ZONING ORDINANCE
CITY OF COMANCHE, TEXAS

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ZONING ORDINANCE
Ordinance No. _____

AN ORDINANCE OF THE CITY OF COMANCHE, TEXAS ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF COMANCHE, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, AND FOR THE REPEAL OF ALL PRIOR ZONING ORDINANCES AND ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, under the laws of the State of Texas, authority is conferred upon the City of Comanche to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary, for the purpose of promoting the health, safety, morals, and general welfare of the City to enact such an Ordinance; and

WHEREAS, the City Council, pursuant to the provisions of the State Statutes, has appointed a Planning and Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with the Land Use Plan, designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to guide and limit the use of areas subject to periodic flooding in order to protect and promote the public health, safety, and general welfare; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality; and

WHEREAS, the Planning and Zoning Commission has made a preliminary report and held public hearings thereon, and submitted its final report to the City Council; and

WHEREAS, the City Council has given due public notice of hearings relating to zoning districts, regulations, and restrictions, and has held such public hearings; and

WHEREAS, all requirements of the State Statutes, with regard to the preparation of the report of the Planning and Zoning Commission and subsequent action of the City Council have been met; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMANCHE, TEXAS:

That there be enacted the following Comprehensive Zoning Ordinance of the City of Comanche, together with a map creating and delineating the following districts.

ARTICLE I
ENACTMENT AND DEFINITIONS

SEC. 1. SHORT TITLE: This Ordinance shall be known as “The City of Comanche Zoning Ordinance.”

SEC. 2. DEFINITIONS: For the purpose of this Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word “ structure”; and the word “shall” is mandatory and not directory.

2-1. Accessory Use: An accessory use or building is a subordinate use or building customarily incidental to and located on the same lot occupied by the main use or building.

2-2. Alley: A way which affords only a secondary means of access to property abutting thereon.

2-3. Amusement Park: Any lot, tract, or parcel of land, or any improvement thereon, either temporary or permanent, used in whole or in part for the operation and maintenance of any game of skill or chance, any circus, carnival, any riding devices, stationary or mobile, or any combination thereof, any of which is operated for profit or nonprofit purposes.

2-4. Animal Lot: Any area for quartering any ungulated or hoofed animals including, but not limited to, the following animals: horses, cows, sheep, goats, etc.

2-5. Apartment: A room or suite of rooms intended, designed or used as a residence by a single family; Also see “Dwelling, Multi-Family.”

2-6. Apartment House: See “Dwelling, Multi-Family.”

2-7. Area of Lot: The square foot area of acreage of a lot within the bounding property lines and exclusive of dedicated streets and alleys.

2-8. Area Regulations: The regulations controlling minimum lot area, width, depth, front, side, external side, and rear yards.

2-9. Bakery: A place where baked goods are made or sold.

2-10. Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

2-11. Basement: A story having part but not more than one-half (1/2) of its height above grade and used for storage, garages for use of occupants of the building, janitor or watchman quarters, or utilities common for the rest of the building. A basement used for the above purposes shall not be counted as a story.

2-12. Block: An area enclosed by streets or if said word is used as a term of measurement, it shall mean the distance along a side of a street between two (2) intersecting streets or if the street is of a dead-end type, a block shall be considered to be measured between the nearest street and the end of such dead end streets.

2-13. Board of Adjustment: The Board of Adjustment of the City of Comanche, Texas, as created by this Ordinance and appointed by the Comanche City Council. The composition, powers, and duties of the Board of Adjustment are set forth in ARTICLE III, SEC. 4. of the Ordinance.

2-14. Boardinghouse: A building other than a hotel or motel where, for compensation and by arrangement, meals and/or lodging are provided for three (3) or more unrelated persons, but not exceeding twenty (20) persons. (Also referred to as "Rooming House".)

2-15. Building: Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

2-16. Building Line: A line parallel or approximately parallel to the street line at a specified distance from there, marking the minimum distance from the street that a building may be erected.

2-17. Carport: A roofed structure open on three (3) sides when attached to a dwelling and open on four (4) sides when detached from a dwelling, covered with a roof supported by structural steel, wood columns, or masonry piers.

2-18. Clinic: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by a physician or a group of physicians.

2-19. Club: A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

2-20. Club, Private: A building or portion thereof on premises owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose whose membership is exclusive as determined by dues or other compensation and where alcoholic beverages may or may not be sold

and consumed on-premises.

2-21. Coverage: The percent of lot area which is covered by a roof, floor, or other structure and is not open to the sky. Roof eaves to the extent of two (2) feet and ordinary projections from the building not exceeding twelve (12) inches shall not be counted in computing coverage.

2-22. Density: The relationship of dwelling units or rooms to the area of the lot or tract upon which a residential structure is located or erected.

2-23. Depth of Lot: The mean horizontal distance between the front and rear lot lines.

2-24. Dwelling: Any building or portion thereof which is designed for or used for residential purposes.

2-25. Dwelling, Single Family: A building designed for or occupied exclusively by one (1) family.

2-26. Dwelling, Duplex or Two-Family: A building designed for or occupied exclusively by two (2) families.

2-27. Dwelling, Mobile/Manufactured Home: A detached one (1) family dwelling with all the following characteristics:

(a) Designed for long-term occupancy and containing sleeping accommodations, flush toilet, tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachments to outside systems.
(b) Designed to be transported after fabrication on its own wheels, or detachable wheels, or on flatbed or other trailers.
(c) Arriving at the site where it is to be occupied as a dwelling unit, complete and including major appliances and furniture; and ready for occupancy, except for some minor and/or incidental assembly operations, including, but not limited to the location on foundation supports and connection to utilities, etc.

2-28. Dwelling, Modular Home: A factory fabricated, transportable building unit designed to be incorporated at a building site into a structure to be used for residential purposes. Unlike the mobile homes, modular homes are placed on permanent foundations at the site and are required to adhere to building code regulations.

2-29. Dwelling, Multi-Family: A building designed for or occupied exclusively by three (3) or more families.

2-30. Family: One or more persons occupying a dwelling and living as a single family household, as distinguished from a group occupying a boardinghouse, hotel, or motel as herein defined.

2-31. Feedlot, Commercial: Confined areas where cattle or other livestock are held for extended periods of time for the purposes of weight increase by feeding of high percentage grain feed.

2-32. Flood Hazard Boundary Map (FHBM): An official map of the community issued by the Flood Insurance Administrator, where the boundaries of the flood areas having special hazards have been designated as Zone A.

2-33. Flood Insurance Rate Map (FIRM): An official map of the community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

2-34. Flood Plain: The general area in which a flood may occur and which is representative of large floods known to have occurred in the area and is characteristic of a particular stream. Regulatory floods generally have a flood frequency of approximately 100 years as determined by an analysis of floods on a particular stream and other streams in the same general region.

2-35. Floodway: The channel of the watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge the regulatory flood.

2-36. Floor Area Ratio: The ratio between the total square feet of floor area and the total square feet of land in the lot.

2-37. Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended then all of the property abutting on one side between an intersecting street and the dead-end of the street.

2-38. Garage, Private: An accessory building designed or used for the storage of not more than four (4) motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle of not more than two (2) ton capacity.

2-39. Garage, Public: A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, leasing, or storing motor-driven vehicles.

2-40. Garage, Storage or Parking: A building of portion thereof designed or used exclusively for term storage by prearrangement of motor-driven vehicles, and

in which motor fuels and oils may be sold, but no motor-driven vehicles are equipped, repaired, leased, or sold.

2-41. Grade: The average elevation of the highest and lowest elevation measured at the finished surface of the ground at any of the exterior corners of the building or structures.

2-42. Grocery, Convenience: A retail establishment selling meats, fruits, vegetables, bakery and dairy products, and similar items for off-premises consumption only.

2-43. Height: The vertical distance measured from grade to a) the highest point of any flat roof surface; b) to the top deck line of mansard roofs; or c) to the mean height level between eaves and ridge for hip and gable roofs; or d) to the top of any elevator, penthouse, or bulkhead, mechanical equipment room, cooling tower, tank, ornamental dome, or other structures erected on the roof of a building.

2-44. Home Occupation: Any occupation or activity carried on by a member of the immediate family, residing on the premises, in connection with which there is used no sign other than a name plate not more than one (1) square foot in area, or of no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes.

2-45. Hospital: An institution primarily engaged in providing diagnostic services and therapeutic services to patients for medical diagnosis, treatments, and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of injured or sick persons, by or under the supervision of physicians.

2-46. Hotel: A building in which lodging and/or boarding are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. A hotel is open to the public in contradistinction to a boardinghouse or an apartment which are herein separately defined.

2-47. Junk Yard: A place where waste, discarded or salvaged materials are brought, sold, exchanged, baled, packed, disassembled, or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged materials and equipment; but not including pawn shops and establishments for the sale purchase or storage of used furniture and

household equipment when conducted entirely within a completely enclosed building, and sale of used cars in operable condition.

2-48. Kennel: Any place where more than four (4) dogs or more than four (4) cats, or any combination of cats and dogs where the total exceeds four (4) animals over the age of ten (10) weeks, and where said animals are raised, trained, boarded, harbored or kept.

2-49. Kindergarten or Day Nursery: A school for children of pre-public school age in which constructive endeavors, object lessons, and helpful games are prominent features of the curriculum.

2-50. Laboratory: A facility operated for the primary purpose of performing medical, dental, or optical research, testing and analytical work having a direct relationship to the provision of health services.

2-51. Laundromat: An establishment providing house type washing, drying or ironing machines for hire to be used by customers on the premises.

2-52. Loading Space: A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of twelve (12) by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.

2-53. Lot: Any land occupied by a building and its accessory buildings including such open space as is required by Ordinance of the City and having its principle frontage upon a public street or officially approved place.

2-54. Lot, Corner: A lot situated at the junction of two (2) or more streets.

2-55. Lot, Double Frontage: A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.

2-56. Lot, Interior: A lot other than a corner lot.

2-57. Lot of Record: Any lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Comanche County, Texas.

2-58. Mobile/Manufactured Home: See “Dwelling, Mobile/Manufactured Home.”

