** A use of a property that does not conform to the current zoning regulations, or other city regulations, for the property.
- **Nonconforming Use, Illegal:** An existing use, lot, or structure that was not permitted under the zoning regulations in place when the use, lot, or structure was established.
- **Nonconforming Use, Legal:** A use, lot, or structure that was lawful when established but is no longer permitted under current regulations.
- **Parcel:** An undivided legally described piece of land, which may be a lot or tract.
- **Paving or Paved Surface:** The covering of a surface, generally for driving or parking of vehicles, with concrete, asphalt, brick or stone pavers, or similar treatment that creates a level, impervious surface, as determined by the City Administrator.
- **Permit:** An official document or certificate issued by the authority having jurisdiction authorizing performance of a specified activity.
- **Premises:** A parcel or parcels of land together with all buildings and structures thereon.
- **Principal Building:** The building or buildings on a lot which are occupied by a principal use.
- **Rezoning:** A legislative action amending the zoning map to change the zoning district applied to a particular area of land.
- **Right-of-Way, External:** The portion of the right-of-way outside the street surface; often used for sidewalks, utilities, and landscaping.
- **Right-of-Way:** Land reserved or dedicated for transportation or utilities, such as streets or alleys, pedestrian ways, or similar purposes.
- **Setback:** The minimum distance between a building or structure and a lot line, excepting allowable encroachments.
- **Sight Triangle:** A triangular area near intersections that must remain free of obstructions.

- **Site Plan:** A scaled drawing showing proposed development on a site for the purpose of ensuring compliance with the zoning ordinance and other requirements.
- **Site:** An area of land developed, or to be developed, as a cohesive unit, which may include one or more lots or tracts of land.
- **Street:** The area within the right-of-way intended for use as a means of vehicular and pedestrian circulation and to provide access to adjacent lots.
- **Temporary Use:** A use established for a limited duration that is intended to terminate and not remain indefinitely.
- **Tract:** A parcel of land that has not been identified on an approved and recorded subdivision plat. Requirements for a "lot" are also applicable to a "tract".
- **Use:** The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.
- **Variance:** A discretionary waiver from specific zoning standards due to hardship.
- **Yard, Front:** The area extending the full width of a lot between the street right-of-way line and the front line of the principal building(s) extended to the side property lines.
- **Yard, Rear:** The area extending the full width of a lot between the rear line of the principal building(s) and the rear lot line.
- **Yard, Side:** The area adjoining the sides of the principal building(s) and between the front and rear yards.
- **Yard:** An open area between a lot line and a setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Zoning Ordinance.
- **Zoning District:** An area of the City designated on the Zoning Map where regulations of this ordinance generally apply uniformly.
- **Zoning Map:** The official map depicting zoning district boundaries.

Sec. 12.353. Land Use Definitions

- **Accessory Building or Structure:** A building or structure subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building or to the principal use of the land.
- **Accessory Dwelling:** A type of accessory building that is a subordinate dwelling located on the same lot as a principal dwelling and providing complete independent living facilities, including provisions for cooking, sleeping, and sanitation, whether a part of the same structure as the principal dwelling unit or a detached dwelling unit on the same lot.
- **Accessory Use:** A use that is customarily incidental and subordinate to the principal use of the land or buildings on the same lot or site.
- **Agricultural Use:** An area used for (1) the cultivation and production of farm crops or vegetation for food, feed, seed, or fiber; (2) aquaculture, floriculture, viticulture, horticulture, or silviculture; (3) wildlife management; (4) raising or keeping of typical farm animals such as livestock and poultry; (5) participation in crop rotation programs; or (6) the commercial sale of animals; and including related accessory uses and structures, which includes roadside stands.

