

ORDINANCE NO. 185-P

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING ORDINANCE 185H, SECTION 9 BY MODIFYING DEFINITIONS; AMENDING ORDINANCE 185; ARTICLE 1, SECTION 5 BY MODIFYING DEFINITIONS; AMENDING ORDINANCE 185H, SECTION 25 BY MODIFYING CHART 1; AMENDING ORDINANCE 366, SECTION 3 BY MODIFYING CUL-DE-SAC LOT WIDTHS; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(J) FOOTNOTE (3) BY MODIFYING REAR SETBACKS FOR ACCESSORY STRUCTURES; AMENDING ARTICLE 2, SECTION 20(J) ADDING NOTE 4 NONCONFORMING SETBACKS; AMENDING ORDINANCE 185, ARTICLE 2, SECTION 20(I) BY MODIFYING CHART 3; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(M)(V) ADDING A TREE REQUIREMENT FOR PARKING AREAS; AMENDING ORDINANCE 185, ARTICLE 2, SECTION 20(M) SPECIAL EXCEPTION; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(M) BY MODIFYING CHART 4; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(M)(III) TO REDUCE MAXIMUM PARKING ALLOWED; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(M) ADDING SECTION (VII) VEHICLE STACKING AREAS; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 20(M) ADDING SECTION (VIII) OFF STREET LOADING AREAS; AMENDING ORDINANCE 185, ARTICLE 2, SECTION 23 TO PERMIT KENNELS IN AGRICULTURAL ZONED AREAS; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 25 TO PERMIT SCHOOLS IN R-1 ZONED AREAS BY CONDITIONAL USE PERMIT; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 26 TO PERMIT SCHOOLS IN R-2 ZONED AREAS BY CONDITIONAL USE PERMIT; AMENDING ORDINANCE 185 ARTICLE 2, SECTION 34(A) TO PERMIT 23 UNITS PER ACRE IN R-3 ZONED AREAS; AMENDING ORDINANCE 185H SECTION 28 ESTABLISHMENT OF ZONING DISTRICTS; AMENDING ORDINANCE 185H, SECTION 29 I PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 30 C-1 PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 31 C-2 PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 32 C-3 PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 33(A)(B) IN-1 PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 35 NB PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185H, SECTION 36 DBD PERMITTED AND CONDITIONAL USES; AMENDING ORDINANCE 185, ARTICLE 3 SECTION 60(C)(D)(G)(4) TO ADD REPLACEMENT TREE RATIO; AMENDING ORDINANCE 185, ARTICLE 3 SECTION 60(C)(I)(M)(3) TO REMOVE MENTION OF SECTION 61; AMENDING ORDINANCE 185L, SECTION 6 BY MODIFYING DEFINITIONS; AMENDING ORDINANCE 185L, SECTION 7 BY MODIFYING SIGN FACE CALCULATIONS; AMENDING ORDINANCE 185L SECTION 8(B), ESTABLISHING FEES; AMENDING ORDINANCE 185L SECTION 13.102, CHANGING INSPECTION OF SIGNS; AMENDING ORDINANCE 185 ARTICLE 3,

SECTION 63(B), ADDING SECTION (XV); AMENDING ORDINANCE 185 ARTICLE 3, SECTION 65(D)(I) MAKING SEXUALLY ORIENTED BUSINESSES PERMITTED BY CONDITIONAL USE IN C-3 AND IN-1 ZONING DISTRICTS; AMENDING ORDINANCE 185H REMOVING APPENDIX A THE CITY OF MANOR ZONING SUMMARY USE TABLE; AND PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, OPEN MEETINGS CLAUSES, AND EFFECTIVE DATE.

Whereas, it is appropriate for the City to add and modify provisions in the zoning ordinance to better provide an attractive living environment and to protect the health, safety, morals, and welfare of the present and future residents of the City; and

Whereas, the City Council, after receiving a recommendation from the Planning and Zoning Commission and holding public hearings, has determined that it is appropriate for the City to adopt additional parking and landscape requirements, height and placement requirements, permitted uses in residential, commercial, and industrial zoned areas, and regulating signs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MANOR, TEXAS, THAT:

Section 1. Findings. That the above premises and findings of facts are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. Amendment of Section 9, Ordinance No. 185 H, Zoning Regulations.
Section 9 is hereby amended to change the definition of “Food Preparation” to read as follows:

Food Preparation means the use of a site for production of prepared food for wholesale distribution. The use includes, but is not limited to, wholesale bakeries, commercial kitchens, and specialty food processing or packaging shops, the products may be sold onsite, but excludes the onsite slaughter of animals and commercial production of ice.

Section 3. Amendment of Section 14, Ordinance No. 185 H, Zoning Regulations.
Section 14 is hereby amended to change the definition of “Off-Site Accessory Parking” to read as follows:

Off-Site Accessory Parking means the use of a site for the provision of parking spaces, together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, located on a different site from the principle use. The principle use shall be located no further than an adjacent property or across one public or private right-of-way.

Section 4. Amendment of Article I, Section 5, Ordinance No. 185, Zoning Regulations.
Article I, Section 5 is hereby amended to add the definition of “Amusement Redemption Machine” immediately after “Amusement (Outdoor)” and before “Animal(s)” to read as follows:

Amusement Redemption Machine means any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a

single play of the game or device of not more than ten times the amount charged to play the game or device once, or \$5.00, whichever amount is less.

Section 5. Amendment of Article I, Section 5, Ordinance No. 185, Zoning Regulations.

Article I, Section 5 is hereby amended to add the definition of “Civic Uses” immediately after “City Standard Details and Specifications” and before “Cleaning or Laundry Self-Service Shop” to read as follows:

Civic Uses means the performance of utility, educational, recreational, cultural, medical, protective, and governmental functions, and other uses that are strongly vested with public or social importance.

Section 6. Amendment of Article I, Section 5, Ordinance No. 185, Zoning Regulations.

Article I, Section 5 is hereby amended to add the definition of “Game Room” immediately after “Frontage Block” and before “Garage – Commercial” to read as follows:

Game Room means a building, facility, or other place that is open to the public and whose primary purpose is entertainment and contains one or more operational amusement redemption machines.

Section 7. Amendment of Article I, Section 5, Ordinance No. 185, Zoning Regulations. Article I, Section 5 is hereby amended to change the definition of “Setback Line or Building Setback Line” to read as follows:

Setback Line or Building Setback Line means a line that marks the setback distance from the building property line, and establishes the minimum required front, side or rear yard space of a building plot. No structure, as defined in this section, can be constructed or placed within the setback line or building setback line.