2-59. Mobile Home Park: Any tract of land, four (4) acres or more, under a single ownership where accommodation is provided for non-transient mobile home use.

2-60. Modular Home: See "Dwelling, Modular Home."

2-61. Motel: A building or group of buildings developed as an integral unit in which there are: a) guest rooms for living or sleeping accommodations which are primarily for transient occupancy and which may be rented on a daily basis; and b) desk or lobby service, telephone, maid, linen room, and similar services. Guest rooms may have individual entrances.

2-62. Nonconforming Use: The use of land or a building, or a portion thereof, which use does not conform with the use regulations of the district in which it is situated.

2-63. Nursing Home: Any premise where more than three (3) persons are lodged and furnished with meals and nursing care.

2-64. Open Space: An area on a lot that is open and un-obstructed to the sky except for the ordinary projections of cornices and eaves.

2-65. Parking Area: An open, unoccupied space used or required for use for parking of automobiles exclusively and in which no gasoline or automobile accessories are sold or no other business is conducted and no fees are charged.

2-66. Parking Space: A surfaced area of not less than one hundred sixty-two (162) square feet exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

2-67. Planned Unit Development: PUD may be defined as: a) land under unified control planned and developed as a whole; b) in a single development operation or a definitely programmed series of operations including all land and buildings; c) for principal and accessory uses to comprehensive detail plans which include streets, utilities, lots, building sites, site plans, floor plans, and elevations for all buildings as intended to be located, constructed, used, and related to each other.

2-68. Porch: A roofed space open on three (3) sides, one (1) or more stories in height.

2-69. Regulatory Flood: A flood which is representative of large floods known to have occurred generally in the area and reason-ably characteristic of what can be expected to occur on a particular stream.

2-70. Restaurant: Any establishment whose principle business is the sale of foods and beverages to the customer in a ready-to-consume state.

2-71. Rooming House: See "Boardinghouse."

2-72. School: Includes grades one (1) through twelve (12) and may or may not include kindergarten.

2-73. Sign: See ARTICLE II, SEC. 4.

2-74. Stable: A structure with a capacity for more than four (4) horses or mules.

2-75. Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling.

2-76. Street: A public or private thoroughfare which affords the principal means of access to abutting property.

2-77. Street Line: A dividing line between a lot, tract or parcel of land and a contiguous street.

2-78. Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including but not limited to advertising signs, billboards, lighting standards, etc.

2-79. Structural Alterations: Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.

2-80. Tourists Home: A building, other than a hotel, where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests, with which there is used only one sign not more than two (2) square feet in area, the lighting of which shall be regulated by the inspector of building.

2-81. Townhouse: A single family dwelling unit constructed in a series or group of not less than three (3) nor more than six (6) contiguous units.

2-82. Trailer Court: A vacation travel trailer park.

2-83. Vacation Travel Trailer: A vehicular portable structure designed for a temporary or short-term occupancy for travel, recreational or vacation uses. Such vehicles shall include vacation travel trailers, pick-up campers, converted bus, tent trailer, or smaller device used for temporary portable housing.

2-84. Vacation Travel Trailer Park: Any tract of land under single ownership, two

(2) or more acres, where accommodation is provided for transient trailer use. One (1) mobile/manufactured home is permitted for residence purposes for the manager or owner in said park.

2-85. Variances: A grant of relief by the Board of Adjustment from the terms of this Ordinance.

2-86. Water Storage: Includes impounded surface water areas of surface tanks used for storage.

2-87. Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

2-88. Yard, Front: A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the streets or place line and the main building or any projections thereof other than the projections of uncovered steps, balconies, or porches. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

2-89. Yard, Rear: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, balconies, or porches. On all lots the rear yard shall be in the rear of the front yard.

2-90. Yard, Side: A yard between the main building and side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereto.

2-91. Zoning District: A classification within which the regulations specified are uniform and which is assigned to a particular area of the City by delineation upon the Zoning District Map which is a part of this Ordinance.

2-92. Zoning District Map: The official, certified map on which the boundaries of the various zoning districts are shown and which are an integral part of this Zoning Ordinance and together with this zoning text, make up the Zoning Ordinance for the City of Comanche.

SEC. 3. ZONING DISTRICTS: The City of Comanche, Comanche County, Texas, is hereby divided into eight (8) zoning districts, as follows:

	ABBREVIATED DESIGNATION	ZONING DISTRICT NAME
Open Districts	AO	Agricultural Open Space District
Residential Districts	R1	Single Family Residence District
	R2	Multiple-Family Residence District
	R3	Mobile/Modular Home District
Commercial Districts	C1	Local Business District
	C2	General Business District
Industrial Districts	LI	Light Industrial District
	HI	Heavy Industrial District

3-1. "AO" Agricultural Open Space District: This district is composed primarily of unsubdivided land within the corporate limits of the City that is vacant or in agricultural use, with some dwellings and accessory uses.

3-2. "R1" Single Family Residence District: "R1" districts consist mainly of areas containing single family dwellings and open space areas where single family development appears to be desirable. The "R1" district is designed to provide the lowest residential density allowable and is therefore the most restrictive of the residential classifications.

3-3. "R2" Multi-Family Residence District: The "R2" district provides for a multi-family dwelling density (two or more).

3-4. "R3" Mobile/Modular Home Residence District: The "R3" district provides for mobile/manufactured homes and/or modular home dwellings (single or park).

3-5. "C1" Local Business District: The regulations of the "C1" district are designed to provide a range of retail services to residents within the City, and

associated with local business services development, but would also include those businesses and advertising devices which would attract customers and traffic from outside the immediate area.

3-6. "C2" General Business District: The "C2" district regulations are designed to permit development of commercial activities including those which because of the sale, service, display, and storage characteristics may not be attuned with the local business services development and which may serve to attract customers from outside the City. Good automobile accessibility is essential in this district.

3-7. "LI" Light Industrial District: The "LI" district consists of land and improvements involved in manufacturing, wholesale, and medium intensity activities of a non-nuisance or limited-nuisance type. Residential uses are not considered to be compatible with light industrial activities.

3-8. "HI" Heavy Industrial District: The "HI" district consists of land and improvements used mainly for manufacturing and industrial activities whose generation of nuisance effects are greater than those of other industries. Residential uses are not considered to be compatible with heavy industrial activities.

SEC. 4. ZONING DISTRICT MAP: The location and boundaries of the districts herein established are shown upon the official Zoning Map, which is hereby adopted as part of this Ordinance. The original of the Zoning District Map shall be filed in the office of the City Secretary. Said Zoning Map, together with all notations, references and other information shown thereon and all amendments thereto, shall be as much a part of this Ordinance as if fully set forth and described herein.

SEC. 5. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES: Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning Map, the following rules shall apply:

5-1. Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines or highway right-of-way lines shall be construed to be such boundaries.

5-2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.

5-3. Where district boundaries are so indicated that they approximately parallel to the centerlines or street lines of the streets, or the centerlines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Zoning

Map. If no distance is given, such dimension shall be determined by the use of the scale on said Zoning Map.

5-4. In unsubdivided property, the district boundary lines on the zoning map shall be determined by use of the scale appearing on the map.

5-5. In the case of a district boundary line dividing a property into two parts, the district boundary line shall be construed to be the property line nearest the less restricted district.

5-6. Whenever any street, alley or other public way is vacated by official action of the City Council, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and thenceforth be subject to all regulations of the extended district.

SEC. 6. COMPLIANCE WITH REGULATIONS: Except as hereinafter specifically provided:

6-1. No land shall be used except for a purpose permitted in the district in which it is located.

6-2. No building shall be erected, converted, enlarged, re-constructed or structurally altered to exceed the height and area limits herein established for the district nor to be used, except for a use permitted in the district in which such a building is located.

6-3. No building shall be erected, or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located.

6-4. The minimum yards, parking spaces and open spaces, including lot area per family, required by this Ordinance for each and every building existing at the time of passage of this Ordinance or for any building hereafter erected, shall not be encroached upon or considered as part of the yard or parking space or open space required for any other building, nor shall any lot area be reduced below the requirement of this ordinance for the district in which such lot is located.

6-5. Every building hereafter erected or structurally altered shall be located on a lot as herein defined, and except as hereinafter provided, there shall not be more than one main building on one lot.

ARTICLE II
PERMITTED USES AND AREA REGULATIONS

SEC. 1. PERMITTED USES: Uses permitted in each zoning district and their parking requirements are shown by means of symbols in the permitted use chart. The charge is divided into eleven (11) categories of use. They include:

Residential
Accessory and Incidental
Cultural and Recreational
Government, Health, Safety and Welfare
Educational and Religious
Services
Retail Trade
Wholesale Trade
Transportation, Communication and Utilities
Resource Production and Extraction
Manufacturing

Land and buildings in each of the zoning districts may be used for any of the listed uses but no land shall hereafter be used and no building or structure shall hereafter be erected, altered or converted which is arranged or designed or used for other than those uses specified as permitted uses in the district in which it is located according to the following use schedule.

1-1. Symbols: Symbols found in the permitted use chart have the following meanings:

X Designates use permitted in district indicated.

_ Designated use prohibited in district indicated.

S Indicates use may be approved as a Specific Use Permit as outlined in ARTICLE II, SEC. 6.

