

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

1

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Residential											
Agricultural, Ranching	PC	P (N)	P	P	P	P	P	P	An area that is used for the raising thereon of the poultry and farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, and housing animals raised on the premises, but not including the commercial feeding or slaughter of animals. See Code of Ordinances for additional regulation of livestock.	No Additional Parking Required; 2:Dwelling Unit if Single-Family Home on Premises	1
Child Care Home (≤6 Children)	P	P	P	P	P	P	P	P	A dwelling where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than six (6) children at one time, including children of the adult provider, for less than twenty-four (24) hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.	2:Dwelling Unit	
Child Care Home (≥7 Children)	C	C	C	C	C	C	C	C	A dwelling where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than twelve (12) children at one time, including children of the adult provider, for less than twenty-four (24) hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.	2:Dwelling Unit	

Commented [RML2R1]: Staff recommends only permitting in R-1 (with CUP) and R-1E (by right) zoning districts, and requiring a minimum of 5 acres for this use. This will allow the implementation of the Land Use Plan's Rural & Agricultural land designation in more rural areas.

Formatted Table

Commented [RML1]: P&Z: This use is not appropriate in most residential zoning districts in the City. Should this use be removed?

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

2

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Clergy House, Monastery, or Convent	C	C	C	C	C	C	C	C	A dwelling where four (4) or more unrelated employees of a Place of Worship, such as religious leaders or those studying worship, live; and which is located on a separate platted lot than the associated Place of Worship; and that is tax exempt as defined by State law.	1:Resident (Minimum of 4 Spaces Required)	
Community Home	P	P	P	P	P	P	P	P	A dwelling for not more than six (6) persons with disabilities and two (2) supervisors and is licensed under and complies with Chapter 123 of the Texas Human Resources Code.	2:Dwelling Unit	
Dwelling, Accessory	P (N)	P (N)	P (N)					P (N)	A dwelling unit, that is attached or detached from the primary on-site structure, is used as a residence, is incidental to the main structure, and is not involved in the conduct of a business.	No Additional Parking Required	21
Dwelling, Multi-Family							P (N)		A building on one (1) platted lot that contains three (3) or more Dwelling Units, and commonly referred to as a triplex, four-plex, or apartment building.	1:5 Dwelling Units PLUS 1.5:One Bedroom Unit and 2:Two or More Bedroom Units	32
Dwelling, Single-Family Attached (Townhome)						P (N)	P (N)		A building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on one (1) or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.	1:5 Dwelling Units PLUS 1.5:One Bedroom Unit and 2:Two or More Bedroom Units	32

Commented [RML3]: P&Z: Should this definition reference tax exempt status of the religious organization, as is in the definition of Places of Worship?

Commented [RML4R3]: Revised

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

3

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Dwelling, Single-Family Detached	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)		P (N)	A building that contains only one (1) Dwelling Unit and has open space on all sides of the building.	2:Dwelling Unit	32
Dwelling, Two-Family (Duplex)					P (N)				A building on one (1) platted lot that contains only two (2) Dwelling Units and has open space on all sides of the building, commonly referred to as a duplex.	2:Dwelling Unit	32
HUD – Code Manufactured Home					C (N)				A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in 1 or more sections; in the traveling mode, at least 8 body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; includes the plumbing, heating, air conditioning, and electrical systems of the home; and is not a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).	2:Dwelling Unit	32
Residential Sales Offices (Temporary)	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	A temporary office used by a homebuilder to facilitate the sales of new homes within a subdivision where there are available for purchase new homes already built or to be built on lots located therein.	Minimum of 4 Spaces	43
Institutional											

