

## Redline of Additional Development Code Changes

The changes being made to the Development Code Permitted Uses and Parking Schedule tables (Sec. 2-71 and Sec. 2-91) necessitate changes to other sections of the Development Code. Below are these additional sections, with the additional changes redlined. Only modified sections are included; those with no changes are not shown below. A summary of these changes is also available.

### CHAPTER 1 - GENERAL PROVISIONS

#### ARTICLE I. - GENERAL PROVISIONS

##### Sec. 1-6. - Technical Studies.

After accepting an application as filed, the Director, the Commission, or the City Council may require an applicant to submit 1 or more technical studies, including, but not limited to, traffic studies (such as traffic impact analysis and/or onsite/offsite traffic queuing analysis, etc.), engineering studies, environmental impact assessments, noise studies, market studies or economic impact reports, to adequately evaluate the impact of the request. The Director's requirement that the applicant submit a technical study may be appealed to the Commission.

**Commented [RML1]:** Added new language clarifying that the City may require a queuing study to ensure on-site queuing does not negatively impact public streets.

### CHAPTER 1 - GENERAL PROVISIONS

#### ARTICLE II. - STREET SYSTEM IMPROVEMENTS

##### Sec. 1-23. - Traffic Studies.

The applicant of a proposed development must submit to the City Engineer an internal site vehicle generation report, by time of day, for the development utilizing trip generation rates set forth in the latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE), unless said Manual does not adequately address the type or intensity of the proposed land use. In this event the applicant or his agent shall submit projected vehicle trips to the City Engineer. For land uses adequately represented in said Manual, alternate trip generation rates shall not be accepted.

Any proposed development which is expected to generate at least 100 vehicle trips during any peak hour period requires a traffic impact analysis (TIA). Prior to completing a TIA, applicants must submit a completed TIA Worksheet to the City for review. All required TIAs shall be performed by a professional engineer licensed in the State of Texas and qualified to perform such analyses. All TIAs shall be completed in accordance with the latest edition of the City's Traffic Impact Analysis Guidelines.

Any proposed development which has the potential to create vehicle traffic queuing impacts to public right-of-way or onto adjacent private property will require a traffic queueing analysis to be submitted to the City Engineer to prove safe and adequate access to the project. All traffic queueing analysis shall be performed by a professional engineer licensed in the State of Texas and qualified to perform such work. Any required onsite/offsite modifications, improvements, or mitigation measures needed to provide safe and adequate access shall be solely burdened by the applicant.

**Commented [RML2]:** Added new language requiring a queuing study to ensure on-site queuing does not negatively impact public streets.

## Redline of Additional Development Code Changes

### CHAPTER 2. – ZONING REGULATIONS

#### ARTICLE II. – ZONING DISTRICTS AND LAND USES

##### PART 1. - IN GENERAL

##### Existing Code Sections (see revised code sections below):

##### Sec. 2-54. - New and Unlisted Uses.

~~A. If the Director determines that a proposed use is not a listed use or there is some ambiguity of its proper classification under the Land Use Matrix, the Director will consider the proposed use and its compatibility with the other uses permitted in the various districts and make a determination as to the district or districts within which the use should be located. In making a determination on the proposed use and appropriate district or districts where the use should be located, the Director will take into account elements such as:~~

- ~~1. The intensity of the use;~~
- ~~2. Uses that are similar to the proposed use and districts allowing those uses; and~~
- ~~3. Operations of the proposed use and its impacts on surrounding areas.~~

~~B. An applicant may appeal the Director's determination to the Zoning Board of Adjustment.~~

##### Sec. 2-55. - Accessory and Temporary Uses.

~~A. Accessory Uses. An Accessory Use may not be established on any Lot prior to the establishment of the Principal Use.~~

~~B. Temporary Construction Office. Temporary offices for construction may be used on the site of a construction project as a temporary use but must be removed upon completion of the project. In Residential Districts, 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.~~