- **Airport:** An area reserved or improved for the landing or take-off of aircraft, including rotary wing aircraft, which may include fueling or servicing facilities for such craft.
- **Alcohol Sales:** Establishments that sell alcohol in compliance with the Texas Alcoholic Beverage Code, as amended, and any applicable local option elections.
- **Ambulance Service:** Provision of private (not operated by a governmental entity or through contract with a governmental entity) emergency transportation which may include mobile medical care, and the storage and maintenance of vehicles.
- **Automobile Parking Lot or Structure (Commercial):** An area, enclosed or unenclosed, used for the parking or storage of motor vehicles for a fee independent from parking for a particular business or businesses.
- **Automobile Wash:** Washing, waxing, or cleaning of automobiles or light duty trucks, including full service where the employees of the establishment wash, dry, wax and/or detail vehicles for a fee or self-service where the owner of the vehicle causes the vehicle to become washed, including automated or drive through washes or self-service wash bays.
- **Banking Services:** An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds, examples of which include banks, saving and loans, and credit unions.
- **Bed & Breakfast:** An establishment used for dwelling purposes for a period of less than 30 consecutive days in which less than the entire dwelling is offered to transient guests for compensation.
- **Boarding or Rooming House:** A residential building, or portion thereof, in which lodging is provided for long-term or semi-permanent occupancy, typically 30 days or more, with (Boarding House) or without (Rooming House) the provision of meals, and where separate cooking facilities for individual residents are not provided. Boarding or Rooming Houses are not considered short-term lodging establishments and do not include hotels, motels, or short-term rentals.
- **Cemetery, Crematorium, And Mausoleum:** Land used or intended to be used for the care or burial of the dead and dedicated for such purposes including columbariums, crematoriums, mausoleums, and funeral establishments, or any combination thereof.
- **Community and Cultural Facilities:** A facility used for civic, social, cultural, or community activities, operated by a public, nonprofit, or membership-based organization. Examples include community centers, meeting halls, social or fraternal organizations, art galleries, live theaters for performing arts, museums, art studios, libraries, and similar uses.
- **Contractor Services:** A business that constructs and repairs buildings, paves roads, installs landscaping, fences, swimming pools, and other structures, including subcontractors do installation, service, and repair, such as electrical, plumbing, and mechanical. This use is typified by outdoor storage yards for vehicles, materials, and equipment and does not include any such use that only provides office-related services for the business.
- **Convenience Store:** A small retail establishment, generally 5,000 square feet or less of floor area, offering a limited selection of frequently purchased goods, including snacks, beverages, tobacco products, over-the-counter medicines, lottery tickets, and household convenience items, generally for quick, stop-in transactions. Fuel sales, if provided, shall

be considered a separate, accessory use where permitted.

- **Data Center:** A building or group of buildings primarily designed and used for the housing, operation, and maintenance of computer servers, data storage systems, network equipment, and associated infrastructure for the purpose of storing, processing, transferring, or managing digital data. Data centers do not include general office uses, call centers, or facilities where computing equipment is incidental to the primary activity.
- **Daycare:** A use that includes the care, supervision, training, or education of an unrelated child or children under 14 years old for less than 24 hours per day that occurs in a place other than the child's own home. This definition includes care provided to school-age children before and/or after the customary school day.
- **Daycare, Center-Based:** A daycare operation providing care at a location other than the caregivers' or permit holder's home.
- **Daycare, Home-Based:** A daycare operation providing care at the caregiver's home.
- **Drive-Through/Drive-In:** A use that provides services, products, food, or beverages to customers remaining in motorized vehicles in a parking space, lane, or lanes dedicated for that purpose, including but not limited to those associated with restaurants, ATMs, banks, dry cleaners, coffee shops, pharmacies, and liquor stores. A drive-through or drive-in shall at all times be considered accessory to the principal use it serves.
- **Dwelling:** A building or portion thereof designed or used for residential occupancy, including one-family, two-family, multifamily dwellings, or mobile or manufactured housing, but not including boarding or rooming houses, hotels, motels, or recreational vehicles.
- **Dwelling, Duplex:** Any building or portion thereof which is designed to be occupied as two dwellings or apartments, or which is occupied as a home or place of residence by two families living independently of each other and each having a separate entrance and maintaining separate cooking facilities. A duplex may be one building on one lot or each unit may be on its own lot sharing a common wall along a lot line.
- **Dwelling, Multiple-Family:** A residential building containing three or more dwellings, or multiple detached single family dwellings on a single lot, that are designed for occupancy by three or more families, each living independently of one another, with the number of families not to exceed the number of dwellings. The term includes cooperative apartments, condominiums, and the like. Any multifamily dwelling in which units are available for rental periods less than one week shall be considered a hotel or motel.
- **Dwelling, Single Family:** A building designed and arranged exclusively for the use and occupancy of one family which is not attached to any other dwelling.
- **Dwelling, Townhouse or Townhome:** A building constructed in a group of three or more attached dwellings separated by property lines in which each dwelling extends from the foundation to the roof with access to a front and back yard.
- **Entertainment & Recreation (Indoor):** Commercial entertainment or recreational activities conducted entirely within an enclosed building. Examples include bowling, arcades, skating rinks, theaters, escape rooms, fitness/training studios, and similar uses, but excluding amusement redemption machines.
- **Entertainment & Recreation (Outdoor):** Commercial entertainment or recreational

activities where any portion occurs outdoors. Examples include miniature golf, batting cages, golf driving range, go-karts, drive-in theaters, outdoor performance venues, amusement parks, fairgrounds, rodeo facilities, and similar uses.