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-RESIDENTIAL-									
Apartments (See Multi-Family Dwellings									
Boardinghouse, Lodging house or Rooming House	2/3 Rooms & 1/Employee			X		X	X		
Condominiums (See Multi-Family Dwellings)									
Duplexes	3/2 Dwelling Units			X					
Mob./Mft. Homes (Single Units)	2/Unit				X				
Mobile Home Parks	2/Unit	S			X				
Modular Homes	2/Unit	X	S	S	X				
Multi-Family Dwellings	3/2 Dwelling Units			X		S			
Single Family Detached Dwellings	2/Unit	X	X	X					
Townhouses, Patio Homes	2/Unit		S	X					
-ACCESSORY AND INCIDENTAL USES-									
Accessory Building (Residential)		X	X	X	X	X	X		
Animal Lot (Private)		X						S	S
Carport (Residential)		X	X	X	X	X	X		
Fences, Walls, Hedges		X	X	X	X	X	X		
Field Office or Temporary Construction Office	1/Employee	S	S	S	S	S	S	S	S
Garage (Detached, Residential)		X	X	X	X	X	X		
Home Occupation		S	S	S	S	S	S		
Storage (Commercial)					S	X	X	X	X
Storage (Industrial)					S			X	X
Swimming Pool (Private)		X	X	X	S	S	S	S	S
Tennis Court (Private)		X	X	X	S	S	S	S	S
-CULTURAL AND RECREATIONAL USES-									
Amusement Facility (Temporary)	1/200 SF Lot Area	S				S	S	S	S
Amusement Park	1/200 SF Lot Area	S					X	S	S
Aquariums	1/400 SF Lot Area					X			
Arenas and Field Houses	1/8 Seating Capacity	S					X	S	S
Art Galleries	1/800 SF Floor Area					X	X		
Ball fields and Ballparks	1/8 Seating Capacity	S	S	S	S		S	S	S

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-CULTURAL AND RECREATIONAL USES (Cont'd)-									
Boat Rentals	1/400 SF Floor Area						X	X	X
Bowling Lane	1/200 SF Floor Area					X	X	X	X
Camping and Picnicking Area	1/Table	X						X	X
Civil, Social, and Fraternal Organizations	1/200 SF Floor Area	S			S	X	X	X	X
Drag Strip or Commercial Racing	1/8 Seating Capacity	S						S	S
Drive-In Movies	1/Speaker	S					X	S	S
Fairgrounds		X					X	X	X
Go-Cart Track	1/2 Carts	S						S	S
Golf Course/Driving Range	100/9 Holes	X	S	S	S		X	X	X
Gymnasium/Athletic Stadium	1/8 Seating Capacity	S	S	S	S		X	X	X
Libraries	1/300 SF Floor Area					X	X		
Miniature Golf Course	2/Hole	S			S		S	S	S
Museums	1/800 SF Floor Area	S				X	X		
Parks/Playgrounds		X	X	X	X	X	X	X	X
Planetariums	1/400 SF Floor Area	S				X	X		
Pool Halls	1/Table					X	X	X	X
Riding Academy or Stable	1/2 Horses	S					S	X	X
Rodeo Grounds	1/8 Seating Capacity	S					S	X	X
Skating Rink	1/200 SF Floor Area	S				X	X	X	X
Swimming Pool (Public)	1/4 Persons Design	S	S	S	S	S	X	S	
Tennis Courts (Public)	2/Court	S	S	S	S	S	X	S	
Theaters	1/3 Seating Capacity					X	X		
Vacation Travel Trailer Parks	1/Lot	S					X	S	
Zoos		X					S	S	S
-GOVERNMENT, HEALTH, SAFETY, AND WELFARE USES-									
Animal Hospital/Veterinarian	1/500 SF Floor Area	X					X	X	X
Fire Station			X	X	X	X	X	X	X
Funeral Home/Ambulance Service	1/4 Seating Capacity					X	X	X	
Government Offices	1/3 Employees					X	X	X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-GOVERNMENT, HEALTH, SAFETY, AND WELFARE USES (Cont'd)-									
Hospital	1/2 Beds & 1/Employee			S		X	X		
Institution of Care of Alcoholic, Narcotic or Psychiatric Patient	1/2 Beds & 1/Employee	S				X	X		
Medical or Dental Clinic	1/200 SF Floor Area					X	X	S	
Military and Armed Forces Reserve Center	1.25/Employee	S					X	X	X
Nursing/Retirement Home	1/6 Beds	S		S		X	X		
Optical Shop and Laboratory	1/200 SF Floor Area					X	X	S	
Police Station			X	X	X	X	X	X	X
Sanitary Landfill		S						S	S
Social Service Organization Facility	1.25/Employee					X	X		
Special Education Center	1/200 SF Floor Area	S		S		X	X		
-EDUCATIONAL AND RELIGIOUS USES-									
Art, Music, and Dancing Schools	1/300 SF Floor Area					X	X		
Business School	1/Classroom & 1/4 Students					X	X	S	
Cemeteries, Crematoriums, and Mausoleums		S					S	S	
Church or Place of Worship	1/3 Seating Capacity	S	S	S	S	S	S	S	S
Commercial Trade School	1/Classroom & 1/4 Students					X	X	X	X
Kindergarten or Day Nursery	1.25/Employee	S	S	S	S	X	X		
Public, Private or Denominational School	1/Classroom & 1/4 Students	S	S	S	S	X	X		
Youth Organizations and Centers (YMCA, YWCA)	1/300 SF Floor Area	S		S	S	X	X		
-SERVICES-									
Accounting and Bookkeeping Services	1/300 SF Floor Area					X	X	X	X
Advertising Services	1/Employee					X	X	X	X
Automobile Rental and Leasing Services	1/Employee +3					X	X	X	X
Automobile Repair Services	1/400 SF Floor Area					X	X	X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-SERVICES (Cont'd)-									
Automobile Wash (Self Service)	1/Employee					X	X	X	X
Banking Services/Savings & Loan	1/Employee & 1/500 SF Floor Area					X	X		
Beauty and Barber Services	2/Employee					X	X	X	X
Blueprinting and Photocopying Services	1/Employee +2					X	X	X	X
Building Construction Office	1/Employee & 1/1,000 SF Floor Area					S	X	X	X
Business Associations	1/Employee & 1/500 SF Floor Area					X	X	X	X
Carpentry Services	1/Employee +2					S	X	X	X
Catering Services	1/Employee +2					X	X	X	X
Coating, Engraving, and Allied Services	1/Employee							X	X
Concrete Products	1/Employee +2							X	X
Consumer Services	1/Employee & 1/500 SF Floor Area					X	X	X	X
Credit Unions	1/2 Employees & 1/500 SF Floor Area					X	X	X	X
Delivery Services	1/Employee & 1/Truck					X	X	X	X
Drilling Contractors and Rig Repair Services	1/Employee +2							S	X
Electrical and Appliance Repair Services	1/Employee +2					X	X	X	X
Employment Services	2/Employee					X	X	X	X
Engineering, Architectural, and Planning Services	1/400 SF Floor Area					X	X	X	X
Exterminating and Fumigating Services	1/2 Employees					S	X	X	X
Farm Products Warehousing and Storage, Excluding Stockyards	2/3 Employees						S	X	X
Feedlots, Commercial		S						S	S
Financing and Loan Services	1/2 Employees & 1/500 SF Floor Area					X	X	X	X
Food Lockers	3/2 Employees						X	X	X
Freight Hauling Services	1/Employee & 1/Truck							X	X
Health Club and Fitness Services	1/200 SF Floor Area	S		S		X	X		

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-SERVICES (Cont'd)-									
House Wrecking and Demolition	1/Employee							X	X
Insurance Agents and Service	1/400 SF Floor Area					X	X	X	X
Interior Design Services	1/400 SF Floor Area					X	X	X	X
Janitorial and Maintenance Contracting	1/2 Employees					S	X	X	X
Kennel	1/500 SF Floor Area	S					X	X	S
Labor Unions	1/5 Members					X	X	X	X
Laundering and Dry Cleaning Services	2/3 Employees					X	X	X	X
Legal Services	1/300 SF Floor Area					X	X	X	X
Machine Shops and Welding Services	1/Employee +2						S	X	X
Masonry, Stonework, and Tile Setting Services	1/Employee +2						S	X	X
Moving, Warehousing, and Storage Services	2/3 Employees					X	X	X	X
Office Equipment and Business Machines, Sales or Rental	1/Employee +2					X	X		
Oil Field Services	1/Employee +3						S	X	X
Outdoor Advertising (Billboards)		S				S	S	S	S
Painting or Remodeling Services	1/Employee +2					S	X	X	X
Photoengraving and Commercial Printing Services	1/Employee +2					X	X	X	X
Photographic Services	1/200 SF Floor Area					X	X	X	X
Pipe Cleaning and Testing	1/Employee +2							S	X
Plumbing, Heating, and Air Conditioning Services	1/Employee +2					S	X	X	X
Protective and Security Services	1/Employee +2					X	X	X	X
Real Estate Agents and Services	1/400 SF Floor Area					X	X	X	X
Roofing and Sheet Metal Services	1/Employee						S	X	X
Shoe Repair Services	1/Employee					X	X		
Stenographic Services	1/400 SF Floor Area					X	X	X	
Stockyards, Livestock Auctions, and Hauling Services		S							S
Storage Facilities (Commercial)	1/Employee					X	X	X	X
Title Abstractors and Appraisers	1/400 SF Floor Area					X	X	X	X
Tool and Equipment Rental Services	1/Employee +3					S	X	X	X
Travel Services	2/Employee					X	X	X	X
Truck Rental Services	1/Employee +3					S	X	X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-SERVICES (Cont'd)-									
Upholstering and Furniture Repair Services	1/Employee +2					X	X	X	X
Water Well Drilling Services	1/Employee +2							X	X
Wrecker and Towing Services	1/Employee						X	X	X
Watch, Clock, and Jewelry Repair Services	1/Employee +2					X	X	S	
-RETAIL TRADE-									
Adult Oriented Business	1/400 SF Floor Area								S
Antique Store	1/500 SF Floor Area					X	X		
Appliances (Household)	1/400 SF Floor Area					X	X		
Automobile and Small Truck (1 Ton) sales and Services	1/400 SF Floor Area					X	X	X	S
Automobile Parts and Supplies	1/400 SF Floor Area					X	X	X	X
Bakery Products	1/200 SF Floor Area					X	X		
Bait Store	1/Employee +2						X	X	X
Bicycle Sales and Service	1/300 SF Floor Area					X	X		
Book Store	1/400 SF Floor Area					X	X		
Bottled Gas	1/Employee +2						X	X	X
Cameras and Photographic Supplies	1/200 SF Floor Area					X	X		
China, Glass, and Metalware	1/300 SF Floor Area					X	X		
Coin Shop	1/500 SF Floor Area					X	X		
Dairy Products	1/200 SF Floor Area					X	X		
Department Store	1/300 SF Floor Area					X	X		
Dry Goods and Apparel	1/300 SF Floor Area					X	X		
Drug Store/Pharmacy	1/400 SF Floor Area					X	X	X	S
Electrical Supplies	1/300 SF Floor Area					X	X	X	S
Farm and Garden Supplies	1/600 SF Floor Area					X	X	X	X
Farm Equipment	1/600 SF Floor Area						X	X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-RETAIL TRADE (Cont'd)-									
Floor Coverings	1/400 SF Floor Area					X	X	S	
Fruits and Vegetables	1/300 SF Floor Area					X	S		
Fruits and Vegetables (Temporary)		S				S	S		
Fuel Oil	1/Employee +2						X	X	X
Furniture and Home Furnishings	1/300 SF Floor Area					X	X		
Fur Apparel	1/300 SF Floor Area					X	X		
Gasoline Service Station	1/Pump & 1/Service Stall					X	X	X	X
Gifts, Novelties, and Souvenirs	1/400 SF Floor Area					X	X		
Grocery, Convenience	1/200 SF Floor Area					X	X	X	X
Grocery, Supermarket	1/200 SF Floor Area					X	X	X	X
Hardware	1/300 SF Floor Area					X	X	X	X
Heating and Plumbing Equipment	1/1,000 SF Floor Area					S	X	X	X
Hobby and Craft Supply Store	1/400 SF Floor Area					X	X		
Hotel, Motel	1/400 SF Floor Area					X	X		
Jewelry Store	1/400 SF Floor Area					X	X		
Junk Yard, Salvage Yard, and Auto Wrecking Yard	1/2 Employees & 1/5,000 SF Floor Area							S	S
Liquor and/or Private Club (On Premises Consumption)	1/200 SF Floor Area	S				S	S	S	S
Lumber and Building Materials	1/500 SF Floor Area					S	X	X	X
Marine Craft Accessories	2/Employee						X	X	X
Meat, Fish, and Poultry	1/200 SF Floor Area					X	X		
Mobile/Modular Home/RV Sales	2/Employee						X	S	S
Monument Sales	1/Employee +1					X	X	X	X
Motorcycle Sales and Service	1/300 SF Floor Area					X	X	X	
Music Supplies and/or Record Store	1/400 SF Floor Area					X	X	X	
Newspapers and Magazines	1/400 SF Floor Area					X	X	X	X
Office Supplies and Stationery	1/400 SF Floor Area					X	X		