##### Sec. 2-56. - Land Use Matrix.

~~A. The Land Use Matrix is based on business activities as contained in the 1987 edition of the Standard Industrial Classification (SIC) Manual, published by the Executive Office of the President, Office of Management and Budget. The SIC codes included in the Use Matrix are references to the SIC Manual so that the text description of the listed use may be located. Some land uses included in the Matrix are not found in the SIC, and are, where necessary, defined by the Development Code.~~

~~B. The Land Use Matrix establishes land uses that are Permitted, Ancillary, require a Conditional Use Permit, and Prohibited for each zoning district. Land and Structures within each zoning district must be devoted to uses in accordance with the Land Use Matrix. The uses contained in the Land Use Matrix and SIC Manual may be requested for inclusion in a PD district:~~

- ~~1. Allowed Uses. Land and Structures may only be used for the listed uses specified in that district, as indicated with a "P", "A", or "C".~~

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*

**Commented [RML3]:** Revised order of content of Sec. 2-54 through 2-56 and added new Sec. 2-57 & 2-58 for clearer application and understanding.

**Commented [RML4]:** Moved to new Sec. 2-57.

**Commented [RML5]:** Moved to new Sec. 2-54 B.

**Commented [RML6]:** Moved unchanged to Note 3 of Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

**Commented [RML7]:** Deleted since SIC is no longer used.

**Commented [RML8]:** Revised to add stronger language and moved to new Sec. 2-54 A.

**Commented [RML9]:** Revised to clarify when PDs will use the legacy SIC system and when they will use the new land use classification system; moved to new Sec. 2-58

**Commented [RML10]:** Revised to provide better clarity and moved to new Sec. 2-55

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a. ~~"P" indicates a use that is Permitted by right.~~

b. ~~"A" indicates a use that is permitted under the requirements specified in the zoning regulations for ancillary uses.~~

c. ~~"C" indicates a use that may be permitted and requires a Conditional Use Permit prior establishment of the use on the property.~~

d. ~~"\*" indicates a use that may be permitted and requires a Conditional Use Permit as a residential proximity provision for the establishment of a use, or the expansion of an existing use for nonresidential property within nonresidential zoning districts (B-1, B-O, B-2, M-1) that immediately abut a rear property line of an existing single-family lot in a residential single-family district. This CUP provision does not apply to:~~

1) ~~Remodeling or expansion of a use within the footprint of an existing building not adding additional height to the building.~~

2) ~~Expansion of a use where a building addition is proposed to an existing building when there is a distance of at least 100 feet from the exterior building wall of the new expansion to the abutting single-family residential rear property line and the total height of the addition does not exceed 35 feet from ground level to the top of highest portion of the building (inclusive of parapets), and the square footage of the expansion is not greater than 25% of the square footage of the floor area of the existing building.~~

3) ~~Exterior facade repair or replacement to existing structures in accordance with the particular district regulations that do not increase the height of the existing building by more than 6 inches.~~

4) ~~Addition, repair, or replacement of architectural screening for rooftop equipment to an existing building.~~

5) ~~Addition, repair, or replacement of fencing or landscaping.~~

6) ~~Addition, repair, or replacement of internal sidewalks or fire lanes.~~

7) ~~Repair or replacement of existing parking lot paving.~~

8) ~~Addition of new parking lot paving that is a distance of at least 50 feet from the new parking lot to the abutting single-family residential interior side or rear property line.~~

2. ~~Prohibited Uses. Land and Structures may not be devoted to a use that is shown as Prohibited in the Land Use Matrix.~~

C. ~~The Residential Land Use Matrix and Commercial Land Use Matrix are located in this Article.~~

**Commented [RML11]:** Revised to provide better clarity and moved to new Sec. 2-55

## Revised Code Sections

### Sec. 2-54. Use of Land and/or Buildings

A. ~~The use of land and/or buildings shall be in accordance with those listed in this Article for each zoning district. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses specified in the zoning district in which it is located or for activities consistent with the nonconforming provisions of Article VI. – Nonconforming Uses.~~

B. ~~An Accessory Use may not be established on any Lot prior to the establishment of the Principal Use.~~

**Commented [RML12]:** Revised former Sec. 2-56 B. for clarity of application.

**Commented [RML13]:** Moved from former Sec. 2-55. A.

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### Sec. 2-55. Key to Permitted Uses and Parking Schedule Tables.