- **Extractive and Heavy Materials Processing:** A land use category that includes industrial operations involving the extraction, processing, handling, or storage of raw earth materials, and other heavy industrial activities with significant outdoor components or environmental impacts. Examples include, but are not limited to, mining, quarrying, borrow pits, sand and gravel extraction, rock crushing, concrete or asphalt batch plants, soil processing, materials stockpiling, and similar operations in which natural materials are removed from the ground or processed into construction or industrial products. These activities typically involve heavy truck traffic, outdoor processing equipment, dust and noise-generating machinery, blasting, crushing, screening, or mixing activities. This category does not include light manufacturing, recycling facilities, or construction contractor yards unless such uses involve the extraction or industrial-scale processing of raw materials.
- **Fuel Sales:** The retail sale of flammable liquids, combustible liquids, liquid flammable gas, or flammable gas, where such fuel is dispensed into tanks for motor vehicles.
- **Funeral Home or Mortuary:** A place for the temporary storage of human bodies prior to their burial or cremation, which may also be used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
- **Garage Sale:** The sale of items at a private residence for the purpose of disposing of personal property, and includes the terms yard sale, rummage sale, and similar references.
- **Governmental Facilities:** A building, structure, land area, or use owned, leased, or operated by a local, state, or federal government agency, or by a political subdivision or public authority, for the purpose of providing administrative, civic, judicial, legislative, protective, regulatory, or public service functions. Governmental facilities include, but are not limited to, city halls, courthouses, administrative offices, public safety facilities (police, fire, EMS), public works yards, utility service facilities, maintenance facilities, and other operations providing governmental or public services. This use category does not include correctional or detention facilities, schools, or utility facilities that are separately defined.
- **Grocery Store:** A retail establishment, typically over 5,000 square feet in floor area, primarily engaged in the sale of a broad range of food and household goods, including fresh produce, meats, dairy products, baked goods, packaged foods, and typical household staples. A grocery store may include specialty departments such as a pharmacy, delicatessen, coffee counter, prepared foods area, or other ancillary services provided these uses are incidental to the principal grocery operation.
- **Group Living:** Use of a site for institutional residential occupancy by multiple unrelated persons in a shared living arrangement with sleeping rooms and shared facilities, which may include on-site supervision or care. Group living is intended for permanent housing as compared to short term housing provided by shelters.
- **Group Living, Residential:** Group living for individuals with no on-site supervision or care

provided. Examples include residence halls, dormitories, fraternity and sorority houses, and similar uses.

- **Group Living, Community Residential Facility:** Group living with on-site supervision and non-medical treatment. Examples include group homes, halfway houses, rehabilitation facilities, and transitional homes, but excluding community homes.
- **Group Living, Community Home:** A residential facility meeting the definition and requirements of Texas Human Resources Code, Chapter 123, providing residence to no more than six persons with disabilities and up to two caregivers.
- **Group Living, Personal Care Facility:** An establishment that furnishes food, shelter, and medical care or treatment for medical, behavioral, mental health, or similar personal care services. Examples include nursing homes, assisted living, memory care facilities, residential treatment centers, and similar uses.
- **Group Living, Punitive:** A secure, full-time residential facility operated by a governmental agency, or private entity under contract with a governmental agency, used for the incarceration, detention, or long-term custody of individuals as part of the criminal justice or juvenile justice system. Examples include prisons, penitentiaries, jails, juvenile detention centers, detention camps, correctional institutions, and similar facilities where residents are involuntarily housed under legal order. This use does not include halfway houses, probation or parole residential programs, residential treatment centers, or other non-secure community-based group living arrangements.
- **Home-Based Business:** A business that is operated from a residential property, by the owner or tenant of the property, and for the purpose of manufacturing, providing, or selling a lawful good, or providing a lawful service.
- **Home-Based Business, No-Impact:** A home-based business that has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property; does not generate on-street parking or a substantial increase in traffic through the area; operates in a manner in which none of its activities are visible from a street; and does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.
- **Hospital:** A facility licensed to provide medical, surgical, psychiatric, or emergency treatment to patients with illnesses, injuries, or health conditions, where care is provided by physicians, nurses, and other licensed health-care professionals. A hospital typically includes inpatient beds, operating rooms, diagnostic imaging, laboratories, emergency departments, and ancillary support services. A hospital may also include outpatient clinics, rehabilitation services, pharmacies, cafeterias, administrative offices, and other customary accessory uses. This use does not include standalone medical offices, urgent care clinics without inpatient beds, or long-term nursing or assisted-living facilities.
- **Hotel/Motel:** A building or group of buildings offering transient lodging to guests for periods of less than 30 consecutive days, typically on a daily rate, and which may include accessory services such as restaurants, meeting rooms, lounges, retail services, and recreational facilities. Hotels provide private rooms or suites with individual bathrooms, and may offer housekeeping or other guest services.