Section 8. Amendment of Article I, Section 5, Ordinance No. 185, Zoning Regulations. Article I, Section 5 is hereby amended to change the definition of “Structure” to read as follows:

Structure means any building or anything constructed or erected on the ground or which is attached to something located on the ground. Structures include buildings, telecommunication towers, sheds, and permanent signs. Sidewalks, paving and parking areas, and fences shall not be considered structures unless located within a public utility or drainage easement.

Section 9. Amendment of Section 25 Chart 1, Ordinance No. 185H, Zoning Regulations. Section 25 is hereby amended in its entirety to read as follows:

(j) Height and Placement Requirements. Except as otherwise specifically provided in this Ordinance, no building shall be erected or maintained within the required building setbacks set forth herein, or which exceeds the height limits specified in the following Chart 1.

Zoning District	Front Yard Setback	Side Yard to Res.	Rear Yard to Res.	Street Side Yard Setback	Side Yard to all C, I, and IN	Rear Yard to all C, I, and IN	Min. Lot Sq. Ft. Area	Min. Lot Width	Max. Height Limit
R-1	25'	5'	25' (3)	15' (3)	10' (3)	25' (3)	7,500	60' (1)	35'
R-2	20'	5'	10' (3)	15' (3)	10' (3)	10' (3)	7,200	50' (1)	35'
R-3	25'	5'	10'	15'	5'	10'	7,000	50'	35'
R-4	25'	5'	10'	15'	5'	10'	See Sec. 36	50'	35'
M-1	25'	5'	10'	15'	5'	10'	7,000	50' See Sec. 37(e)	35'
M-2	25'	5'	10'	15'	5'	10'	7,000	50' See Sec. 37(e)	35'
OS	25'	10'	25'	15'	10'	25'	7,500	60'	35'
A	25'	25'	25'	15'	25'	25'	1 Acre 43,560	150'	35'
I	25'	15'	15'	15'	15'	15'	7,500	60'	60'
NB	20'	20'	10'	10'	0' or 10'	10'	5,750	50'	35'
C-1	25'	25'	25'	15'	0' or 10'	10'	5,750	50'	60'
C-2	25'	25'	25'	15'	0' or 10'	10'	7,500	60'	60'
C-3	25'	25'	25'	15'	0' or 10'	10'	7,500	60'	60'
DBD	0'	25'	25'	0'	0' or 10'	10'	5,000	50'	60'
IN-1	25'	50'	50'	25'	20'	20'	1 Acre 43,560	50'	60'
IN-2	25'	50'	50'	25'	20'	20'	2 Acres 43,560	50'	60'
PUD	Varies	Varies	Varies	15'	Varies	Varies	3 Acres 130,680	Varies	Varies

Section 10. Amendment of Section 3, Ordinance No. 366, Zoning Regulations.

Section 3 is hereby amended in its entirety to read as follows:

- (1) Cul-de-sac lot widths shall be measured at the building setback line and be equal to the minimum lot width

Section 11. Amendment of Article II, Section 20(j), Footnote (3), Ordinance No. 185, Zoning Regulations. Article II, Section 20(j) Footnote (3) are hereby amended in their entirety to read as follows:

- (3) Rear, side, and street side setbacks may be reduced to 5 feet for accessory structures.

Section 12. Amendment of Article II, Section 20(j), Ordinance No. 185, Zoning Regulations. Article II, Section 20(j) is hereby amended to add footnote (4) to read as follows:

- (4) Lots with nonconforming setbacks may erect structures at the nonconforming setback line but may not increase the nonconformity of the setback line. Any nonconforming structure built shall comply with current building regulations.

Section 13. Amendment of Article II, Section 20(i), Chart 3 Ordinance No. 185, Zoning Regulations. Article II, Section 20(i), Chart is hereby amended in its entirety to read as follows:

<u>District</u>	<u>Maximum FAR</u>
C-1, C-2, C-3	1.8
IN-1, IN-2	1.5
DBD	2.0
NB	0.5
I	1.0

Section 14. Amendment of Article II, Section 20(m)(v), Ordinance No. 185, Zoning Regulations. Article II, Section 20(m)(v) is hereby amended to add the following section:

- (D) To reduce the thermal impact of unshaded parking lots, additional trees shall be planted, if necessary, so that no parking space is more than 50 feet away from the trunk of a tree, unless otherwise approved by the Commission.

Section 15. Amendment of Article II, Section 20 Special Exception, Ordinance No. 185, Zoning Regulations. Article II, Section 20 Special Exception is hereby amended in its entirety to read as follows:

Special Exception. The City Council may grant a special exception to allow two or more uses to share parking spaces upon showing that the particular uses in question will require parking at different times and the grantor of the shared parking must provide a letter stating their total number of available spaces on the property and the number of spaces they are permitting to be shared and the times those spaces are available to the grantee. Only properties sharing a common property boundary will be allowed to share parking. Any spaces the Council allows to be shared count toward the number of spaces each use must provide. The grantor may only share a maximum of twenty five percent (25%) of their total available parking to the grantee.

Section 16. Amendment of Article II, Section 20(m) Chart 4, Ordinance No. 185 Zoning Regulations. Article II, Section 20(m) Chart 4 is hereby amended in its entirety to read as follows:

Use	Number of Parking Spaces
Amenity Center	One space for each 300 square feet of GFA and one space for each 300 square feet of GFA over 1,800 square feet GFA including pools

Auto Sales Facilities	One space for every automobile for sale, one space for each two employees, and one space for each 250 square feet of GFA
Banks, Offices, Financial Lending Institutions, Gasoline Stations, Personal Service Shops, Retail Establishments, Shopping Centers, and similar uses catering to the general public	One space for each 250 square feet of GFA
Bars, Cafes, Restaurants, Restaurants with drive through, Taverns, Nightclubs, and similar uses	One space for each 100 square feet GFA or one space for each three seats provided, whichever is greater
Car Wash (Full Service)	One space for each 200 square feet GFA
Car Wash (Self Service)	One space for each facility bay
Convenience Storage, Self-Storage	One space for each 4,000 square feet GFA or one space for each two employees, whichever is greater
Day Care	Three and one-half spaces for each 1,000 square feet of GFA
Food Sales, Food and Beverage Sales, Convenience Stores, and similar uses	One space for each 200 square feet GFA
Funeral Home	One space for each 150 square feet GFA
Golf Courses (commercial)	One space for each two employees, four spaces for each hole, and one space for each 200 square feet of GFA
Health Club, Spa, Exercise Club	One space for each 200 square feet GFA
Heavy Equipment Sales	One space for each 500 square feet GFA
Hotels, Motels, and similar transient accommodations	One space for each bedroom and one space for each two employees
Kennel	One space for each 1,000 square feet GFA
Medical Office	One space for each 250 square feet of GFA
Places of Worship	One space for each three seats, if accessory uses provided, then parking for accessory spaces based on use
Residential dwellings, single, multi-family, and manufactured homes	Two spaces minimum for each living unit, and one-half space for each additional bedroom above two
Rest Homes, Hospitals, Nursing Homes, Convalescent Homes, Sanitariums, and similar uses	One space for each four patient beds, one space for each two employees