The key for determining uses in the Permitted Uses and Parking Schedule Tables established in Section 2-71 and Section 2-91 is as follows:

- A. Permitted Use: [P]. Designates uses permitted by right in the district indicated.
- B. Permitted Use with Supplemental Regulations: [P(N)]. Designates uses permitted by right in the district indicated, so long as they comply with the Supplemental Regulations found at the end of the table.
- C. Conditional Use: [C]. Designates a use that may be permitted in the district by an approved conditional use permit.
- D. Conditional Use with Supplemental Regulations: [C(N)]. Designates uses that may be permitted in the district by an approved conditional use permit and must also comply with the Supplemental Regulations found at the end of the table.
- E. Ancillary Use: [An]. Designates uses that are permitted under the requirements specified in the zoning regulations for ancillary uses.
- F. Prohibited Uses: [ ]. Indicates a use that is not permitted in the district.
- G. Residential Proximity Conditional Use: [\*]. Indicates a district wherein a conditional use permit is required for uses in specified circumstances, as follows:
  - 1. A conditional use permit is required for the establishment or expansion of a nonresidential use located on property that abuts a single-family residential lot located in a single-family residential district, except as provided below.
  - 2. A conditional use permit is not required in the following circumstances:
    - a. Remodeling an existing building (with no expansion of the building);
    - b. Expanding a use within an existing building (with no expansion of the building);
    - c. Adding to an existing building when:
      - (1) The closest exterior building wall of the new expansion is at least 100 feet from the abutting single-family residential property line; and
      - (2) The total height of the addition does not exceed 35 feet, from ground level to the top of highest portion of the building (inclusive of parapets); and
      - (3) The area of the expansion is not greater than 25% of the square footage of the floor area of the existing building;
    - d. Exterior facade repair or replacement to existing structures in accordance with the particular district regulations and that do not increase the height of the existing building by more than 6 inches;

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**Commented [RML14]:** Revised wording for clarity and consistency; moved from former Sec. 2-56. B.

**Commented [RML15]:** New designation/ description needed based on changes to Sec. 2-71 Residential Districts Permitted Uses and Parking and Sec. 2-91 Nonresidential Districts Permitted Uses and Parking

**Commented [RML16]:** New designation/ description needed based on changes to Sec. 2-71 Residential Districts Permitted Uses and Parking and Sec. 2-91 Nonresidential Districts Permitted Uses and Parking

**Commented [RML17]:** Revised to simplify wording; moved from former Sec. 2-56 B. 1. D.

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- e. Addition, repair, or replacement of architectural screening for rooftop equipment to an existing building;
- f. Addition, repair, or replacement of fencing or landscaping;
- g. Addition, repair, or replacement of internal sidewalks or fire lanes;
- h. Repair or replacement of existing parking lot paving; or,
- i. Addition of new parking lot paving that is at least 50 feet from the abutting single-family residential property line.

### Sec. 2-56. – Use Chart Organization

The Permitted Uses and Parking Schedule tables are subdivided into the following use categories:

A. Residential

B. Institutional

C. Office

D. Retail

E. Services

F. Vehicle-Related

G. Industrial

### Sec. 2-57. - New and Unlisted Uses.

A. If the Director determines that a proposed use is not a listed use or there is some ambiguity of its proper classification under the Land Use Matrix, the Director will consider the proposed use and its compatibility with the other uses permitted in the various districts and make a determination as to the district or districts within which the use should be located. In making a determination on the proposed use and appropriate district or districts where the use should be located, the Director will take into account elements such as:

1. The intensity of the use;
2. Uses that are similar to the proposed use and districts allowing those uses; and
3. Operations of the proposed use and its impacts on surrounding areas.