- **Industrial, Heavy:** A category of high-intensity industrial operations involving large-scale production, processing, assembly, treatment, or storage of materials, products, or equipment. Heavy industrial uses may include activities that generate significant noise, vibration, odors, emissions, truck or rail traffic, or outdoor operations. This category includes, but is not limited to: heavy manufacturing; foundries; metal or wood fabrication plants; chemical or petrochemical production; energy generation; large-scale food processing; waste handling or recycling facilities; outdoor storage yards associated with manufacturing; and other operations requiring state or federal environmental permits due to their potential impacts.
- **Industrial, Light:** A category of low- to moderate-intensity industrial uses conducted primarily within enclosed buildings and characterized by minimal off-site impacts. Light industrial uses include the fabrication, assembly, processing, packaging, repair, or finishing of products using small-scale machinery or hand tools; research and development laboratories; prototype manufacturing; technology or electronics assembly; industrial laundry facilities; alcohol manufacturing, wholesaling, or distribution; warehousing; distribution; and similar operations where noise, vibration, odor, emissions, truck traffic, or outdoor activity are limited in scale and not detectable beyond the property line in a manner that would create nuisances. Light industrial uses do not include heavy manufacturing, large-scale materials processing, extractive industries, chemical production, outdoor-intensive industrial operations, or uses requiring state or federal air, wastewater, or hazardous-material permits beyond laboratory or light-industrial thresholds.
- **Industrialized Housing:** Industrialized housing is a structure that is: (1) designed for the occupancy of one or more families; (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent sites; and (3) designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on a permanent foundation system. Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include: (1) housing constructed of a sectional or panelized system that does not use a modular component; or (2) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- **Itinerant Business:** An establishment of any business on a temporary basis where the business does not occur in a permanent structure, in a structure for which a temporary permit has been obtained, or in association with another temporary use such as a carnival, fair, parade or festival. The term further does not apply to garage sales, businesses that are operated or owned by the same person or entity that owns the property, or businesses that hold a lease term on the property of at least one year.
- **Kennel:** Any lot or premises on which five or more dogs, cats, or other domestic animals, at least four months of age, are housed or accepted for boarding, training, grooming, bathing, or otherwise keeping or caring for.
- **Kennel (Outdoor):** A kennel that includes outdoor pens, yards, or play areas where animals

can be outside without direct supervision.

- **Kennel (Indoor):** A kennel that does not include outdoor pens, yards, or play areas, except for areas where individual animals are on a leash and directly supervised by establishment personnel.
- **Landfill:** The disposal and burial of non-hazardous and non-medical, farm, residential, commercial, institutional, or industrial waste.
- **Livestock Sales And Transport Facility:** A commercial establishment engaged in the receiving, temporary holding, sorting, loading, unloading, weighing, sale, or auction of livestock, and may include associated activities such as on-site veterinary inspection, livestock pens, barns, loading chutes, trailer parking, and the staging or dispatching of trucks used for the transport of livestock. This use includes livestock auction barns, livestock markets, livestock shipping or hauling businesses, and combined sale-and-haul operations. Facilities often generate significant truck traffic, noise, and odors and may involve outdoor pens or covered holding structures. This use does not include small-scale agricultural operations conducted as an accessory use to a farm or ranch, nor does it include slaughterhouses or meat-processing facilities.
- **Manufactured Home:** A type of single-family dwelling as defined by Section 1201.003 of the Texas Occupations Code.
- **Manufactured Home, New:** A manufactured home that is not a used manufactured home, regardless of its age.
- **Manufactured Home, Used:** A manufactured home which has been occupied for any use or for which a statement of ownership has been issued.
- **Manufactured/Mobile Home Park:** Any tract of land where accommodation is provided for non-transient manufactured/mobile home use.
- **Mobile Food Unit (MFU):** (As defined by 25 TAC 228.2, as may be amended) A vehicle-mounted, self- or otherwise propelled, self-contained food service operation designed to be readily movable (including catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. An MFU must completely retain its mobility at all times. An MFU does not include a stand or a booth. A roadside food vendor is classified as an MFU.
- **Mobile Food Vendor:** Any business which sells edible goods from a Mobile Food Unit (MFU) within the city.
- **Mobile Home:** A type of single-family dwelling produced prior to June 15, 1976, as defined by Section 1201.003 of the Texas Occupations Code.
- **Office:** A commercial or professional establishment in which business, administrative, clerical, financial, professional, or technical services are conducted primarily within an enclosed building. Activities typically include the handling of paperwork, data processing, design work, meetings, consultations, or similar functions that do not involve the sale of physical goods, on-site manufacturing, or customer-oriented retail transactions. Offices may include services such as accounting, architecture, engineering, real estate, insurance, consulting, legal services, corporate administration, and similar professions. The term does not include medical offices.
- **Office, Construction (Temporary):** A building used to provide on-site office space at an

active construction site.