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. ~~2-56 B.1.d2-55 G~~

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

4

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Library	C	C	C	C	C	C	C	C	A building for the viewing and check out of books, videos and other literature.	1:300 sq.ft. (Minimum of 10 Spaces Required)	
Parks and Recreational Facilities	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	P (N)	An area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational activities to the members of the association.	1:100 sq.ft. of Indoor Facilities Plus 1:4 Persons Design Capacity of Outdoor Facilities (Including Both Participants and Spectators as Applicable)	54
School, Private, Elementary, Middle, and High Schools	C	C	C	C	C	C	C	C	A school under the sponsorship of a private or religious organization, which provides elementary, middle, and/ or secondary school curricula.	Elementary and Middle Schools: 1:20 Students High Schools: 1:4 Students	
School, Public, Elementary, Middle, and High Schools	P	P	P	P	P	P	P	P	A school organized by a governmental entity or granted a charter under Chapter 12 of the Texas Education Code, which provides elementary, middle, and/ or secondary school curricula.	Elementary and Middle Schools: 1:20 Students High Schools: 1:4 Students	
Services											

Commented [RML5]: P&Z: Why do some uses have a specific minimum number of spaces defined? Consider having minimum for all or none.

Commented [RML6R5]: Staff recommends removing specific minimum from all uses in Residential Districts Schedule

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

5

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Child Care Facility, Daycare	C	C	C	C	C	C	C	C	An establishment, other than a public or private school, providing care training, education, custody, treatment or supervision for seven (7) or more children for less than twenty-four (24) hours a day at a location other than the permit holder's home. A state license is required.	1:300 sq.ft.	
Golf Course or Country Club	C	C	C	C	C	C	C	C	A land area and buildings used for golf, including fairways, greens, tee boxes, driving range, putting green, and associated maintenance and retail facilities. This definition also includes associated clubhouses, dining rooms, swimming pools, tennis courts, and similar recreational or associated service uses.	1:150 sq.ft. of Indoor Facilities PLUS 4:Hole	
Helipad (Accessory)	C								An accessory use where helicopters can land and take off but excluding refueling, maintenance, repairs, and storage of helicopters. Only permitted as an accessory use to a Single-Family Detached Dwelling on a minimum 5-acre lot.	No Additional Parking Required	
HOA Clubhouse/ Meeting Facility/ Pool	P	P	P	P	P	P	P	P	A building and/or pool owned and operated by a homeowners association that is available for usage by homeowners, typically requiring rental fee and reservation, for meetings, parties, or other private events.	1:300 sq.ft. (Minimum 5 spaces required)	

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

6

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Independent Senior Living (55+)						C (N)	C (N)		An establishment providing dwelling units specifically designed for the needs of elderly persons <u>people 55 and over</u> . In addition to housing, this type of facility provides convenience services, such as meals, housekeeping and transportation, and community facilities, such as central dining rooms and activity rooms.	2:Dwelling Unit	65
Place of Worship	C	C	C	C	C	C	C	C	A building or group of buildings used for regular assembly for religious public worship and study that is used primarily for and designed for such purpose such as a church, synagogue, mosque or similar, along with accessory activities that are customarily associated therewith, such as classrooms, gathering spaces, or a place of residence for ministers, priests, nuns or rabbis on the same platted lot, and that is tax exempt as defined by State law.	With Fixed Seating: 1:4 Seats in the Main Assembly Area OR Without Fixed Seating: 1:100 sq.ft. in the Main Assembly Area	76
Short Term Rentals					C	C	C		A dwelling that is leased or rented out in whole or in part (a room, for example) for less than 30 days.	2: Dwelling Unit	
Industrial											
Utilities	C	C	C	C	C	C	C	C	Buildings, maintenance yards, equipment yards, service facilities, shops, utility buildings and lines, etc. used for the transmission, storage or maintenance of utilities such as electric utilities, gas utilities, cable facilities, or other <u>public</u> utilities.	1:300 sq.ft. of Building or as Determined by the Director of Planning	

Commented [RML8]: P&Z: Consider using a term other than “elderly” to describe persons living in these establishments.

Commented [RML9R8]: Modified to “people 55 and over”

Commented [RML7]: Staff: Add (N) to R-3 and R-4 zoning districts to refer the reader to the Notes column for Supplemental Regulations.