School, Elementary	One and one-half space for each employee, or one space for each four persons based upon maximum capacity for the largest place of assembly, whichever is greater.
School, High	One and one-half spaces for each employee, plus one space for each three students enrolled in 11 th and 12 th grades.
School, Middle	One and one-half space for each employee, or one space for each four persons based upon maximum capacity for the largest place of assembly, whichever is greater.
Theater (live or motion picture)	One space for each four seats
Truck Stop	One truck space for each 10,000 square feet of site area, one vehicle space for each 200 square feet GFA
Vehicle Repair, Auto Service	One space per 400 square feet GFA and one space for each repair bay area
Veterinarian Clinic	One space for each 300 square feet GFA
Warehouses, manufacturing plants, industrial uses	One space for each 1,000 square feet GFA and 1 space for each two employees

Section 17. Amendment of Article II, Section 20(m)(iii), Ordinance No. 185, Zoning Regulations. Article II, Section 20(m)(iii) is hereby amended in its entirety to read as follows:

- (iii) Maximum Parking. The maximum number of parking spaces for a commercial, industrial, or institutional use area shall not exceed 110% of the parking required pursuant to Chart 4.

Section 18. Amendment of Article II, Section 20(m), Ordinance No. 185, Zoning Regulations. Article II, Section 20(m) is hereby amended to add section (vii) as follows:

- (vii) Vehicle Stacking Areas. Stacking spaces shall be a minimum of eight by twenty feet in size. Stacking spaces may not impede on- or off-site movements or movements into, or out of off-street parking spaces. Off-street stacking spaces shall be provided as indicated in the following table:

Minimum Off-Street Stacking Spaces		
Activity Type	Minimum Spaces	Measured From
Bank Teller Lane	4	Teller or Window
Automated Teller Machine	3	Teller
Restaurant Drive Through	6	Order box
Restaurant Drive Through	2	Order box to pick up window
Auto service facility stalls, vehicle repair, and body shop stalls	2	Entrance to stall
Car Wash Stall, automatic	4	Entrance to wash bay
Car Wash Stall, self-service	3	Entrance to wash bay
Gasoline Pump Island	2	Pump island

Section 19. Amendment of Article II, Section 20(m), Ordinance No. 185, Zoning Regulations. Article II, Section 20(m) is hereby amended to add section (viii) as follows:

- (viii) Off-Street Loading Requirements. All retail, commercial, industrial and service structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies, and materials within a building or on the lot or tract. All drives and approaches shall provide adequate space and clearances to allow for maneuvering of trucks off-street. Each site shall provide a designated on-site maneuvering area for trucks. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure. Such off-street loading space or truck berth shall consist of a minimum area of ten by forty-five (10' x 45'), and such spaces or berths shall be provided in accordance with the following table:

Minimum Off-Street Loading Requirements	
Total Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 to 10,000 square feet	None
10,001 to 50,000 square feet	1
50,001 to 100,000 square feet	2
100,001 to 200,000 square feet	3
Each additional 100,000 square feet	1 additional

Section 20. Amendment of Article II, Section 23(d), Ordinance No. 185, Zoning Regulations. Article II, Section 23(d) is hereby amended in its entirety to read as follows:

- (d) Ranches, dairy farms, stables, riding academies and roping arenas, kennels; including the feeding, raising and breeding of agricultural livestock; however, with exception of

commercial feed lots; provided that no poultry, livestock, or kenneled animals other than household pets shall be housed within fifty (50) feet of any property line.

Section 21. Amendment of Article II, Section 25, Ordinance No. 185, Zoning Regulations. Article II, Section 25 is hereby amended to add section (d) as follows:

- (d) Conditional Uses.
 - (i) Private Primary and Secondary Educational Facilities
 - (ii) Public Primary and Secondary Educational Facilities

Section 22. Amendment of Article II, Section 26, Ordinance No. 185, Zoning Regulations. Article II, Section 26 is hereby amended to add section (d) as follows:

- (d) Conditional Uses.
 - (i) Private Primary and Secondary Educational Facilities
 - (ii) Public Primary and Secondary Educational Facilities

Section 23. Amendment of Article II, Section 34(a), Ordinance No. 185, Zoning Regulations. Article II, Section 34(a) is hereby amended in its entirety to read as follows:

- (a) Permitted Uses. Attached single-family structures with a minimum of 500 square feet of living area and permitted accessory structures generally known as apartments, with buildings not exceeding 3 stories, not more than 23 units per acre.

Section 24. Amendment of Section 28, Ordinance No. 185H, Zoning Regulations. Section 28 is hereby amended in its entirety to read as follows:

Section 21. Establishment of Zoning Districts.

- (a) The City is hereby divided into seventeen (17) zoning districts. The use, height, and area regulations as set out herein shall be uniform in each district. The districts established shall be known as:

<u>Abbreviated Designation</u>	<u>Zoning District Name</u>
A	Agricultural
R-1	Single Family Residential
R-2	Single Family/ Duplex Residential
R-3	Multi-Family Residential
R-4	Multi-Family Special Needs
OS	Open Space
M-1	Manufactured Housing
M-2	Manufactured Housing Park
NB	Neighborhood Business

DBD	Downtown Business District
I	Institutional
C-1	Light Commercial
C-2	Medium Commercial
C-3	Heavy Commercial
IN-1	Light Industrial
IN-2	Heavy Industrial
PUD	Planned Unit Development

Section 25. Amendment of Section 29, Ordinance No. 185H, Zoning Regulations.

Section 29 is hereby amended in its entirety to read as follows:

Section 42. Institutional – District “I”

- (a) Purpose. This district is intended to provide appropriate areas for uses that provide important community services often requiring large amounts of land. Uses permitted in the I District generate a large amount of traffic. Only land abutting a major street that can be used for access shall be considered appropriate for I classification. An appropriate site should also contain adequate space for required off-street parking and buffering.
- (b) Permitted and Conditional Uses. The following chart indicates permitted uses in the I district with a “P” and conditional uses with a “C”.