- **Office, Medical:** A facility where health care professionals, including doctors, nurses, dentists, orthodontists, optometrists, and similar professionals, provide outpatient health care services, examinations, or consultations, but excluding surgical centers or other overnight care; and facilities that perform medical or dental laboratory testing or processing having a direct relationship to the provision of health services, but excluding industrial scale laboratory processes.
- **Outdoor Display:** The display of goods, materials, or other merchandise for sale to customers, outside of a building, as part of a principal commercial or retail business on the site and does not include storage of materials, equipment, or retail inventory not intended for direct sale, inoperable vehicles, construction supplies, or bulk materials.
- **Outdoor Storage:** The keeping, displaying, or storing, outside a building, of any goods, materials, merchandise, vehicles, or equipment that does not meet the definition of outdoor display.
- **Pawnshop:** A commercial establishment licensed under Texas state law to engage in pawn transactions, in which a pawnbroker makes pawn loans to customers and receives personal property as pledged collateral. A pawnshop includes any business where customers may pledge, sell, or otherwise convey personal property to secure a loan, and where the pledged property may later be redeemed by the customer. The term does not include secondhand goods stores, thrift shops, consignment stores, or other retail establishments that do not make pawn loans.
- **Place of Worship:** A tax-exempt organization, such as a church, temple, or similar religious facility, used as a place of assembly for religious purposes, including accessory uses and activities customarily associated with such use.
- **Recreation, Outdoors:** Recreational activities that take place outdoors, including hiking/biking trails, picnic areas and shelters, athletic fields, play courts (such as tennis courts), swimming pools, golf courses, campgrounds, and similar uses. These may include accessory structures for restrooms, concessions, dressing, offices, and associated ticket/equipment purchase or rental.
- **Recreational Vehicle (RV):** A motorized or towable vehicle designed and constructed to provide temporary living quarters for recreational, camping, travel, or seasonal use, including motorhomes, travel trailers, fifth-wheel trailers, truck campers, and similar units.
- **Recreational Vehicle (RV) Park:** An area where accommodation is provided for transient residence for two or more recreational vehicles.
- **Recycling Collection And Processing Center:** A facility that is not a salvage yard and in which recoverable resources, such as newspapers, glass, plastic, and metal cans, are collected, stored, flattened, crushed or bundled.
- **Recycling Collection Point:** A use that serves as a drop-off point for the temporary storage of recoverable resources where there is no processing of such items.
- **Repair And Maintenance Services (Indoor):** A commercial establishment where repair and maintenance services are performed and where all operations are contained entirely within an enclosed building. This definition shall not include maintenance and repair of

motor vehicles.

- **Repair And Maintenance Services (Outdoor):** A commercial establishment where repair and maintenance services are performed and where all or any portion of the operations are located outside of an enclosed building. This definition shall not include maintenance and repair of motor vehicles.
- **Restaurant/Bars:** A commercial establishment where food and/or beverages are prepared and sold for on-premises or off-premises consumption that may offer counter service, table service, self-service, take-out, or delivery. Examples include bars, cafes, coffee shops, retail bakeries, fast food, full service dining, and similar establishments. Such uses may include drive-in or drive-through service where permitted as an accessory use or alcohol sales where permitted.
- **Retail Sales & Service:** Establishments engaged in the sale or rental of goods and the provision of consumer services. Examples include sales of apparel, electronics and other goods, hardware stores, home improvement stores, laundries (retail or self-service), pharmacies, bakeries (retail), copy/print shops, specialty retail, personal services, such as barber shops, beauty shops, and tattoo parlors, and other similar uses.
- **Retail Sales/Rental (Automobiles, Trucks, And Other Large Vehicles And Equipment):** A business establishment for the display for sale, rental, or lease of automobiles, trucks, manufactured homes, RVs, boats, and motorized heavy equipment accompanied by an on-site office with staffing during normal business hours, which may include the service of vehicles on-site.
- **Roadside Stand:** A temporary structure without foundation and intended to be used solely by the owner or tenant of the property on which it is located for the sale of agricultural produce where 50 percent or more of the gross income received is derived from produce raised on farms owned or operated by the operator in a normal crop year.
- **Salvage, Junk, And Vehicle Impound Services:** A land use category that includes facilities engaged in the outdoor storage, collection, towing, dismantling, recovery, or recycling of vehicles, metals, equipment, or discarded materials. Examples include scrap yards, junkyards, auto salvage operations, wrecker services, towing and impound lots, and similar activities involving the processing or storage of materials or inoperable, abandoned, or wrecked vehicles.
- **School, Primary And Secondary:** A public, charter, or private educational facility providing instruction to students from kindergarten through grade 12, including elementary, intermediate, middle, junior high, and high schools; includes common accessory facilities such as athletic fields, auditoriums, cafeterias, and administrative offices.
- **School, Post-Secondary:** A public or private educational institution that provides academic, professional, technical, or vocational instruction beyond the high-school level. Examples include colleges, universities, community colleges, vocational and trade schools, technical institutes, and other adult education or certificate-granting programs. Facilities may include classrooms, lecture halls, laboratories, administrative offices, student centers, libraries, on-site dining, and typical accessory uses such as student housing, recreation facilities, and parking areas.
- **School, Specialty:** A facility providing specialized instruction, training, or practice in a

focused discipline or skill. Specialty schools may include, but are not limited to, dance studios, music schools, art schools, martial arts academies, gymnastics studios, performance training centers, tutoring or enrichment centers, craft or creative arts programs, and similar instructional uses. Such facilities typically offer lessons, classes, workshops, or rehearsals for individuals or small groups, and do not confer academic degrees or provide K–12 or post-secondary education. Accessory uses may include retail sales of related supplies, offices, and small performance or exhibition areas.