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-RETAIL TRADE (Cont'd)-									
Optical Goods	1/200 SF Floor Area					X	X	S	
Paint, Glass, and Wallpaper	1/400 SF Floor Area					X	X	X	
Pawn Shop	1/500 SF Floor Area					X	X	S	
Pet Shop	1/400 SF Floor Area					X	X		
Plant Material (Nursery)	1/400 SF Floor Area					S	X	X	
Radio and Television	1/400 SF Floor Area					X	X		
Restaurants	1/2 Employees & 1/4 Seats					X	X	X	X
Shoes	1/300 SF Floor Area					X	X		
Shopping Centers	1/250 SF Gross Leasable Space					X	X		
Sporting Goods and Athletic Equipment	1/400 SF Floor Area					X	X	S	
Tailoring (Custom)	1/300 SF Floor Area					X	X		
Tobacco Products	1/Employee					X	X	X	X
Truck Sales and Service	2/Employee & 1/600 SF Floor Area					X	X	X	X
Variety Store	1/300 SF Floor Area					X	X		
-WHOLESALE TRADE-									
Ammunition and Explosives	1/Employee +2						S	S	S
Automobiles and Other Motor Vehicles	1/1,000 SF Floor Area						S	X	X
Automotive and Motor Vehicle Equipment	3/2 Employees						X	X	X
Candy and Related Products	1/Employee						S	X	
Commercial and Industrial Machinery, Equipment, and Supplies	1/Employee							X	X
Dairy Products	1/Employee							X	X
Drugs and Sundries	1/Employee						S	X	
Dry Goods	1/Employee						S	X	
Electrical Equipment, Wiring, Etc.	1/Employee +3							X	X
Electrical Appliances	1/Employee +2						S	X	
Farm Machinery and Equipment	1/Employee +2							X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-WHOLESALE TRADE (Cont'd)-									
Farm Products (Raw Materials)	1/Employee							X	X
Furniture and Home Furnishings	1/Employee						S	X	
Groceries	1/Employee						S	X	X
Hardware, Plumbing, and Heating Equipment	1/Employee +2						S	X	X
Lumber and Building Materials	3/2 Employees						S	X	X
Meat Products	1/Employee						S	X	X
Medical and Dental Supplies	1/Employee					S	X	X	X
Oil Field Chemicals	1/Employee +2								S
Oil Field Equipment	1/Employee +3						S	X	X
Paint, Varnish, and Related Products	1/Employee							X	X
Paper and Paper Products	1/Employee +3							X	X
Petroleum Bulk Stations and Terminals	1/Employee							X	X
Produce	1/Employee						S	X	X
Scrap and Waste Material	1/Employee							S	X
Tobacco Products	1/Employee					S	X	X	X
Vending Machines and Merchandise	1/500 SF Floor Area					S	X	X	X
-TRANSPORTATION, COMMUNICATIONS, AND UTILITIES-									
Aircraft Storage and Equipment Maintenance	1/Employee +2	S						S	X
Airport Terminal		S						S	X
Automobile Parking Lot						X	X	X	X
Bus Garage/Terminal	1/Employee					X	X	X	X
Electric Generation Plant	1/Employee	S						X	X
Electric Substation		S	S	S	S	S	X	X	X
Electric Transmission Right-of-Way		X	X	X	X	X	X	X	X
Gas Line Regulating or Compression Station		S	S	S	S	S	X	X	X
Gas Production Plant	1/Employee	S						S	S
Motor Freight Garage	1/Employee							X	X
Motor Freight Terminal	1/2 Employees							X	X
Moving and Storage Company (Other than Household Goods)	1/2 Employees						S	X	X
Petroleum Pipeline Right-of-Way								X	X
Public Yard and Shop of Local, State or Federal Agency	1/Employee	S				S	X	X	X
Radio Studio	1/Employee	S				X	X	X	X
Radio Transmitting Tower	1/Employee	S				S	S	X	X
Railroad Right-of-Way		S				X	X	X	X
Sewage Lift Station		S	S	S	S	X	X	X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-TRANSPORTATION, COMMUNICATIONS, AND UTILITIES (Cont'd)-									
Sewage Treatment Plant	1/Employee	S						X	X
Taxicab Terminal	1/Taxi					X	X		
Telegraph Office	1/Employee +2					X	X	X	X
Television Broadcasting Studio	2/Employee	S				X	X	X	X
Television Transmission Right-of-Way		X	X	X	X	X	X	X	X
Television Transmitting Tower		S				S	S	X	X
Utility Line		X	X	X	X	X	X	X	X
Utility Shops, Storage Yards, And Buildings	1/Employee						X	X	X
Water Pressure Control Station		S	S	S	S	X	X	X	X
Water Storage		X	X	X	X	X	X	X	X
Water Treatment Plant	1/Employee	S						X	X
-RESOURCE PRODUCTION AND EXTRACTION-									
Caliche Pit and Storage Area		S						S	S
Cotton Ginning/Compressing	1/Employee	S						S	X
Farms		X							
Fish Hatchery	2/Employee	S							
Flammable Liquid and Gas Storage	1/Employee								S
Grain Storage Elevator	1/Employee	S						X	X
Mining		S						S	S
Petroleum and Gas Well		S					S	S	S
Petroleum and Natural Gas Refinery	1/Employee								X
Petroleum Collecting and Storage Facilities	1/Employee	S						S	X
Plant Material Production (for Retail or Wholesale)	1/400 SF Floor Area	X					S	X	X
Poultry Hatchery	1/Employee	S							
Sand and Gravel Extraction or Storage		S						S	S
-MANUFACTURING-									
Abrasives, Asbestos, and Miscellaneous Mineral Products	1/Employee Max. Shift								X
Aircraft and Accessories	1/Employee Max. Shift								X
Ammunition	1/Employee Max. Shift							X	X
Appliances (Household)	1/Employee Max. Shift							X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Asphalt Felts and Coatings	1/Employee Max. Shift								X
Bakery Products (Wholesale Distribution)	1/Employee Max. Shift					S	S	X	X
Boat Building and Repair	1/Employee Max. Shift								X
Books (Publishing and Printing)	1/Employee Max. Shift					X	X	X	X
Bookbinding	1/Employee Max. Shift					X	X	X	X
Bottling and Canning Soft Drinks	1/Employee Max. Shift						X	X	X
Bricks and Structural Clay Tile	1/Employee Max. Shift								X
Brooms and Brushes	1/Employee Max. Shift							X	X
Canning and Preserving Food Products	1/Employee Max. Shift							X	X
Canvas Products	1/Employee Max. Shift							S	X
Carbon Black	1/Employee Max. Shift								X
Cement (Hydraulic)	1/Employee Max. Shift								X
Ceramics	1/Employee Max. Shift								X
Chemicals	1/Employee Max. Shift								X
Clay Refractors	1/Employee Max. Shift								X
Coffee and Related Products	1/Employee Max. Shift							X	X
Concrete Products	1/Employee Max. Shift								X
Confectionary and Related Products (Wholesale Distribution)	1/Employee Max. Shift					S	S	X	X
Cosmetics, Perfumes, and Toilet Preparations	1/Employee Max. Shift								X
Cotton Ginning and Compressing Facilities	1/Employee Max. Shift								X
Cottonseed Oil Milling Facilities	1/Employee Max. Shift								X
Cut Stone and Stone Products	1/Employee Max. Shift								X
Dairy Products	1/Employee Max. Shift						S	X	X
Dental Equipment and Supplies	1/Employee Max. Shift							X	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Drugs and Sundries	1/Employee Max. Shift							X	X
Dry Goods and Apparel Accessories	1/Employee Max. Shift							S	X
Electric Lighting and Wiring Equipment	1/Employee Max. Shift							X	X
Electrical Supplies and Equipment	1/Employee Max. Shift							X	X
Electric Transmission and Distribution Equipment	1/Employee Max. Shift								X
Electrometallurgical Products	1/Employee Max. Shift								X
Electronic Components and Accessories	1/Employee Max. Shift							X	X
Electrotyping and Stenotyping	1/Employee Max. Shift							X	X
Engineering, Scientific, and Research Equipment	1/Employee Max. Shift							S	X
Engines and Turbines	1/Employee Max. Shift								X
Explosives	1/Employee Max. Shift								X
Fabrication and Assembly Process	1/Employee Max. Shift					S	X	X	X
Farm Machinery and Equipment	1/Employee Max. Shift								X
Fats and Oils	1/Employee Max. Shift								X
Felt Goods	1/Employee Max. Shift								X
Floor Coverings and Carpets	1/Employee Max. Shift								X
Food Preparations and Extracts	1/Employee Max. Shift								X
Food Products	1/Employee Max. Shift								X
Fur Dressing and Dyeing	1/Employee Max. Shift								X
Fur Goods	1/Employee Max. Shift							X	X
Furniture and Home Furnishings	1/Employee Max. Shift								X
Glass and Glass Products	1/Employee Max. Shift								X
Glue and Gelatin	1/Employee Max. Shift								X
Grain Mill Products	1/Employee Max. Shift								X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Gum and Wood Chemical	1/Employee Max. Shift								X
Guns and Related Products	1/Employee Max. Shift								X
Gypsum and Gypsum Products	1/Employee Max. Shift								X
Hardware, Cutlery, and Hand Tools	1/Employee Max. Shift								X
Hats, Caps, and Millinery	1/Employee Max. Shift							X	X
Heating and Air Conditioning Supplies and Equipment	1/Employee Max. Shift								X
Ice	1/Employee Max. Shift					X	X	X	X
Ink	1/Employee Max. Shift								X
Jewelry	1/Employee Max. Shift								X
Kitchen Goods	1/Employee Max. Shift							X	X
Knit Goods	1/Employee Max. Shift							X	X
Lace Goods	1/Employee Max. Shift							X	X
Lamp Shades	1/Employee Max. Shift							X	X
Lapidary Work	1/Employee Max. Shift								X
Leather and Leather Products	1/Employee Max. Shift								X
Lubricating Oils and Greases	1/Employee Max. Shift								X
Machinery and Equipment (Industrial)	1/Employee Max. Shift								X
Matches	1/Employee Max. Shift								S
Measuring and Controlling Equipment	1/Employee Max. Shift							S	X
Meat Packing	1/Employee Max. Shift								X
Medical Supplies and Equipment	1/Employee Max. Shift							S	X
Metal Cans	1/Employee Max. Shift								X
Metal Smelting and Processing	1/Employee Max. Shift								X
Metal Fabrication	1/Employee Max. Shift							S	X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Metal Working Machinery, Equipment, and Products	1/Employee Max. Shift								X
Millwork	1/Employee Max. Shift							X	X
Mobile/Modular Homes	1/Employee Max. Shift								X
Monuments and Tombstones	1/Employee Max. Shift								X
Mortician Goods	1/Employee Max. Shift							S	X
Motor Vehicles. Equipment, and Accessories	1/Employee Max. Shift								X
Motorcycles, Bicycles, and Parts	1/Employee Max. Shift								X
Musical Instruments and Parts	1/Employee Max. Shift							X	X
Newspapers (Publishing and Printing)	1/Employee Max. Shift					X	X	X	X
Office Machines	1/Employee Max. Shift								X
Office Supplies and Furniture	1/Employee Max. Shift							X	X
Oil Well Equipment and Supplies	1/Employee Max. Shift								X
Ophthalmic and Optical Goods	1/Employee Max. Shift							S	X
Padding and Upholstery Filling	1/Employee Max. Shift								X
Paint and Varnish	1/Employee Max. Shift								X
Paper and Paper Products	1/Employee Max. Shift							X	X
Paper Coating and Glazing	1/Employee Max. Shift								X
Paving Mixtures	1/Employee Max. Shift								X
Periodicals (Publishing and Printing)	1/Employee Max. Shift					X	X	X	X
Petroleum and Natural Gas Refining	1/Employee Max. Shift								X
Petroleum Products	1/Employee Max. Shift								X
Photographic Equipment and Supplies	1/Employee Max. Shift							S	X
Plastic Products	1/Employee Max. Shift							X	X
Plumbing Supplies and Equipment	1/Employee Max. Shift								X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Porcelain and Porcelain Products	1/Employee Max. Shift								X
Pottery	1/Employee Max. Shift								X
Prefabricated Structures and Components	1/Employee Max. Shift							S	X
Pulp Goods	1/Employee Max. Shift								X
Radio and Television Equipment	1/Employee Max. Shift							S	X
Railroad Equipment	1/Employee Max. Shift								X
Rubber Goods	1/Employee Max. Shift								X
Scrap and Waste Material Processing	1/Employee Max. Shift								X
Signs and Advertising Displays	1/Employee Max. Shift						X	X	X
Silverware and Plated Ware	1/Employee Max. Shift								X
Soap, Detergents, Cleaners, and Polishes	1/Employee Max. Shift								X
Sporting and Athletic Goods	1/Employee Max. Shift							X	X
Synthetic Materials	1/Employee Max. Shift							S	X
Tanks and Tank Components	1/Employee Max. Shift								X
Textiles and Textile Products	1/Employee Max. Shift								X
Tobacco Products	1/Employee Max. Shift							X	X
Tortillas (Wholesale Distribution)	1/Employee Max. Shift						X	X	X
Toys and Novelty Products	1/Employee Max. Shift							X	X
Trailers (Camping, Travel, and Livestock)	1/Employee Max. Shift								X
Venetian Blinds	1/Employee Max. Shift							X	X
Vitreous China Products	1/Employee Max. Shift								X
Wallpaper	1/Employee Max. Shift								X
Watches, Clocks, and Related Parts	1/Employee Max. Shift							X	X
Wire and Wire Products	1/Employee Max. Shift								X