<i>INSTITUTIONAL - I</i>	
Administrative Offices	P
Administrative Services	P
Business and Trade Schools	P
Camp	P
Campground	C
College or University Facilities	P
Communication Service Facilities	P
Community Events	P
Community Recreation	P
Congregate Living	P
Convalescent Services	P
Counseling Services	P
Detention Facilities	P
Employee Recreation	P
Family Home	P
Group Home	P
Group Residential	P
Hospital Services	P
Military Installations	P

Park and Recreation Services	P
Postal Facilities	P
Private Primary and Secondary Education Facilities	P
Professional Office	P
Public Primary and Secondary Education Facilities	P
Religious Assembly & Associated Accessory Uses including off-site parking	P
Residential Treatment	P
Retirement Housing	P
Safety Services	P
Transitional Housing	P
Transportation Terminal	P
All Other Civic Uses	P

Section 26. Amendment of Section 30, Ordinance No. 185H, Zoning Regulations.
 Section 30 is here by amended in its entirety to read as follows:

Section 43. Light Commercial – District “C-1”

(a) Purpose, Permitted Uses, Conditional Uses. This district allows a mix of commercial uses including retail, office, light commercial, and similar uses excluding residential and multifamily. This district allows the retail sale of goods and products (in the following listed use areas) to which value has been added on-site, including the sale of goods and services outside the primary structure as customary with the uses specifically listed, and the following, with permitted uses in the C-1 district noted with a “P” and conditional uses with a “C”.

<i>LIGHT COMMERCIAL C-1</i>	
Administrative Offices	P
Administrative Services	P
Art Gallery	P
Art Workshop	P
Bed & Breakfast	P
Business and Trade Schools	P
Club or Lodge	P
Cocktail Lounge	P
College or University Facilities	P
Commercial Off-Street Parking	P
Communication Service Facilities	P
Communication Services	P
Community Events	P
Community Recreation	P
Congregate Living	P

Consumer Convenience Services	P
Consumer Repair Services	P
Convalescent Services	P
Counseling Services	P
Cultural Services	P
Day Care Services	P
Financial Services	P
Florist - no greenhouse	P
Food Court Establishment	C
Food Preparation less than 2,500 sq. ft. GFA	P
Food Sales	P
Funeral Services not including crematory services	P
Game Rooms	C
General Retail Sales	P
Group Residential	P
Hotel & Motel	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Laundry Services	P
Liquor Sales	P
Medical Offices	P
Monument Retail Sales	P
Off-Site Accessory Parking	P
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Postal Facilities	P
Printing and Publishing	P
Private Primary and Secondary Educational Facilities	P
Professional Office	P
Public Primary and Secondary Educational Facilities	P
Religious Assembly	P
Residential Treatment	P
Restaurant	P
Restaurant with Drive Through	P
Retirement Housing	P
Safety Services	P
Service Station	P
Theater	P
Transitional Housing	P
Transportation Services	P

All Other Civic Uses	P
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(b) Conditions and Limitations

- (i) That C-1 activities be conducted wholly within an enclosed building, except for delivery, gasoline sales, nurseries, garden centers, dining and patio areas associated with a restaurant, food and beverage sale use, and mobile food vendors, and auto sales to be conducted within a building and/or outdoor area that is improved with concrete, asphalt pavement or other all-weather surface and that is suitably landscaped, screened, or fenced.
- (ii) That all merchandise be new, first-hand and be sold on the premises, save and except for delivery only included catering and antique shops.
- (iii) That required yards and outdoor areas not be used for display, sale vehicles, equipment, containers or waste material, save and except for screened dumpster collection areas.
- (iv) That the use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance; and that, excluding that caused customer and employee vehicles, such odors, smoke, dust, noise, or vibration be generally contained to the property.
- (v) Signs (advertising) must be on the same lot as the business establishment to which they refer and shall not be placed within any required yard nor within twenty-five (25) feet of any residential district. Signs may be illuminated but must be stationary and non-flashing. All signs shall comply with all applicable provisions of this Ordinance and any other applicable Ordinance of the City.
- (vi) Establishments located on property that is within three hundred (300) feet of any property zoned for residential use when the commercial use is first established may not be open to the general public before 5:00 a.m. and must be closed to the general public by 12:00 a.m. except commercial uses located on the Highway 290 corridor.
- (vii) See charts in Section 20 of Ordinance 185, as amended.

Section 27. Amendment of Section 31, Ordinance No. 185H, Zoning Regulations.

Section 31 is hereby amended in its entirety to read as follows:

Section 44. Medium Commercial – District “C-2”

- (a) Permitted and Conditional Uses. The following chart indicates permitted uses in the C-2 districts with a “P” and conditional uses with a “C”.

<i>MEDIUM COMMERCIAL C-2</i>	
Administrative Offices	P
Administrative Services	P
Art Gallery	P
Art Workshop	P

Automotive Rental	P
Automotive Repair Services	P
Automotive Sales	P
Automotive Washing	P
Aviation Services	P
Bail Bond Services	P
Building Maintenance Services	P
Business and Trade Schools	P
Camp	P
Campground	P
Carriage Stable	P
Cemetery	P
Club or Lodge	P
Cocktail Lounge	P
College or University Facilities	P
Commercial Blood Plasma Center	C
Commercial Off-Street Parking	P
Communication Service Facilities	P
Communication Services	P
Community Events	P
Community Recreation	P
Construction Sales and Services	P
Consumer Convenience Services	P
Consumer Repair Services	P
Convalescent Services	P
Convenience Storage	P
Counseling Services	P
Cultural Services	P
Day Care Services	P
Employee Recreation	P
Financial Services	P
Florist	P
Food Court Establishment	C
Food Preparation less than 5,000 sq. ft. GFA	P
Food Sales	P
Funeral Services	P
Game Rooms	P
General Retail Sales	P
Hospital Services	P
Hotel & Motel	P
Indoor Entertainment	P

Indoor Sports and Recreation	P
Kennels	P
Laundry Services	P
Liquor Sales	P
Local Utility Services	P
Marina	P
Medical Offices	P
Monument Retail Sales	P
Off-Site Accessory Parking	P
Outdoor Entertainment	P
Outdoor Sports and Recreation	P
Park and Recreation Facilities	P
Pawnshop Services	C
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Plant Nursery	P
Postal Facilities	P
Printing and Publishing	P
Private Primary and Secondary Educational Facilities	P
Professional Office	P
Public Primary and Secondary Educational Facilities	P
Recreational Equipment Sales	P
Religious Assembly	P
Restaurant	P
Restaurant with Drive Through	P
Safety Services	P
Service Station	P
Theater	P
Transportation Services	P
Veterinary Services	P
All Other Civic Uses	P

(b) Conditions and Limitations.