Commented [RML10]: P&Z: Should the definition of Utilities reference only “public” or also “private” utilities?

P = Permitted Use

C = Conditional Use Permit Required

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = Required Residential Proximity Conditional Use Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

7

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
Residential District Supplemental Regulations <u>1. Agriculture, Ranching</u> <u>Minimum 5 acre property is required for the establishment of this use.</u> <u>4.2 Dwelling, Accessory</u> <u>Moved from Sec. 2-192.F.6. – Accessory Structures</u> a. See Section 2-192 for additional regulations regarding Accessory Structures b. A Single-Family Detached Dwelling located in a R-1, R-1R, R-1E, or HR-1 zoning district may provide for an additional Dwelling Unit as accessory quarters located in the Principal Building or as part of a Detached garage, if: i. The accessory quarters does not contain more than 600 square feet of Living Space, and ii. The occupant or occupants do not pay compensation for the use of the accessory quarters. <u>2.3 Home Occupations</u> <i>Moved from Sec. 2-194. - Home Occupations</i> A Home Occupation is only permitted as an Accessory Use in a residential Dwelling Unit if it meets the following conditions: a. It is conducted wholly within the Principal Building; b. It is not conducted within a Private Garage, whether attached or Detached; c. It does not depend on the employment of a person who does not reside in the residence; d. A separate entrance is not provided for the conduct of the occupation; e. An alteration is not made in the Dwelling Unit that changes its character as a Dwelling Unit; f. It does not use outdoor storage; g. It does not involve more than 300 square feet of the area of the Dwelling Unit; h. A Sign Advertising the Home Occupation is not located on the Premises;											

Formatted: Font: (Default) Arial, 9 pt

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Font: Italic

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G

Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

8

Land Use	R-1E	R-1	R-1R	R-1Z	R-2	R-3	R-4	HR-1	Definition	Parking	Notes
<p>i. It does not require the delivery or shipment of merchandise, goods, or equipment by other than passenger motor vehicles, ¾ ton step-up van or similar sized trucks;</p> <p>j. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the Premises; and</p> <p>k. It is conducted so that it does not create parking or traffic congestion or otherwise place an undue burden on the abutting or adjoining neighbors or the immediate neighborhood.</p> <p>3.4. Residential Sales/ Construction Office (Temporary)</p> <p><i>Moved from Sec. 2-55. - Accessory and Temporary Uses.</i></p> <p>Temporary Construction Office. Temporary offices for construction or sales may be used on the site of a construction project as a temporary use but must be removed upon completion of the project. A temporary construction office must cease upon the issuance of a Certificate of Occupancy for the last Dwelling Unit for the subdivision or project or, in the case of a subdivision or project for which approval has been given for phased development, for the last Dwelling Unit for that phase.</p> <p>4.5. Parks and Recreational Facilities</p> <p>A reduced parking requirement may be approved by the Director of Planning, or designee, when recreational facilities are included as part of a Home Owners Association facility, and a parking analysis is submitted demonstrating a lesser parking requirement is appropriate.</p> <p>5.6. Independent Senior Living</p> <p>Independent Senior Living uses must comply with the following requirements:</p> <ol style="list-style-type: none"> Provide a common dining area that is at least 3,000 sq.ft.; Provide housekeeping and transportation services to residents; Provide physical fitness and/ or wellness facilities on-site; Units must be accessible through temperature controlled interior corridors; and At least one person aged 55 or over shall reside in each unit. <p>6.7. Place of Worship</p> <p>All uses and buildings associated with and on the same campus as the Place of Worship, including assembly/ gathering facilities, shall be included in the Conditional Use Permit.</p>											

P = Permitted Use

C = Conditional Use ~~Permit Required~~

An = Ancillary Use

Blank Box = Prohibited Use

P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations – See Notes

* = ~~Required Residential Proximity Conditional Use~~ Conditional Use May Be Required, See Sec. 2-56 B.1.d2-55 G