1-2. PERMITTED USES	PARKING	AO	R1	R2	R3	C1	C2	LI	HI
-MANUFACTURING (Cont'd)-									
Wood Products	1/Employee Max. Shift							X	X
Yarns and Threads	1/Employee Max. Shift							S	X
-OTHER, MISCELLANEOUS, AND NOTES-									

SEC. 2. HEIGHT AND AREA REQUIREMENTS: Height and area requirements for each zoning district classification are depicted in the following chart:

HEIGHT & AREA REQUIREMENTS	MAXIMUM HEIGHT		MINIMUM LOT			YARDS			
DISTRICT	STORIES	FEET	AREA	WIDTH	DEPTH	FRONT	REAR	SIDE	TOTAL SIDES
AO	-	45	87,120	200	200	25	40	5	12
R1	-	30	5,000	40	100	25	*	5 (1)	12 (1)
R2	3	40	1,600/Unit	40	100	25	*	5 (1)	12 (1)
R3	1	20	4,000	40	100	15	*	4	8
C1 (Residences Same as MF)	3	40 (2)	-	-	-	25	(3)	(4)	-
C2 (Residences Same as MF)	10	125 (5)	-	-	-	25	(3)	(4)	-
LI	8	100 (6)	-	-	-	-	(3)	(4)	-
HI	8	100 (6)	-	-	-	-	(3)	(4)	-

* = 20% of Lot Depth

(1) Interior yard requirements may be waived in the case of townhouse developments; Interior side yard requirements may be waived for patio homes provided there is at least ten (10) feet between the structures.

(2) A building may be erected to a height of eight (8) stories or one hundred (100) feet if set back from all required yard lines a distance of one (1) foot for each two (2) feet of additional height above forty-five (45) feet.

(3) No rear yard required except that a rear yard of not less than fifteen (15) feet in depth shall be provided upon that portion of a lot abutting upon a residential district.

(4) No side yard shall be required except that a side yard of not less than six (6) feet in width shall be provided on the side of a lot adjoining a residential district.

(5) Buildings may exceed ten (10) stories or one hundred twenty-five (125) feet if set back one (1) foot for every two (2) feet of height above one hundred twenty-five (125) feet, but in no case shall the height of the building exceed the total of the street width on which it faces plus the depth of the front yard.

(6) Whenever a building in a “LI” or “HI” District adjoins or abuts a residential district, such building shall not exceed three stories or forty-five (45) feet in height unless it is set back one (1) foot from the required side and rear yard lines for each foot of additional height above forty-five (45) feet.

SEC. 3. HEIGHT AND AREA EXCEPTIONS AND MODIFICATIONS:

3-1. Height:

(a) The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers, and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flag poles.
(b) Public, semi-public or public service buildings, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by one (1) foot for each foot of additional building height above the height regulations for the district in which the building is located.
(c) The limitation on number of stories shall not apply to buildings used exclusively for storage purposes provided such buildings do not exceed the height in feet permitted in the district in which they are located.

3-2. Front Yards:

(a) On lots having double frontage the required front yard shall be provided on both streets.
(b) In a residential district no fence, structure, or planting higher than three and one-half (3-1/2) feet above the established street grades shall be maintained within twenty (20) feet of any street intersection.
(c) An open, uncovered porch or paved terrace may project into a required front yard for a distance of not more than ten (10) feet, but this shall not be interpreted to include or permit fixed canopies.
(d) Filling station pumps and pump islands may be located within a required yard provided they are not less than fifteen (15) feet from any property line and not less than fifty (50) feet from the boundary of any residential district.
(e) Off-street parking facilities may be located within the required front yard of any “C” or “I” District, but shall not be nearer than fifty (50) feet to any “R1” or “R2” District and no off-street parking shall be permitted in the required front yard of any “R1” or “R2” District.

3-3. Side Yards:

(a) On a corner lot the width of the yard along the side street shall not be less than any required front yard on such street; provided however, that the build able width of a lot of record shall not be reduced to less than thirty-two (32) feet.
(b) No accessory building shall project beyond a required yard line along any

street.