- **Sexually Oriented Business (SOB):** A business as defined in Chapter 243 of the Texas Local Government Code.
- **Shelter & Transitional Housing:** A residential use providing temporary or time-limited lodging, which may or may not include supportive services, for individuals and/or households. Services may include meals, counseling, case management, safety/protective assistance, and housing navigation. Examples include homeless shelters, protective shelters for victims of abuse, youth shelters, and other similar uses.
- **Shipping Container:** Any structure or storage receptacle designed or built and generally intended for the shipment or transportation of products or goods; however, shall not include trucks, trailers, or rail cars.
- **Shopping Center:** A group of retail and commercial establishments planned, constructed, and managed as a single property.
- **Short-Term Rental:** An establishment used for dwelling purposes for a period of less than 30 consecutive days in which the entire dwelling is offered to transient guests for compensation. This is not intended to include a rental of a dwelling that is part of a contract for sale of the dwelling.
- **Smoke / Vape / CBD Shop:** A retail establishment primarily engaged in the display, sale, distribution, delivery, offering, or marketing of tobacco, tobacco products, e-cigarettes, vaping devices, CBD or hemp-derived products, or tobacco paraphernalia or any similar use. This does not include (1) pharmacies selling FDA-approved cannabis or cannabis derived products, (2) grocery stores, supermarkets, convenience stores, or similar retailers where the display and storage of such products constitute no more than 2% or 200 square feet of gross floor area, whichever is less, or for stores less than 250 square feet in total floor area, no more than 5 square feet.
- **Social Service Facility:** A nonprofit facility intended to provide basic needs to individuals and families including training, food, counseling, and health care, but not including permanent or temporary housing.
- **Storage, Self-Service:** Small individual storage units for rent or lease, restricted solely to the storage of items, such as motor vehicles, trailers, boats, bulky household goods, and other personal property with no on-site residential or business activity, except for the sales office for the storage facility.
- **Surgical Center:** A facility not within a hospital, providing surgical services requiring anesthesia and/or a period of post-operative observation for patients whose admission for overnight stay is not anticipated to be medically necessary. Generally excluded are surgical services ordinarily performed by physicians in their private offices or within a hospital's outpatient or emergency department.

- **Swimming Pool, Private:** A swimming pool constructed for the exclusive use of the residents of a dwelling or dwellings. A private swimming pool is not operated as a business or for remuneration of any kind.
- **Swimming Pool, Public:** A swimming pool constructed for use by the general public, including those operated by the City or other public entity, operated as a business, or operated in conjunction with another public use, such as a hotel, recreation facility, or similar use.
- **Urgent Care Clinic:** A medical facility that provides walk-in, outpatient diagnosis and treatment of illnesses, injuries, and health conditions that require prompt attention but are not severe enough to necessitate emergency room care. Urgent care clinics typically offer extended hours, accept unscheduled patients, and provide services such as minor injury treatment, diagnostic imaging, laboratory testing, and basic medical procedures. Patients are treated on an outpatient basis, and the facility does not provide inpatient beds, surgical suites requiring anesthesia beyond minor procedures, or overnight care. This use is distinct from a hospital emergency department and may be accessory to or separate from a medical office or clinic.
- **Utility Facility:** A structure or facility used by a public or quasi-public utility agency to store, distribute, or pump a utility service such as electricity, natural gas, telecommunications, water, or sewer. This use does not include facilities to generate, treat, or produce such utilities.
- **Utility Generation, Production, Treatment:** A structure or facility used by a public or quasi-public utility agency to generate, treat, or produce a utility such as electricity, natural gas, water, or sanitary sewer.
- **Vehicle Repair And Maintenance Services:** Repair, maintenance, or service of vehicles, light trucks, large trucks, buses, RVs, and other vehicles, including oil changes, tires, diagnostics, emergency road service, washing and detailing, inspections, and general repair or reconditioning of engines, air-conditioning systems, and transmissions for motor vehicles; wrecker service; collision repair services including body, frame, or fender straightening or repair; customizing; painting; undercoating and rustproofing; and other similar uses.
- **Veterinary Service:** A place where a veterinarian maintains treatment facilities for the medical or surgical treatment of diseased or injured animals, including boarding facilities.
- **Wholesaling And Storage:** An establishment or place of business primarily engaged in the storage or warehousing of items; and/or engaged in selling or distributing of merchandise in quantity to retailers, industrial, commercial, institutional, professional business users, or other wholesalers; engaged in acting as agents or brokers buying merchandise for, or selling merchandise to, such individuals or companies; or where merchandise is transferred from one mode of transportation to another.