- (i) That it be conducted primarily within an enclosed building or screened area, except for customary outdoor activities for the specific uses listed.
- (ii) That the use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance; and that such odors,

smoke, dust, noise or vibrations at the property line does not exceed the permitted levels established by ordinance.

- (iii) Signs (advertising) must be on the same lot as the business establishment to which they refer and shall not be placed within any required yard nor within twenty-five (25) feet of any residential district. Signs may be illuminated but must be stationary and non-flashing. All signs shall comply with all applicable provisions of this Ordinance and any other applicable Ordinance of the City.
- (iv) See charts in Section 20 of Ordinance 185, as amended.
- (c) Site Development Regulations
 - (i) Development of any use permitted in the “C-2” District shall conform to the site development regulations established for that District.
 - (ii) Paved sidewalks, driveways, and parking areas are required.
 - (iii) Screening of loading, storage facilities, and dumpster enclosures is required.

Section 28. Amendment of Section 32, Ordinance No. 185H, Zoning Regulations.

Section 32 is hereby amended in its entirety to read as follows:

Section 45. Heavy Commercial – District “C-3”

- (a) Purpose. This district is intended to provide for a mix of commercial and light industrial uses and excluding residential and multi-family. This district allows the retail sale of goods and products (in the following listed use areas) to which value has been added on-site, including the sale of goods and services outside the primary structure as customary and which comply with section (c)(i). This district allows limited assembly, packaging, and manufacture of non-hazardous, non-volatile products.
- (b) Permitted and Conditional Uses. Permitted uses in the C-3 district noted with a “P” and conditional uses with a “C”.

<i>HEAVY COMMERCIAL C-3</i>	
Agricultural Sales and Services	P
Art Workshop	P
Automotive Rental	P
Automotive Repair Services	P
Automotive Sales	P
Automotive Washing	P
Aviation Services	P
Building Maintenance Services	P
Business and Trade Schools	P
Camp	P

Campground	P
Carriage Stable	P
Cemetery	P
Club or Lodge	P
Cocktail Lounge	P
College or University Facilities	P
Commercial Blood Plasma Center	P
Commercial Off-Street Parking	P
Communication Service Facilities	P
Community Events	P
Community Recreation	P
Construction Sales and Services	P
Convalescent Services	P
Convenience Storage	P
Convention Center	P
Counseling Services	P
Cultural Services	P
Custom Manufacturing	P
Day Care Services	C
Detention Facilities	P
Drop-off Recycling Collection Facility	P
Electronic Prototype Assembly	P
Electronic Testing	P
Employee Recreation	P
Equipment Repair Services	P
Exterminating Services	P
Florist	P
Food Court Establishment	C
Food Preparation	P
Food Sales	P
Funeral Services	P
Game Rooms	P
General Retail Sales	P
General Warehousing and Distribution	P
Hospital Services	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Kennels	P
Laundry Services	P
Light Manufacturing	P
Liquor Sales	P

Limited Warehousing and Distribution	P
Local Utility Services	P
Maintenance and Service Facilities	P
Major Public Facilities	P
Major Utility Facilities	P
Marina	P
Military Installations	P
Monument Retail Sales	P
Off-Site Accessory Parking	P
Outdoor Entertainment	P
Outdoor Sports and Recreation	P
Park and Recreation Facilities	P
Pawnshop Services	P
Pet Services	P
Plant Nursery	P
Postal Facilities	P
Printing and Publishing	P
Railroad Facilities	P
Recreational Equipment Maintenance & Storage	P
Recreational Equipment Sales	P
Religious Assembly	P
Research Assembly Services	P
Research Services	P
Research Testing Services	P
Research Warehousing Services	P
Restaurant	P
Restaurant with Drive Through	P
Safety Services	P
Scrap and Salvage	P
Service Station	P
Sexually Oriented Business	C
Software Development	P
Stables	P
Telecommunication Tower	P
Theater	P
Transportation Services	P
Transportation Terminal	P
Vehicle Storage	P
Veterinary Services	P
All Other Civic Uses	C

(c) Conditions and Limitations.

- (i) That it be conducted within a building and/or outdoor area that is improved with concrete, asphalt pavement or other all-weather surface and that is suitably landscaped, screened, or fenced.
- (ii) That the use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance.
- (iii) Adequate enclosures, space, shelters and proper drainage and waste disposal to eliminate odor.
- (iv) Signs (advertising) must be on the same lot as the business establishment to which they refer and shall not be placed within any required yard nor within twenty-five (25) feet of any residential district. Signs may be illuminated but must be stationary and non-flashing. All signs shall comply with all applicable provisions of this Ordinance and any other applicable Ordinance of the City.
- (v) See charts in Section 20 of Ordinance 185, as amended.

Section 29. Amendment of Section 33(a)(b), Ordinance No. 185H, Zoning Regulations. Section 33(a)(b) is hereby amended to read as follows:

Section 46. Light Industrial – District “IN-1”

(a) Purpose. This district is designed to provide locations for outlets offering goods and services to a targeted segment of the general public as well as industrial users. Allows assembly, packaging and manufacturing of non-hazardous, non-volatile products and the uses in Section 46(b).

(b) Permitted and Conditional Uses. The following chart indicates permitted uses in the IN-1 district with a “P” and conditional uses with a “C”.

<i>LIGHT INDUSTRIAL IN-1</i>	
Administrative Services	P
Agricultural Sales and Services	P
Art Workshop	P
Automotive Repair Services	P
Automotive Sales	P
Automotive Washing	P
Aviation Services	P
Building Maintenance Services	P
Business and Trade Schools	P
Camp	P
Campground	P
Carriage Stable	P

College or University Facilities	P
Commercial Blood Plasma Center	P
Commercial Off-Street Parking	P
Communication Service Facilities	P
Construction Sales and Services	P
Convenience Storage	P
Convention Center	P
Cultural Services	P
Custom Manufacturing	P
Detention Facilities	P
Drop-off Recycling Collection Facility	P
Electronic Prototype Assembly	P
Electronic Testing	P
Equipment Repair Services	P
Equipment Sales	P
Exterminating Services	P
Florist	P
Food Court Establishment	C
Food Preparation	P
Funeral Services	P
General Warehousing and Distribution	P
Hospital Services	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Kennels	P
Laundry Services	P
Light Manufacturing	P
Limited Warehousing and Distribution	P
Local Utility Services	P
Maintenance and Service Facilities	P
Major Public Facilities	P
Major Utility Facilities	P
Marina	P
Military Installations	P
Monument Retail Sales	P
Off-Site Accessory Parking	P
Outdoor Entertainment	P
Outdoor Sports and Recreation	P
Park and Recreation Facilities	P
Pawnshop Services	P
Pet Services	P

Plant Nursery	P
Postal Facilities	P
Printing and Publishing	P
Railroad Facilities	P
Recreational Equipment Maintenance & Storage	P
Recreational Equipment Sales	P
Recycling Center	P
Religious Assembly	P
Research Assembly Services	P
Research Services	P
Research Testing Services	P
Research Warehousing Services	P
Resource Extraction	P
Safety Services	P
Scrap and Salvage	P
Service Station	P
Sexually Oriented Business	C
Software Development	P
Stables	P
Telecommunication Tower	P
Transportation Services	P
Transportation Terminal	P
Urban Farm	P
Vehicle Storage	P
Veterinary Services	P

Section 30. Amendment of Section 35, Ordinance No. 185H, Zoning Regulations.