(c) Where dwelling units are erected above commercial establishments no side yards are required except when required for the commercial building on the side of a lot adjoining a residential district.

(d) A porte-cochere or canopy may project into a required side yard provided every part of such porte-cochere or canopy is unenclosed and not less than five (5) feet from any side lot line.

(e) For the purpose of said yard regulations, a two-family dwelling or multiple dwelling shall be considered as one building occupying one lot.

(f) Where a lot of record at the time of the effective date of this ordinance is less than forty (40) feet in width the required side yard may be reduced to ten percent (10%) of the width of the lot; provided however, that no side yard shall be less than three (3) feet.

3-3. Rear Yards:

(a) Where a lot abuts upon an alley, one-half the alley width may be considered as part of the required rear yard.

(b) An accessory building not exceeding twenty (20) feet in height may occupy not to exceed thirty percent (30%) and unenclosed parking spaces may occupy not to exceed ninety percent (90%) of the area of a required rear yard but no accessory building shall be closer than ten (10) feet to the main building nor closer than three (3) feet to any rear lot line.

(c) The ordinary projections of sills, belt courses, cornices and ornamental features may extend to a distance not to exceed eighteen (18) inches into a required yard.

(d) Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard may be permitted by the Building Inspector for a distance not to exceed five (5) feet when these are so placed as to not obstruct light and ventilation.

3-5. Lot Area per Family: Where a lot of record at the time of the effective date of this Ordinance has less area or width than herein required in the district in which it is located, and the owner of such lot does not own any other parcel or tract adjacent thereto, said lot may nonetheless be used for a one-family dwelling or for any non-dwelling use permitted in the district in which it is located.

3-6. Fences: A fence, hedge, or enclosure wall is permitted, provided:

(a) A solid fence or enclosure wall shall not exceed a height of six (6) feet;

(b) An ornamental fence exceeding six (6) feet in height shall have a ratio of solid portion to open portion not in excess of one (1) to four (4);

(c) Any fence, hedge or enclosure wall on corner lot, and situated within

fifteen (15) feet of the intersection of the two street lines, shall not exceed a height of three (3) feet;

(d) Any fence, wall hedge, shrubbery, etc. higher than a base line extending from a point two and one-half (2-1/2) feet above walk grade to a point four and one-half (4-1/2) feet above walk grade at the depth of front yard required is hereby declared to be an obstruction to view, except single trees, having single trunks which are pruned to a height of seven (7) feet above walk grade.

SEC. 4. SIGN REGULATIONS:

4-1. Sign Definitions:

(a) A sign means an outdoor structure, display, light device, figure, painting, drawing, message board, plaque, poster, billboard, or other device that is designed and intended to advertise or inform.

(b) An onsite sign means a freestanding sign identifying or advertising a business, person, or activity, and installed and maintained on the same site as the business, person, or activity.

(c) An offsite sign means a freestanding sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the site on which the sign is located (billboard).

4-2. General Provisions:

(a) In calculating the area of a sign, the perimeter of the area shall be a line including the outer extremities of all letters, figures, characters, and delineations or line including the outer extremities of the framework or background upon which such sign is placed, whichever line includes the larger area.

(b) No sign in any district shall project into the public right-of-way of any street or alley except in the “C1” District. In the “C1” District, no sign shall extend outward from any building face into the public right-of-way for a distance of more than within two (2) feet of the street curb, nor shall be erected so as to overhang a sidewalk or public right-of-way at a height of less than eight (8) feet.

(c) No sign shall be located so as to obstruct the vision or sight distance of motor vehicle operators or pedestrians at any street intersection, crossing, ingress or egress, or other point of traffic concentration. Signs located in such areas should be minimum of eight (8) feet above the ground.

(d) No revolving beam, beacon, or flashing light resembling any traffic control signal or emergency vehicle light shall be permitted as a sign display in any district.

(e) Erection of a sign for the identification of garage sales and similar uses will

be allowed in any district, provided they do not exceed two (2) square feet in area. Garage sales signs shall be temporary signs only.

(f) Instructional signs posted by governmental agencies are exempt from the provisions of this Section. However, such signs may only be posted by an agency having jurisdiction over the area or function for which such signs may be required.

4-3. Non-conforming Signs:

(a) Any sign not meeting the conditions of this Ordinance at the time of passage shall be deemed non-conforming.
(b) Signs shall be permitted for all non-conforming uses of land or buildings. If such signs are not in accordance with the provisions of this Section, they shall also be deemed non-conforming.
(c) Any non-conforming sign which is determined by the Board of Adjustmeant to be a public nuisance shall be removed or altered as ordered by the Board.

4-4. Sign Standards: Sign standards for each zoning district classification are depicted in the following chart:

SIGN	PERMITTED ZONING DISTRICTS	MAXIMUM AREA	MAXIMUM HEIGHT	SETBACK
ONSITE: Instructional, Private	All	8 SF	10 Ft.	10 Ft. (All prop. lines)
Nameplate	All	2 SF	Same as fence	Inside property lines
Identification	All	20 SF	10 Ft.	10 Ft. (All prop. lines)
Business	AO, C1, C2, LI, HI	200 SF	35 Ft.	10 Ft. (All prop. lines)
OFFSITE: Advertising/Billboards	AO, C1, C2, LI, HI (Specific Use Permit)	300 SF/Panel-C1 (Max. 2 panels) 700 SF/Panel- All other (Max. 4 panels)	50 Ft.	10 Ft. (Edge of pvmt.)
TEMPORARY: Special	All	2 SF-R1, R2, R3 40 SF-All other	10 Ft.	Inside property lines
Real Estate	All	30 SF	10 Ft.	10 Ft. (All prop. lines)
Construction	All	64 SF	10 Ft.	10 Ft. (All prop. lines)

SEC. 5. OFF-STREET PARKING AND LOADING REQUIREMENTS:

5-1 Parking Spaces: In all districts, for every industrial, commercial, institutional, recreational, residential, or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, or at the time any other use is established, off-street parking spaces for automobiles in accordance with the requirements set forth in ARTICLE II, SEC. 1.

PERMITTED USES.

5-2. Parking Space Dimensions and Access:

(a) Ninety (90) degree angle parking: Each parking space shall be not less than eight (8) feet wide nor less than seventeen (17) feet in length. Maneuvering space shall be not less than twenty-three (23) feet in length.
(b) Sixty (60) degree angle parking: Each parking space shall be not less than eight (8) feet wide perpendicular to the parking angle nor less than eighteen (18) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than eighteen (18) feet perpendicular to the building to parking line.
(c) Forty-five (45) degree angle parking: Each parking space shall be not less than eight (8) feet wide perpendicular to the parking angle nor less than seventeen (17) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than fifteen (15) feet perpendicular to the building or parking line.
(d) When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
(e) A private walk, if provided adjacent to a business building, shall be not less than five (5) feet in width and shall be in addition to the minimum requirement for parking and maneuvering space herein required.
(f) Where off-street parking facilities are provided in excess of the minimum amounts herein specified, or when off-street parking facilities are provided but not required by this Ordinance, said off-street parking shall comply with the minimum requirements for parking and maneuvering space herein specified.
(g) For any new use, building or structure, where the required off-street parking cannot be provided on the premises because of the size or location of the lot, such parking may be provided on other property not more than four hundred (400) feet in distance from the building site.

5-3. Collective Parking Facilities: In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

5-4. Loading Spaces: In any district, for every building or part thereof hereafter erected with a minimum gross floor area of ten thousand (10,000) square feet, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly requiring the receipt or distribution of vehicles or material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one (1) off-street loading space, plus one (1) additional such loading space for each additional twenty thousand (20,000)

square feet, or major fraction thereof.

5-5. Loading Dimensions and Access:

(a) Each loading space shall not be less than ten (10) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height.
(b) No such space shall be located nearer than fifty (50) feet to any lot in any residential district, unless wholly within an enclosed building or unless effectively screened on each side which faces said districts by a wall or fence of not less than seven (7) feet in height.

5-6. Exceptions: In the "C1" District, where a zoning lot was in existence as of the effective date of this Ordinance and where such lot does not abut an alley, the Board of Adjustment, on application and after concluding that undue hardship would result from the literal application of this Section, may waive or modify any of the provisions thereof.

SEC. 6. SPECIAL USE REGULATIONS:

6-1. Specific Use Permits: The City Council, after public hearing and proper notice to all parties affected, in accordance with the notice procedures, and after recommendation by the Planning and Zoning Commission, may authorize the issuance of "Specific Use Permits" for the uses indicated in ARTICLE II, SEC.1.PERMITTED USES. The Planning and Zoning Commission, in considering and determining their recommendation, or the City Council in considering any request for a Specific Use Permit, may require from the applicant plans and/or pertinent information concerning the location, function, and characteristics of any use proposed. The City Council may, in the interest of assuring compliance with the intent and purposes of this Ordinance, establish conditions of operation with respect to any use for which a permit is authorized. In authorizing the location of any of the uses listed, the City Council may impose such reasonable development standards as the conditions and location indicated as being necessary for the protection of immediate properties in the neighborhood from noise, vibration, dust, dirt, smoke, fumes, odor, explosion, glare, waste, offensive view or other undesirable or hazardous conditions.

6-2. Planned Unit Development: When the Planning and Zoning commission is petitioned by the owner of a tract of land comprising an area of not less than ten (10) acres for a change in zoning from an existing classification to a more intense use, or mixed uses, and whereby the provisions for off-street parking, screening walls, fences or planting and open spaces would create a protective transition between lesser and a more restricted district, the Planning and Zoning Commission may recommend to the City Council one of the following:

(a) Recommend against the change in zoning.
(b) Recommend a change in zoning to "PD" for the entire tract following review and public hearing. Recommendations regarding a change in zoning to "PD" shall be based upon review of a comprehensive site plan, building layout, requirements for the paving of streets, alleys, and sidewalks, means of ingress and egress to public streets, provisions for drainage, open space, and location of all public utilities. A planned unit development granted shall be considered as an amendment to the Zoning Ordinance as applicable to such property. In granting such change, the City Council may impose conditions (including time limits) which shall be complied with by the developer before the building or property may be used for such purposes as approved in the Planned Development Classifications.