City of Hallettsville Zoning Ordinance - Permitted Use Chart
(Section 12.331.C.)

P = Permitted, C = Special Use, X = Not Permitted *Letter in parenthesis for certain permitted or conditional uses refers to the applicable section for supplemental standards in Section 12.332.*	**RLD** **Residential, Low Density**	**RMD** **Residential, Medium Density**	**C** **Commercial**	**D** **Downtown**	**I** **Industrial**
Residential Uses					
Accessory Building / Structure (Residential)	P	P	P	C	X
Accessory Dwelling Unit	P	P	X	X	X
Boarding / Rooming House	X	P	P	P	X
Duplex	C	P	C	C	X
Townhouse/Townhome	C	P	C	C	X
Group Living	X	C	C	C	C
Group Living, Community Home	P	P	P	P	X
Home-based Business	P	P	P	P	X
Industrialized Housing	P(D)	P(D)	P(D)	P(D)	X
Living Quarters on Site with a Business	X	X	P	P	C
Manufactured Home	P(E)	P(E)	X	X	X
Mobile Home	X	X	X	X	X
Multiple-Family Dwelling	X	P	P	C	X
RV Parks	X	X	X	X	X
Short Term Rental	P	P	P	P	X
Single-Family Dwelling	P	P	P	C	X
Swimming Pool, Private	P	P	P	P	X
Commercial, Office, Service & Lodging Uses					
Accessory Building / Structure (Nonresidential)	X	X	P	P	P
Alcohol Sales	X	X	P(A)	P(A)	P(A)
Automobile Wash	X	X	P(B)	X	P(B)
Banking Services	X	X	P	P	P
Bed & Breakfast	C	C	P	P	X
Convenience Store	X	X	P	P	P
Contractor Services	X	X	C	C	P
Data Center	X	X	X	X	C
Drive-Through (Accessory)	X	X	C	C	C
Fuel Sales	X	X	C	X	P
Grocery Store	X	X	P	P	P
Hospital	X	X	P	C	P
Hotel / Motel	X	X	P	P	P
Medical Office	X	X	P	P	P
Mobile Food Vendor	X	X	P(F)	P(F)	P(F)
Office	X	X	P	P	P
Parking Lot (Commercial)	X	X	P	C	P
Pawnshop	X	X	C	C	P
Repair and Maintenance Services, Indoor only	X	X	P	P	P
Repair and Maintenance Services, Outdoor	X	X	C	X	P
Restaurant/Bar	X	X	P	P	P
Retail Sales & Service	X	X	P	P	P
Sexually Oriented Businesses	X	X	X	X	P
Smoke / Vape / CBD Shops	X	X	C(G)	C(G)	P(G)
Storage, Self-Service	X	X	C	C	P
Surgical Center	X	X	P	C	P
Urgent Care Clinic	X	X	P	C	P
Vehicle Repair	X	X	C(J)	X	P(J)
Vehicle & Equipment Sales/Rental	X	X	P	X	P