B. An applicant may appeal the Director's determination to the Zoning Board of Adjustment.

### Sec. 2-58. – Land Uses in Planned Development Districts

A. Proposed Land Uses in Planned Development Districts – Requests for Planned Development district (PD) zoning shall include a list of permitted uses, which should be based on the most recently adopted uses listed in the Residential and Nonresidential Districts Permitted Uses and Parking

**Commented [RML18]:** New section - provides roadmap for use of Permitted Uses and Parking Schedule tables. Provides clarity and simplifies application of the Code.

**Commented [RML19]:** Moved from former Sec. 2-54

**Commented [RML20]:** Established use of new land use categories for new PD districts; legacy use of SIC for existing PDs to provide clarity in application of the new land use classifications in relation to PD districts

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Schedule. Amendments to existing PD districts, or submittal of Final Development Plans for properties whereon General Development Plans were approved prior to XXXXXX, 2019, may utilize the most recently adopted land use list in lieu of the previously utilized Standard Industrial Classification (SIC) system. A table converting the SIC system to the Permitted Uses and Parking Schedule Tables (Section 2-71 and Section 2-91) may be found in the Development Application Handbook.

**Commented [RML21]:** This will be the date of the approval of the ordinance adopting these changes.

B. Legacy use of SIC Manual - Planned Development Districts created between 1997 and XXXXXX, 2019 contain permitted use lists which are based on activities as contained in the 1987 edition of the Standard Industrial Classification (SIC) Manual, published by the Executive Office of the President, Office of Management and Budget. The SIC codes included in the Use Matrix are references to the SIC Manual so that the text description of the listed use may be located.

**Commented [RML22]:** This will be the date of the approval of the ordinance adopting these changes.

## CHAPTER 2. – ZONING REGULATIONS

### ARTICLE II. – ZONING DISTRICTS AND LAND USES

#### PART 4. – MIXED USE CONSERVATION DISTRICT (MUC)

Sec. 2-112. - Permitted Uses.

A. The following uses are permitted by right in the MUC District:

**Commented [RML23]:** Revised to remove references to SIC classification and utilize new land use categories.

- ~~1. Travel Agencies (4724)~~
- ~~2. Arrangement of Passenger Transportation NEC (4729)~~
- ~~3. Used Merchandise Stores (5932): Antique and book stores only~~
- ~~4. Insurance Agents, Brokers, and Service (6411)~~
- ~~5. Operators of Nonresidential Buildings (6512)~~
- ~~6. Operators of Apartment Buildings (Off Site Management Only) (6513)~~
- ~~7. Operators of Dwellings Other than Apartment Buildings (6514)~~
- ~~8. Real Estate Agents and Managers (6531)~~
- ~~9. Title Abstract Offices (6541)~~
- ~~10. Management Investment Offices, Open End (6722)~~
- ~~11. Photographic Studios, Portrait (7221)~~
- ~~12. Beauty Shops (7231)~~
- ~~13. Barber Shops (7241)~~
- ~~14. Advertising Agencies (7311)~~
- ~~15. Computer Programming (7371)~~
- ~~16. Legal Services (8111)~~
- ~~17. Political Organizations (8651)~~

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- ~~18. Religious Organizations (8661)~~
- ~~19. Engineering Services (8711)~~
- ~~20. Surveying Services (8713)~~
- ~~21. Accounting, Auditing & Bookkeeping (8721)~~
- ~~22. Management Consulting Services (8742)~~
- ~~23. Public Relation Services (8743)~~
- ~~24. Business Consulting Services, NEC (8748)~~
- ~~25. Service, NEC (8999)~~
- ~~26. Single Family Residential (99)~~

The following uses are permitted by right in the MUC District. Except where specified below, Definitions and Parking requirements shall be in the Residential Land Use Matrix (Sec. 2-71) and the Nonresidential Land Use Matrix (Sec. 2-91):

1. **Antique and Book Stores**

- a. Definition: An establishment selling books and antiques (collectible items, such a furniture or works of art, that have high value because of their considerable age); does not include Pawnshops.
- b. Parking requirement - 1:200 square feet

2. Counseling and Therapy Services

3. Dwelling, Accessory

4. Dwelling, Single-Family Detached

5. Professional Office, Neighborhood

6. Salon, Spa, or Barber Shop

7. Studio, Photography

B. **Supplemental Regulations**

The following are prohibited in the MUC district:

- 1. Drive-thrus;
- 2. Fleet vehicle storage;
- 3. Outside storage and/ or display of merchandise;
- 4. Outside sales.