6-3. Special Exceptions/Temporary Uses: The City Council, upon recommendation from the Planning and Zoning Commission, may grant special exceptions of a temporary nature in any district, and may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the Land Use Plan and to conserve and protect property and property values in the neighborhood.

SEC. 7. NON-CONFORMING USES:

7-1. Continuance of Use: Any non-conforming use of land or structures may be continued for definite periods of time subject to such regulations as the Board of Adjustment may require for immediate preservation of the adjoining property and the ultimate removal of the non-conforming use. If, however, a continuous operation is not carried on in such non-conforming use during a continuous period of one (1) year, the building, structure, or tract of land where the non-conforming use previously existed shall thereafter be occupied and used only for a conforming use.

7-2. Change of Use: A non-conforming use may be changed to any conforming use. A non-conforming use shall not be changed to any other type of non-conforming use without the prior approval of the Board of Adjustment, which may grant a change of occupancy from one non-conforming use to another, provided the use is within the same or more restricted classification as the original non-conforming use, and provided such change will not prolong and continue the non-conforming use. A non-conforming use once changed to a more restricted classification use, and such prior less restricted classification use shall be considered abandoned.

7-3. Damage and Destruction: A non-conforming use shall not be extended or rebuilt in case of obsolescence or total destruction by fire or other cause. In the case of partial destruction by fire or other causes not exceeding fifty

percent (50%) of its value, the Building Official shall issue a permit for reconstruction. If greater than fifty percent (50%) and less than total, the Board of Adjustment may grant permit for repair after a public hearing and having due regard for the property rights of the persons affected when considered in light of public welfare and the character of the areas surrounding the designated non-conforming use and the purpose of this Ordinance.

7-4. Enlargement: A non-conforming use shall not be enlarged or extended, except upon authorization of the Board of Adjustment.

7-5. Normal Maintenance: Normal maintenance of a building or a structure containing a non-conforming use is permitted, including all necessary non-structural repairs and incidental alterations not extending the non-conforming use.

7-6. Structural Changes: No structural alteration shall be made in a building or other structure containing a non-conforming use except when required by law.

ARTICLE III
ADMINISTRATIVE PROCEDURES AND REQUIRED PERMITS

SEC. 1. PLANNING AND ZONING COMMISSION: A Planning and Zoning Commission shall be organized, and shall have the powers and duties as specified herein.

1-1. Organization and Membership: There shall be established a Planning and Zoning Commission which shall consist of five (5) citizens of the City and an ex officio member who will be the City employee responsible for the planning and zoning activities of the City. The voting members of said Commission shall be appointed by the Mayor with the approval of the City Council for a term of three (3) years, respectively provided that, when the first commission shall be appointed hereunder, one member shall be appointed for one (1) year, two for two (2) years, and two for three (3) years. The Commission shall elect a chairman from among its official members, and such other officers as it may deem necessary. Appointees shall serve without compensation. A vacancy in an unexpired term shall be filled by the Mayor with the approval of the City Council for the remainder of the term. Such Commission shall adopt rules for the practical and efficient transaction of business, and shall keep a record of its transactions, findings, and determinations, which record shall be a public record. Meetings shall be held upon the call of the Chairman.

1-2. Powers and Duties: The Planning and Zoning Commission shall:

(a) Make, amend, extend, or add to a Land Use Plan for the physical development of the City which shall contain the Commission's recommendations for growth, improvement, and beautification of the City.
(b) Recommend to the City Council approval or disapproval of proposed changes in the zoning districts and/or ordinance.
(c) Approve or disapprove the platting or subdividing of land within the corporate limits of the City and within adjacent areas as permitted by law.
(d) Submit annually to the City Council, not less than ninety (90) days prior to the beginning of the budget year, a list of recommended capital improvements, if any, which in the opinion of the Commission, are necessary or desirable during the forthcoming five (5) year period.
(e) Recommend to the City Council approval or disapproval of plans for slum clearance, public housing, housing rehabilitation, and urban redevelopment projects.
(f) Perform such additional duties as the City Council shall prescribe that relates to municipal planning.

SEC. 2. ENFORCEMENT:

2-1. Administration: The provisions of this Ordinance shall be administered by the

Chief Administrative Officer of the City of Comanche.
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2-2. Inspection: The Chief Administrative Officer and/or Building Official shall have the right to enter upon any premises at any reasonable time prior to the completion of the buildings for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance.

2-3. Stop Orders: Whenever any construction work is being done contrary to the provisions of this Ordinance, the Chief Administrative Officer and/or Building Official may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Chief Administrative Officer and/or Building Official to proceed with the work.

SEC. 3. EFFECT UPON EXISTING PERMITS, AGREEMENTS, RIGHTS, ETC.:

3-1. Existing Permits and Private Agreements: This Ordinance is not intended to abrogate or annul any permits issued before the effective date of this Ordinance, or any easement, covenant or any other private agreement.

3-2. Preserving Rights in Pending Litigation and Violations Under Existing Ordinances: By the passage of this Ordinance, no presently illegal use shall be deemed to have been legalized unless such use falls within a use district where the actual use is a conforming use. Otherwise, such uses shall remain non-conforming uses where recognized, or an illegal use, as the case may be. It is further the intent and declared purpose of this Ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, shall be discharged or affected by the adoption of this Ordinance: but prosecutions and suits for such offenses, liabilities, penalties or forfeitures may be instituted or caused presently pending be proceeded with in all respects as if such prior Ordinance had not been repealed.

3-3. Completion of Existing Buildings:

(a) Nothing in these regulations nor any amendments hereto which change district boundaries shall require any change in the plans, construction, or designated use of a building which shall be completed in its entirety within two (2) years from the date of the passage of this Ordinance, provided such building either was actually under construction at the time of the passage of this Ordinance, and further provided construction shall have been started within ninety (90) days from passage of this Ordinance.
(b) Commitments with reference to construction of public utility buildings necessary for proposed expansion of the City made prior to the passage of this Ordinance shall be observed.

3-4. Temporary Zoning; New Subdivision; Annexed Areas:

(a) Unplatted property: The Planning and Zoning Commission of the City of Comanche shall not approve any plat or any subdivision within the city limits of the City of Comanche, until the area covered by the proposed plat shall have been permanently zoned by the City Council of the City of Comanche.

(b) Proposed annexation: In the event the Planning and Zoning Commission holds a hearing on proposed annexation, it may, at its discretion, at the same time hold a hearing upon the permanent zoning that is to be given to the area or tract to be annexed, and make a recommendation on both matters of permanent zoning and annexation at the same time.

(c) Zoning annexed areas: All territory annexed to the City of Comanche hereafter shall be temporarily classified as "AO" Agricultural Open Space District only until permanently zoned by the City Council of the City of Comanche. The Planning and Zoning Commission shall, as soon as practicable after any annexation of any territory, recommend to the City Council a permanent zoning, and the procedure to be followed shall be as provided by law for the adoption of original zoning regulations.

SEC. 4. BOARD OF ADJUSTMENT:

4-1. Organization and Procedure:

(a) A Board of Adjustment is created consisting of five (5) citizens of the City, each to be appointed by the Mayor and confirmed by the City Council, for the terms of three (3) years, respectively provided that, when the first board shall be appointed hereunder, one member shall be appointed for one (1) year, two for two (2) years, and two for three (3) years. At least one member of the board shall be a member of the Planning and Zoning Commission and his term shall expire at the same time as his term on such commission. A member appointed to fill a vacancy shall serve for the unexpired term. In the absence of a Board of Adjustment, the City Council shall perform all functions of a Board of Adjustment.

(b) The hearings of the Board of Adjustment shall be public. However, the Board may go into executive session for discussion but not for vote on any case before it. The Board shall organize annually and elect a president, vice-president and secretary. The Board of Adjustment shall act by resolution in which three (3) members must concur. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Ordinance, and shall furnish a copy of the same to the inspector of buildings, all of which rules and regulations shall operate uniformly in all cases. All of its resolutions and orders shall be in accordance therewith. The Board shall hear the intervention of any

owner of any property adjacent to, in the rear of, or across the street from a lot as to which the granting of any building permit is pending, and shall also hear any other parties in interest.

(c) The Board shall have the power to subpoena witnesses, administer oaths and punish for contempt, and may require the production of documents, under such regulations as it may establish.

4-2. Appeals to Board:

(a) Appeals may be taken to and before the Board of Adjustment by any person aggrieved, or by any officer, department, board or bureau of the City. Such appeal shall be taken by filing with the office of the Board, a notice of appeal and specifying the grounds thereof. The office or department from which the appeal is taken shall forthwith transmit to the Board of Adjustment, all of the papers constituting the record upon which the action appealed from was taken.

(b) An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector shall certify to the Board of Adjustment that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.

(c) The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and shall mail notices of such hearing to the petitioner and to the owners of property lying within two hundred (200) feet of any point of their lot or portion thereof on which a variation is desired, and to all other persons deemed by the Board to be affected thereby, such owners and persons being determined according to the current tax rolls of the City of Comanche and depositing of such written notice in the mail shall be deemed sufficient compliance therewith. The Board shall decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The Board may reverse or affirm, wholly or partly or may modify the order, requirements, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to have made in the premises, and to that end, shall have all powers of the officer or department from whom the appeal is taken.

4-3. Powers and Duties of Board: The Board of Adjustment shall have the following powers and it shall be its duty:

(a) To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the inspector of buildings in the enforcement of this code.

(b) In hearing and deciding appeals the Board shall have the power to grant an exception in the following instances:

(1) Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this code.

(2) Interpret the provisions of this code in such a way as to carry out the intent and purpose of the plan, as shown upon the maps fixing the several districts, accompanying and made a part of this code, where the street layout actually on the ground varies from the street layout as shown on the maps aforesaid.

(3) Permit the erection and use of a building or the use of premises for railroads or public utility purposes.