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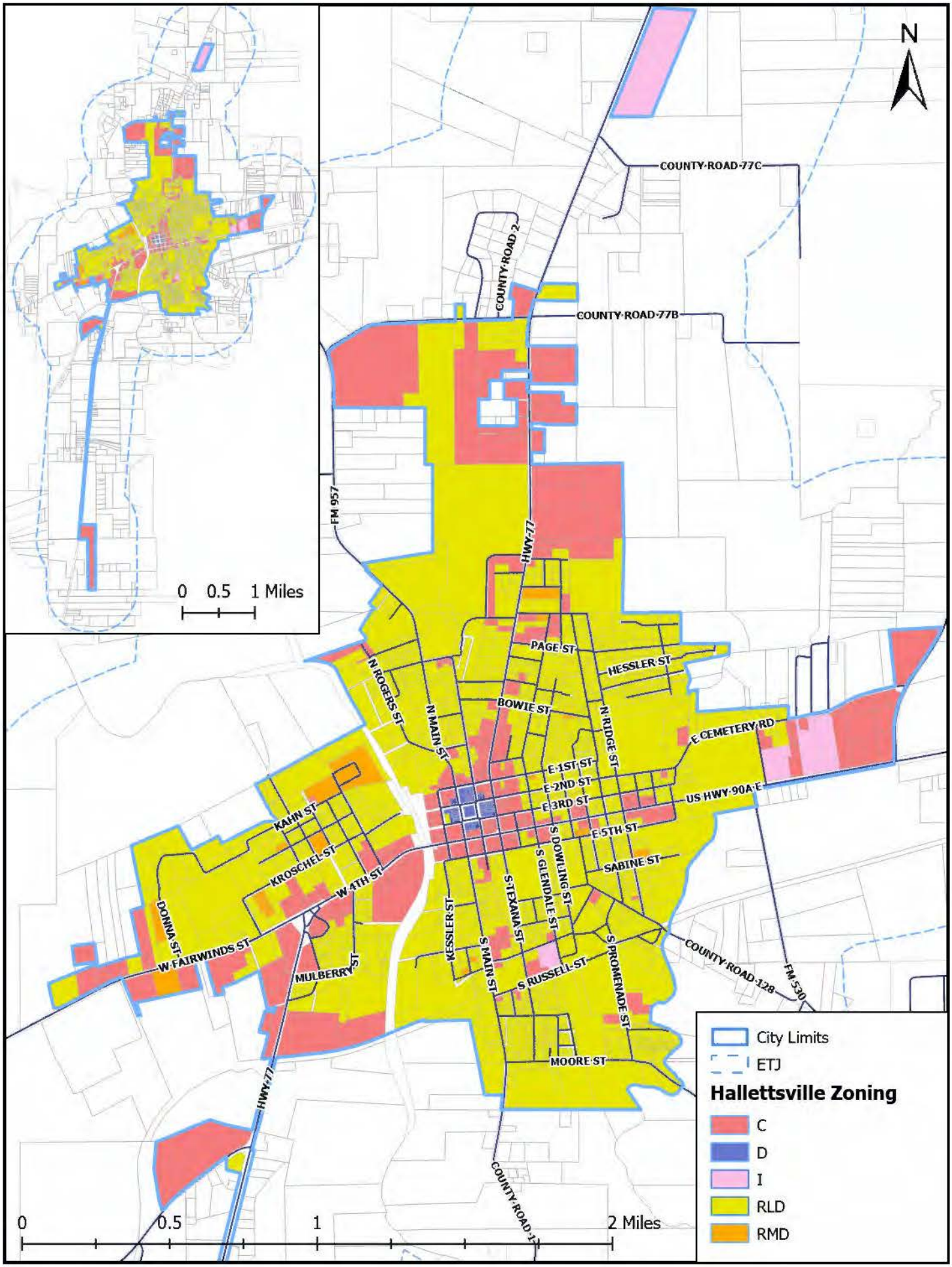
Civic, Institutional, Recreation & Public Uses					
Airport	X	X	C	X	C
Ambulance Service	X	X	P	X	P
Cemetery	C	C	C	X	C
Community & Cultural Facilities	C	C	P	P	P
Daycare, Center-based	X	C	P	C	C
Daycare, Home-based	C	C	P	C	X
Entertainment & Recreation (Indoor)	X	X	P	P	P
Entertainment & Recreation (Outdoor)	X	X	C(C)	X	P(C)
Funeral Home or Mortuary	X	X	P	P	P
Government Facilities	C	C	P	P	P
Place of Worship	P	P	P	P	P
Recreation, Outdoors	P	P	P	P	C
School, Primary and Secondary	C	C	P	C	C
School, Post-Secondary	X	X	C	C	C
Shelter & Transitional Housing	X	X	C	C	C
Social Service Facility	X	X	C	C	P
Specialty School	X	X	P	P	C
Swimming Pool, Public	X	X	P	X	X
Industrial, Infrastructure & Environmental Uses					
Extractive and Heavy Materials Processing	X	X	X	X	C
Industrial, Light	X	X	X	X	P
Industrial, Heavy	X	X	X	X	C
Landfill	X	X	X	X	X
Recycling Collection and Processing Center	X	X	X	X	C
Recycling Collection Point	X	X	C	X	C
Salvage, Junk, and Vehicle Impound Services	X	X	X	X	C
Telcommunications Tower	X	X	P(I)	X	P(I)
Utility Facility	C	C	P	C	P
Utility Generation, Production, or Treatment	X	X	C	X	P
Wholesaling & Storage	X	X	C	X	P
Agricultural & Animal-Related Uses					
Agricultural Use	P	P	P	P	P
Kennel, Indoor only	X	X	P	P	P
Kennel, Outdoor	X	X	C	C	P
Livestock Sales and Transport Facility	X	X	C	C	P
Veterinary Service	X	X	P	C	P


N
COUNTY ROAD 77C
COUNTY ROAD 2
COUNTY ROAD 77B
FM 957
HWY 77
PAGE ST
HESSLER ST
N ROGERS ST
N MAIN ST
BOWIE ST
N RIDGE ST
E CEMETERY RD
E 1ST ST
E 2ND ST
E 3RD ST
US HWY 90A E
E 5TH ST
KAHN ST
KROSCHEL ST
W 4TH ST
S DOWLING ST
SABINE ST
S GLENDALE ST
S TEXANA ST
KESSLER ST
DONNA ST
W FAIRWINDS ST
MULBERRY ST
S MAIN ST
S RUSSELL ST
S PROMENADE ST
COUNTY ROAD 128
FM 530
MOORE ST
HWY 77
COUNTY ROAD 1
0 0.5 1 Miles
0 0.5 1 2 Miles
City Limits
ETJ
Hallettsville Zoning
C
D
I
RLD
RMD