Section 35 is hereby amended in its entirety to read as follows:

Section 51. Neighborhood Business – District “NB”

(a) Purpose. The NB district allows a mix of commercial and residential uses excluding single family residential and manufactured home residential. The district allows the retail sale of goods and products to which value has been added on-site in addition to other neighborhood support services (in the following listed use areas) located at or near single family and multi-family residential development. No outside sales or services are allowed other than tables or seating as accessory to a food sales use, and gas sales when a conditional use permit is approved. Multi-family is allowed only in a mixed use building where retail and/or services located on the ground floor.

(b) Permitted and Conditional Uses. The following chart indicates permitted with “P”, conditional uses with a “C” and permitted uses as part of a mixed-use building with a “P*”

<i>NEIGHBORHOOD BUSINESS NB</i>	
Administrative Offices	P
Administrative Services	C
Art Gallery	P
Art Workshop	P
Bed & Breakfast	C
Cocktail Lounge	C
Community Events	C
Community Recreation	C
Condominium Residential	P*
Consumer Convenience Services	P
Consumer Repair Services	P
Counseling Services	P
Day Care Services	C
Financial Services	P
Florist, no greenhouse	P
Food Preparation less than 5,000 sq. ft. GFA	P
Food Sales	P
General Retail Sales	P
Laundry Services	P
Liquor Sales	C
Medical Offices less than 5,000 sq. ft. GFA	P
Multifamily Residential	P*
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Postal Facilities	P
Private Primary and Secondary Educational Facilities	C
Professional Office	P
Public Primary and Secondary Educational Facilities	C
Religious Assembly	P
Restaurant	P
Service Station	C
Transitional Housing	C
Veterinary Services	C
All Other Civic Uses	P

Section 31. Amendment of Section 36, Ordinance No. 185H, Zoning Regulations.
 Section 36 is hereby amended in its entirety to read as follows:

Section 52. Downtown Business District – District “DBD”

(a) Purpose. This district allows a mix of residential and commercial uses including multi-family, condominium and townhouse residential and retail, office, light commercial and similar uses excluding single family and manufactured home residential. This district allows the retail sale of goods and products, services (in the following listed use areas) to which value may have been added on-site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed. This district encourages dense development in an area that may be served by public transportation and serve as a destination area.

(b) Permitted and Conditional Uses. The following chart indicates permitted uses with a “P”, conditional uses with a “C” and permitted uses as part of a mixed-use building with a “P*”

<i>DOWNTOWN BUSINESS DISTRICT DBD</i>	
Administrative Offices	P
Administrative Services	P
Art Gallery	P
Art Workshop	P
Bed & Breakfast	P
Business and Trade Schools	P
Cocktail Lounge	P
Commercial Off-Street Parking	P
Communication Services	P
Communication Services Facilities	P
Community Events	P
Condominium Residential	P*
Consumer Convenience Services	P
Consumer Repair Services	P
Counseling Services	P
Cultural Services	P
Financial Services	P
Florist, no greenhouse	P
Food Preparation less than 5,000 sq. ft. GFA	P
Food Sales	P
General Retail Sales	P
Hotel & Motel	P
Indoor Entertainment	P
Laundry Services	P
Liquor Sales	P
Medical Offices	P
Multifamily Residential	P*

Off-Site Accessory Parking	P
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Postal Facilities	P
Printing and Publishing	P
Private Primary and Secondary Educational Facilities	C
Professional Office	P
Public Primary and Secondary Educational Facilities	C
Religious Assembly	P
Restaurant	P
Retirement Housing	P
Theater	P
Townhouse Residential	P
Transportation Terminal	P
All Other Civic Uses	P

Section 32. Amendment of Article III, Section 60(c)(i)(G)(4), Ordinance 185, Zoning Regulations. Article III, Section 60(c)(i)(G)(4) is hereby amended to read as follows:

- (5) The accurate location, Caliper and Critical Root Zone of Significant Trees 8-inch Caliper or larger, in relation to the property boundary and, if applicable, within the limits of the proposed off-site improvements. Any Significant Trees within the property boundary and off-site improvements areas must be replaced pursuant to the Replacement Tree Ratio of the Landscaping and Screening Ordinance.

Section 33. Amendment of Article III, Section 60(c)(i)(M)(viii), Ordinance 185, Zoning Regulations. Article III, Section 60(c)(i)(M)(viii) is hereby amended to read as follows:

- (viii) Compliance with the requirements of the City’s Landscaping and Screening Ordinance.

Section 34. Amendment of Section 6, Ordinance No. 185L, Zoning Regulations. Section 6 is hereby amended to modify the definition of “Sign, Face Area” to read as follows:

Sign, Face Area: The lesser of the entire area within the single, smallest rectangle enclosing the extreme limits of writing representation, emblem or any figure or similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed or the smallest area of not more than three contiguous rectangles enclosing different sections of the extreme limits or writing representation, emblem or any figure or similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background

against which it is placed. Where the sign has two (2) or more faces, the sum of all sign faces shall be the face area of the sign.

Section 35. Amendment of Section 6, Ordinance No. 185L, Zoning Regulations.

Section 6 is hereby amended to modify the definition of “Sign, Residential Subdivision” to read as follows:

Sign, Residential Subdivision: An identification sign, not exceeding thirty two (32) square feet in area (per side) and twelve (12) feet in structural height indicating the name of the subdivision or residential development, may be permitted for each entrance to the subdivision or residential development. Signs identifying neighborhoods within a subdivision shall not exceed sixteen (16) square feet in area (per side) and four (4) feet in structural height.

Section 36. Amendment of Section 6, Ordinance No. 185L, Zoning Regulations.