(4) Permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God or the public enemy, to the extent of more than sixty percent (60%) of its fair market value, where the Board finds some compelling necessity requiring a continuance of the non-conforming use and the primary purpose of continuing the non-conforming use is not to continue a monopoly.

(5) Waive or reduce the parking and loading requirements in any of the districts whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

(6) Permit land within three hundred (300) feet of multiple dwelling to be improved for the parking spaces required in connection with a multiple dwelling, but only when there is positive assurance that such land will be used for such purpose during the existence of the multiple dwelling.

(7) To determine whether an industry should be permitted within the “LI” Restricted Industrial and the “HI” Industrial Districts because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

(c) The Board shall have the authority to grant the following variations:

(1) Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

(2) Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this code relating to the use, construction or alterations of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship, such variations of the strict application of the terms of this Ordinance as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of such variation will

not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the comprehensive plan as established by this Ordinance, and at the same time, the surrounding property will be properly protected. In considering all appeals and all proposed exceptions or variations to this Ordinance the Board shall, before making any exceptions or variations from the Ordinance in a specific case, firsts determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Comanche.

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4-4. Fee: A fee of fifty dollars ($50) shall be paid to the City Secretary at the time the notice of appeal is filed, which the inspector shall forthwith pay over to the director of finance to the credit of the general revenue fund of the City of Comanche.

SEC. 5. AMENDMENTS:

5-1. Authority; General:

(a) The Zoning Ordinance may be amended by changing the district boundaries or other provisions thereof, whenever the public necessity, convenience, and general welfare require such amendment.

(b) No proposed amendment shall be recommended by the Planning and Zoning Commission or passed by the City Council except on substantial proof that it is in accordance with sound zoning practices and will serve to promote the public health, safety, convenience, or general welfare. With regard to change in zoning boundaries, no amendment shall be made except upon demonstration that conditions and trends of development in the area have so altered since adoption of existing boundaries as to justify the change, or that existing boundaries, either through prior error or change in conditions, are unreasonable and that objectives of the Ordinance will be promoted by the proposed amendment.

(c) In accordance with Title 7, Subtitle A Municipal Regulatory Authority), Section 2-11 (Municipal Zoning Authority), VERNON'S TEXAS CIVIL STATUTES – LOCAL GOVERNMENT CODE, such amendments shall be made only in accordance with a Comprehensive Land Use Plan. Where individual zoning exceptions may be desirable within a district, because of the nature of the structures and the design of the district, this Ordinance has specifically provided for the use of special exceptions within the district to accomplish necessary deviations from the basic ordinance, under the control of the Board of Adjustment.

5-2. Action by Planning and Zoning Commission: Before taking action on any proposed amendment, supplement or change, the City Council shall submit the proposed revision to the Planning and Zoning Commission, which shall make a preliminary report and hold a public hearing thereon before submitting its final report. In amendments involving proposed changes in classification, written notice shall be given to all owners of property, or to the person rendering the property for city taxes, affected by such proposed changes or classifications, located within two hundred (200) feet of any property affected thereby, within not less than ten (10) days before any such hearing is held. In addition, notice of such hearing shall be published in a newspaper of general circulation, not less than ten (10) days before any such hearing is held. In amendments involving the general terms and regulations of this ordinance, the newspaper notice will serve as sufficient notice and no specific property owners need to be notified.

5-3. Action by the City Council: After receipt of the final report from the Planning and Zoning Commission, a public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publication one (1) time in a paper of general circulation in City stating the time and place of such hearing, which time shall be not less than ten (10) days from the first date of publication.

5-4. City Council Vote Required: Unless such proposed amendment, supplement or change has been approved by the Planning and Zoning Commission such amendment, supplement or change shall not become effective except by concurrence of seventy-five percent (75%) of the members of the City Council, and no vote shall be taken unless four (4) members of the City Council are present.

5-5. Filing Fee: No notices of any application for change of zoning district boundaries or for any change of zoning ordinance or classification shall be issued, and no hearings shall be had before either the Planning and Zoning Commission or the City Council until a filing fee accompanying such application is paid. The filing fee (payable in cash, certified check or casher's check), shall be fifty dollars ($50.00) for the first one hundred (100) feet, or fraction thereof, of lot frontage involved and ten dollars ($10.00) for each additional one hundred (100) feet, or fraction thereof.

SEC. 6. VIOLATION, PENALTIES, AND LEGAL PROCEDURES:

6-1. Any person who shall violate any of the provisions of this Zoning Ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, shall for each and every violation or noncompliance be

deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than two hundred dollars ($200.00) and each day shall violation be permitted to exist shall constitute a separate offense.

6-2. The owner of that building or premises or part thereof where anything in violation of this Zoning Ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith who may have assisted in the commission of any such violation shall each be guilty of a separate offense and upon conviction shall be subject to the penalties herein provided.

6-3. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the general law or of the terms of this Ordinance, the City of Comanche, in addition to imposing the penalties above provided, may institute any appropriate action or proceedings in court to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, or to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use, in or about such land; and the definition of any violation of the terms of this Ordinance as a misdemeanor, shall not preclude the City of Comanche from invoking the civil remedies given it by law in such cases, but same shall be cumulative or and in addition to the penalties prescribed for such violation.

SEC. 7. VALIDITY: If any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Ordinance as a whole or any part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

SEC. 8. INTERPRETATION OF ORDINANCE: Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the more restrictive or that imposing the higher standards shall govern.

SEC. 9. EFFECTIVE DATE: This Ordinance, including the provisions hereof heretofore effective from and after the date of passage of the Zoning Ordinance adopted and subsequent amendments thereto, shall be effective from and after the date of its approval and adoption as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 20 ___

SIGNED:

_____
Mayor

ATTEST:

_____
City Secretary

ZONING DISTRICTS MAP

APPENDIX

ZONING REQUEST

Name: _____

Address: _____

Telephone: _____

Type of Request:

_____ Change in Zoning Classification (P&Z, City Council)
_____ Specific Use Permit (P&Z, City Council)
_____ Variance/Waiver (ZBA)

Property Location & Legal Description:
(Attach map of area)

Reason for Request/Proposed Use of Property:

FILING FEE: $ _____

Submitted By: _____

City Official: _____

NOTIFICATION PROCEDURES

Planning & Zoning Commission:

1. Notify all property owners within 200 feet of the affected property by certified mail at least ten (10) days prior to the public hearing; and
2. Publish public hearing notice in local newspaper at least ten (10) days prior to the public hearing.

Zoning Board of Adjustment:

1. Notify all property owners within 200 feet of the affected property by certified mail at least ten (10) days prior to the public hearing; and
2. Publish public hearing notice in local newspaper at least ten (10) days prior to the public hearing.

City Council:

1. Publish public hearing notice in local newspaper at least ten (10) days prior to the public hearing.

CERTIFIED NOTIFICATION FORM

(Date)

_____
_____
_____

Dear Property Owner:

This letter is notification that the Planning & Zoning Commission/Zoning Board of Adjustment will be holding a public hearing on (date) at (time) at (location) for the purpose of considering a:

_____ Change in Zoning Classification
_____ Request for a Specific Use Permit
_____ Request for a Special Variance/Waiver

for the property located at (address).

_____ The property is currently located in a (Zoning Classification) District. The request is for a change to a (Zoning Classification) District.

or

_____ The property is currently located in a (Zoning Classification) District. The request is for allowance of a Specific Use Permit for (use).

or

_____ The property is currently located in a Zoning Classification) District. The request is for a Variance/Waiver for (describe).

As a property owner within 200 feet of the affected property, you are invited to attend this public hearing and provide comment. You may also return the attached form to: Zoning Administrator, City of _____, (address).

Sincerely,

Zoning Administrator
City of _____

Attached: Map of Area
Notification Reply

(Attach Map of Area with Affected Property Highlighted)

Notification Reply

Name: _____

Address: _____

Telephone: _____

_____ I am in favor of the proposed request

_____ I am opposed to the proposed request

Comments:

_____
(Signature)

SAMPLE PUBLIC HEARING NOTICES

Public Hearing Notice
(Planning & Zoning Commission)

The Planning & Zoning Commission of the City of _____ will hold a public hearing on (date) at (time) at (location). The purpose of the public hearing will be to consider a request for a (Change in Zoning District Classification)/(Specific Use Permit) for the property located at (address). The property is currently located in a (Zoning Classification) District and the request is for a change to a (Zoning Classification) District. OR The property is currently located in a (Zoning Classification) District and the request is for allowance of a Specific Use Permit for (use). The Planning & Zoning Commission will consider the request and make a recommendation to the City Council for final determination.

Public Hearing Notice
(Zoning Board of Adjustment)

The Zoning Board of Adjustment of the City of _____ will hold a public hearing on (date) at (time) at (location). The purpose of the public hearing will be to consider a request for a Variance/Waiver from the zoning regulations for the property located at (address). The property is currently located in a (Zoning Classification) District and the request is for a Variance/Waiver for (describe).

Public Hearing Notice
(City Council)

The City Council of the City of _____ will hold a public hearing on (date) at (time) at (location). The purpose of the public hearing will be to consider a request for a (Change in Zoning District Classification)/(Specific Use Permit) for the property located at (address). The property is currently located in a (Zoning Classification) District and the request is for a change to a (Zoning Classification) District. OR The property is currently located in a (Zoning Classification) District and the request is for allowance of a Specific Use Permit for (use). The City Council will consider the request and the recommendation of the Planning & Zoning Commission prior to making a final determination.

ZONING REPORT

Request By: _____

Property Description: _____
_____
_____
_____
_____
_____

Location (Address): _____

Current Zoning Classification: _____

Requested Change:

_____ Zoning Classification to_____

_____ Specific Use Permit for_____

_____ Variance/Waiver for_____

Description of Surrounding Land Use:_____
_____
_____

City Staff Recommendation:

Planning & Zoning Commission Recommendation (if applicable):

Final Determination (City Council or Zoning Board of Adjustment):

Attach 2 Maps: (1) Zoning Classification of Property and Surrounding Area; (2) Color Coded Land Use Map of Property and Surrounding Area.

(1) Zoning Map

(2) Land Use Map