Section 6 is hereby amended to add the definition of “Street” immediately before the definition of “Temporary Sign” to read as follows:

Street means any public or private right-of-way that affords the primary means of vehicular access to abutting property

Section 37. Amendment of Section 7, Ordinance 185L, Zoning Regulations.

Section 7 is hereby amended in its entirety to read as follows:

Section 7. On-Site Signs: Freestanding high, freestanding low, wall/attached, and canopy/awning sign(s) may be erected and maintained upon any commercial and industrial zoned property, unless otherwise prohibited or restricted herein, provided that not more than one (1) freestanding high or low sign shall be erected or maintained upon any premises not a part of a multi-tenant development. Such signs shall pertain only to the identification of a building, business, product(s), or service(s) manufactured, sold, or offered on the premises where the sign is located.

- (a) **Freestanding High Profile Sign – Single Tenant** – One freestanding high profile sign for each platted lot not part of a multiple development as hereinafter defined and regulated shall only be permitted along the North and South sides of Hwy. 290 in C-1, C-2, and C-3 zoned districts. For purposes of this definition, single tenants are 3 or less tenant spaces.

The maximum luminance of the sign shall not be greater than 200 foot lamberts.

It shall be supported wholly by a pole or poles.

No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed.

It shall not exceed thirty (30) feet in height, nor shall the lowest member of the sign, excluding the poles, be less than eight (8) feet from the finished grade at the location of the sign.

It shall not be located within fifty (50) feet of a residentially zoned property.

It shall not project over any public right-of-way or encroach upon the property of another.

The total face area for a high profile sign shall be determined by the street frontage of the lot. Where the lot fronts on more than one (1) street, the frontage (length to be used) shall be the length of the longest side. The size of any single face shall not exceed fifty percent (50%) of the total area permitted.

Street Frontage	Total Face Area Allowed
Under 349'	96 square feet
From 350' to 499'	128 square feet
From 500' to 750'	160 square feet
Over 750'	192 square feet

- (b) **Freestanding Low Profile Sign – Single Tenant** – One low profile (monument) sign for each platted lot not part of a multiple development as hereinafter defined and regulated shall be permitted in all commercial and industrial zoned districts.

The maximum luminance of the sign shall not be greater than 200 foot lamberts.

No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed.

It shall not exceed eight (8) feet in height nor be located in manner that will obstruct clear view for entering or exiting a property by a motor vehicle.

The maximum total face area shall be determined by the street frontage of the lot. Where the lot fronts on more than one (1) street, the frontage (length to be used) shall be the length of the longest side. The size of any single face shall not exceed fifty percent (50%) of the total area permitted.

Street Frontage	Total Face Area Allowed
Under 349'	96 square feet
From 350' to 499'	128 square feet
From 500' to 750'	160 square feet
Over 750'	192 square feet

- (i) **Residential Subdivision Entry Signs** – One low profile subdivision entry signage may be permitted at each entrance to a residential development, R-1, R-2, R-3, R-4, M-2 zoned districts.

The maximum luminance of the sign shall not be greater than 200 foot lamberts.

It shall not exceed thirty two (32) square feet in face area (per side) and twelve (12) feet in structural height nor be located in manner that will obstruct clear view for entering or exiting a property by a motor vehicle.

- (ii) Residential Subdivision Neighborhood Signs – Low profile signage may be permitted within a subdivision for the purposes of identifying individual neighborhoods located within the subdivision, R-1 and R-2 zoned districts

The maximum luminance of the sign shall not be greater than 200 foot lamberts.

It shall not exceed sixteen (16) square feet in face area (per side) and four (4) feet in structural height nor be located in a manner that will obstruct clear view for entering or exiting a property by a motor vehicle.

- (c) Attached Signs – Attached signs shall be permitted for each separate establishment or enterprise occupying a building or unit thereof. The total maximum face area of all attached signs permitted for establishments or enterprises occupying a building shall be related to the length of the wall of the building’s principle entrance. Except as hereinafter provided, the total maximum face area for all attached signs shall not exceed X square feet per linear foot of building frontage where X equals:

Zoning District	X = Factor
Residential Districts (R-1)(R-2) Subdivision Entry Sign	One (1) square foot per lot. See Sec. 7(b)(i)
Multi-family Residential (R-3)(R-4)	See Sec. 7(b)(i)
Manufactured Housing (M-2)	See Sec. 7(b)(i)
Neighborhood Business (NB)	.75 X Building Frontage .50 X Building Frontage if low profile sign is permitted
Commercial Light (C-1)	2.0 X Building Frontage 1.75 X Building Frontage if high or low profile sign is permitted
Commercial Medium (C-2)	1.5 X Building Frontage 1.25 X Building Frontage if high or low profile sign is permitted
Commercial Heavy (C-3)	1.0 X Building Frontage .75 X Building Frontage if high or low profile sign is permitted
Downtown Business District (DBD)	2.0 X Building Frontage 1.75 X Building Frontage if low profile sign is permitted

Institutional District (I)	0.5 X Building Frontage .25 X Building Frontage if low profile sign is permitted
Industrial District (IN-1)(IN-2)	1.0 X Building Frontage .75 X Building Frontage if low profile sign is permitted

If a freestanding high or low profile sign is permitted after attached signage has been permitted, then attached signage must be reduced to comply with the calculation for the designated zone from the above table prior to issuance of the freestanding high or low sign permit.

Where a building has frontal of tenant spaces on more than one side of a building, the frontage used in the calculation of total maximum attached sign face area shall be the cumulative total of building frontage of individual tenant spaces as determined by the Development Services Department.

No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed.

The area of pictorial design, illustration, and forms of humans, animals, products and trademarks shall be charged against the maximum attached sign face area.

It shall not project above or beyond the ends of the building or its parapet or the highest point of the roof or roofline, whichever is higher.

The maximum size of any one attached sign shall not exceed two hundred and twenty five (225) square feet.

Architectural elements to which signage may be attached shall be limited to the building wall surfaces, canopy, fascia, or sign bands.

It shall not project over forty eight (48) inches from the face of any building to which the sign is affixed, nor project over any rights-of-way. Where an attached sign is placed in such a manner as to project a distance greater than two (2) inches into a private driveway or other private area likely to be used by vehicular traffic or where such sign is placed in such a manner as to allow passage of vehicular traffic beneath it, the sign shall have a minimum clearance of fourteen (14) feet. Where an attached sign is placed in such a manner as to allow passage of pedestrian traffic beneath it, the sign shall have a minimum clearance of eight (8) feet.

The maximum luminance of the sign shall not be greater than 200 foot lamberts

(d) **Under Canopy/Awning Signs** – An under canopy sign must be installed perpendicular to the store front. Such signs:

- (i) Be charged against the total allowable attached wall signage;

- (ii) Shall identify only the name and/or type of establishment and/or address;
- (iii) Shall not have vertical dimension exceeding eighteen (18) inches
- (iv) Shall not exceed eighteen (18) square feet in total face area or nine (9) square feet in face area for a single face;
- (v) Shall maintain eight (8) foot clearance to any walking surface located directly below the sign

- (e) **Multiple Developments** – For the purposes of this section, multiple development shall be defined as four or more office, commercial, or industrial establishments or enterprises or combinations thereof, which are located in single building or one (1) or more such offices, establishments, or enterprises or combinations thereof in two (2) or more buildings developed or to be developed as part of an integrated development.

A coordinated sign plan for the entire development shall be submitted to the Development Services Department prior to application for a permit for the erection of any sign within the development. Freestanding high profile, low profile, attached/wall, canopy/awning, and permanent changeable letter signs shall be permitted. The Planning and Zoning Commission or their assigns shall approve the coordinated sign plan and the location in writing, as well as the number and size of permitted signs.

No owner, tenant or other user of the multiple developments or part thereof, shall erect, permit to be erected, or use any sign deviating from or not included within the approved coordinated sign plan. The certificate of occupancy shall be deemed revoked as to the entire multiple developments if the sign that relates to it is not in conformance to these requirements.

- (f) **Freestanding High Profile Sign – Multi-Tenant** – The coordinated sign plan shall be reviewed and approved in writing by the Planning and Zoning Commission or their assigns. There may be one (1) freestanding high profile sign located at each entrance to the development. Freestanding signs approved by the Planning and Zoning Commission or their assigns shall not exceed thirty-five (35) feet in height from finished grade and the lowest portion of the structure or sign, excluding poles, may not be below eight (8) feet from finished grade. It may be located above a sign foundation with landscaping, or architectural facet incorporating some design elements found in the overall development.

- (g) **Freestanding Low Profile Sign – Multi-Tenant** – There may be one (1) freestanding low profile sign located at each entrance to the development. Low profile signs approved by the Planning and Zoning Commission or their assigns shall not exceed twenty-five (25) feet in height from finished grade nor be located in manner that will obstruct clear view for entering or exiting a property by a motor vehicle.

- (h) **Construction Standards** – All on-site signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code of the City.
- (i) **Portable Signs/Special Event/Balloons/Floating Devices/Streamers or Searchlights** – Any portable sign lawfully in existence upon the effective date of this ordinance shall be considered a non-conforming sign and will be allowed to continue for thirty (30) days, at the expiration of which time it must be removed. Any unauthorized portable sign in existence prior to the effective date of this ordinance shall be removed immediately. Where existing portable signs are electric signs, no electric extension cords shall run across any sidewalk, street, or public right-of-way. No portable sign shall be placed or maintained on any sidewalk, street, or other public right-of-way. No portable sign shall have a luminance greater than 200 foot lamberts. All lawfully existing portable signs shall be anchored to withstand a minimum of thirty (30) mph winds.

Portable Signs, Temporary Special Event Signs, Floating Devices, Balloons, Streamers, Banners and/or Searchlights, are limited to a maximum time period of no more than seven (7) consecutive days, with a limit of two (2) events each calendar year, or a maximum time period of no more than thirty (30) consecutive days with a limit of one (1) event each calendar year. All such signs must be removed immediately after and upon the expiration of the maximum time period allowed. Portable and Temporary Special Event signs shall not exceed sixteen (16) square feet in area on each side of the sign. The location of these signs and devices must be approved in writing by the Building Official for safety and setback purposes and, if the adjacent property owners have and make objections to the sign, the adjacent property owners may appeal any such application to the Board of Adjustments.

Section 38. Amendment of Section 8(b), Ordinance No. 185L, Zoning Regulations.

Section 8(b) is hereby amended in its entirety to read as follows:

- (a) **Permit Fees.** Established under separate Ordinance

Section 39. Amendment of Section 13.102, Ordinance No. 185L, Zoning Regulations.

Section 13.102 is hereby amended in its entirety to read as follows:

13.102 Inspection of Signs. The Building Official shall be notified by permittee prior to the erection of the sign to verify dimensions and when erection of the sign is complete, and the Official shall make an inspection to determine if the sign conforms to the permit. The Building Official shall inspect as necessary each sign regulated by the ordinance for the purpose of ascertaining whether the sign is secure or insecure, whether it serves a useful purpose and whether it is in need of removal or repair.

Section 40. Amendment of Article III, Section 63(b), Ordinance No. 185, Zoning Regulations. Article III, Section 63(b) is hereby amended to add the following section immediately after section (xiv):

(xv) Game Rooms

Section 41. Amendment of Article III, Section 65(d)(i), Ordinance No. 185, Zoning Regulations. Article III, Section 65(d)(i) is hereby amended to read as follows:

(d) Location. This Ordinance allows the opportunity for consideration of condition use permits to be issued for sexually oriented businesses in the Heavy Commercial (herein “C-3”) and Light Industrial (herein “IN-1”) zoning districts only.

(i) The following uses may be permitted within the City by conditional use permit only in the C-3 and IN-1 zoning districts.

- (A) Adult arcades;
- (B) Adult bookstores or adult video stores;
- (C) Adult cabarets;
- (D) Adult motels;
- (E) Adult motion picture theaters;
- (F) Adult theaters;
- (G) Escort agencies;
- (H) Nude model studios; and
- (I) Sexual encounter centers

Section 42. Removal of Appendix A, Ordinance No. 185H, Zoning Regulations. Ordinance 185H is hereby amended to remove Appendix A, the City of Manor Summary Use Table.

Section 43. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of such conflict and shall hereinafter read as provided herein. To the extent only, if any, necessary to accomplish the purposes of this ordinance, any such term, condition or provision of any ordinance of the city that is in conflict herewith is hereby repealed to the extent of such conflict.

Section 44. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 45. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapt. 551, Loc. Gov't Code*.

Section 46. Effective Date. This ordinance shall take effect immediately from and after its passage and publication.

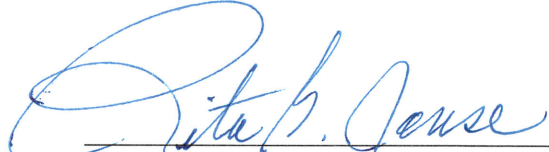
PASSED AND APPROVED on this the 1ST day of June, 2016.

ATTEST:

THE CITY OF MANOR, TEXAS



Frances Aguilar, City Secretary



Rita Jonse, Mayor