C. **Accessory Dwelling**

A Single-Family Detached Dwelling located in the MUC 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:

- 1. The accessory quarters does not contain more than 600 square feet of Living Space, and
- 2. The occupant or occupants do not pay compensation for the use of the accessory quarters.

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**Commented [RML24]:** Clarification of definition and parking for this use, which is specific to the MUC district.

**Commented [RML25]:** New supplemental regulations to protect the MUC from inappropriate and incompatible use of land.

**Commented [RML26]:** Moved from Sec. 2-192 F. 6.

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### D. ~~Home Occupations~~

A Home Occupation is only permitted as an Accessory Use in a residential Dwelling Unit if it meets the following conditions:

1. It is conducted wholly within the Principal Building;
2. It is not conducted within a Private Garage, whether attached or Detached;
3. It does not depend on the employment of a person who does not reside in the residence;
4. A separate entrance is not provided for the conduct of the occupation;
5. An alteration is not made in the Dwelling Unit that changes its character as a Dwelling Unit;
6. It does not use outdoor storage;
7. It does not involve more than 300 square feet of the area of the Dwelling Unit;
8. A Sign Advertising the Home Occupation is not located on the Premises;
9. 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;
10. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the Premises; and
11. 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.

**Commented [RML27]:** Moved from Sec. 2-194 A.

## CHAPTER 2. – ZONING REGULATIONS

### ARTICLE IV. - SUPPLEMENTAL REGULATIONS: SATELLITE DISH ANTENNAS, FENCES, ACCESSORY BUILDINGS, ~~AND DWELLING UNITS, AND HOME OCCUPATIONS~~

#### Sec. 2-192. - Accessory Structures.

- A. Accessory Structures are subject to the same regulations as apply to Principal Buildings in each district, except as otherwise specified in this Section.
- B. An Accessory Structure must not be established on any Lot prior to the establishment of the Principal Building.
- C. An Accessory Structure must comply with Front and Street Side Yard setbacks.
- D. Accessory Structures must not be located within a parking lot setback as identified in Article V: Off Street Parking and Loading Regulations.
- E. In Nonresidential Districts, Accessory Structures must not be more than 20 feet in height as measured from finished grade to the highest point of the Structure.
- F. In Residential Districts, Accessory Structures must comply with the following additional regulations:
  1. An Accessory Structure must comply with Rear and Side Yard setbacks with the following exception.

**Commented [RML28]:** Moved unchanged to Note 2 of Sec. 2-71 Residential Districts Permitted Uses and Parking Table

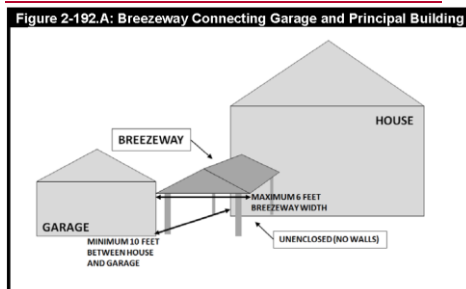
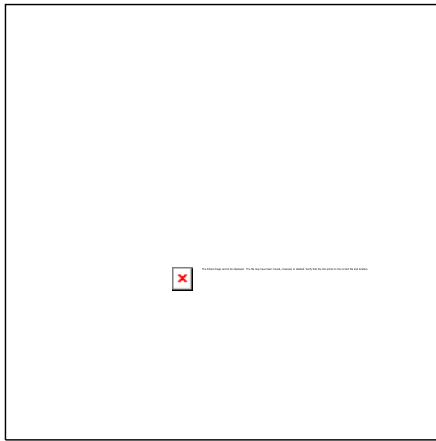
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An Accessory Structure may be located up to 5 feet from any Rear or Side Lot Line if the structure meets the following requirements:

- a. It has a maximum height of 1½ stories, but no more than 20 feet as measured from finished grade to the highest point of the Structure;
- b. It does not have a Rear Lot Line facing balcony or window above the first story;
- c. It is Detached and located at least 10 feet from the Principal Building; and
- d. It may be connected by a Breezeway to the Principal Building if the following requirements are met (See Figure 2-192.A):
  - (1) The Accessory Structure is located at least 10 feet from the Principal Building;
  - (2) The Breezeway is unenclosed; and
  - (3) The Breezeway is not wider than 6 feet as measured from edge-of-eave to edge-of-eave.



**Figure 2-192.A**

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2. The total square footage of all Accessory Structures located in a required Rear Yard shall not be larger than:
  - a. R-1E district: 1,563 square feet or 25% of the required Rear Yard, whichever is greater
  - b. R-1R district: 563 square feet or 25% of the required Rear Yard, whichever is greater
  - c. R-1 district: 225 square feet or 25% of the required Rear Yard, whichever is greater
  - d. HR-1 district: 225 square feet or 25% of the required Rear Yard, whichever is greater
  - e. R-1Z district: 125 square feet or 25% of the required Rear Yard, whichever is greater
  - f. R-2 district: 500 square feet or 25% of the required Rear Yard, whichever is greater
  - g. R-3 & R-4 district: 25% of the required Rear Yard
3. *Sheds.* Lots 6,600 square feet or less may have a shed that is up to 200 square feet. Lots greater than 6,600 square feet may have a shed that does not exceed 3% of the lot area. If more than 1 shed is provided, this requirement applies to the total square feet of all sheds.
4. *Private Garage or Carport.* Lots 6,000 square feet or less may have a Private Garage or Carport that is up to 600 square feet. Lots greater than 6,000 square feet may have a Private Garage or Carport that does not exceed 10% of the Lot area. If more than 1 garage is provided, this requirement applies to the total square feet of all garages.
5. *Special Provisions for Detached Private Garages in the HR-1 District.* The following Special Provisions for detached Private Garages in the HR-1 District supersede other height, Side and Rear Yard regulations in this Section. Detached Private Garages located in the HR-1 zoning district must comply with the following:
  - a. Have a maximum height of 2 stories, and be no more than 27 feet in height as measured from finished grade to the highest point of the Structure;
  - b. Be located at least 1½ feet from any Rear or Side Lot Line.

~~6. *Special Provisions for Accessory Dwelling Units.* A single-family Detached Dwelling located in a R-1, R-1R, R-1E, HR-1 or MUC 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:~~

- ~~a. The accessory quarters does not contain more than 600 square feet of Living Space, and~~
- ~~b. The occupant or occupants do not pay compensation for the use of the accessory quarters.~~

#### ~~Sec. 2-194. Home Occupations.~~

- ~~A. A Home Occupation is only permitted as an Accessory Use in a residential Dwelling Unit if it meets the following conditions:~~
- ~~1. It is conducted wholly within the Principal Building;~~
  - ~~2. It is not conducted within a Private Garage, whether attached or Detached;~~
  - ~~3. It does not depend on the employment of a person who does not reside in the residence;~~
  - ~~4. A separate entrance is not provided for the conduct of the occupation;~~
  - ~~5. An alteration is not made in the Dwelling Unit that changes its character as a Dwelling Unit;~~

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**Commented [RML29]:** Moved unchanged to Note 1 of Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule and Sec. 2-112 MUC Permitted Uses

**Commented [RML30]:** Moved unchanged to Note 2 of Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule and Sec. 2-112 MUC Permitted Uses

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- ~~6. It does not use outdoor storage;~~
- ~~7. It does not involve more than 300 square feet of the area of the Dwelling Unit;~~
- ~~8. A Sign Advertising the Home Occupation is not located on the Premises;~~
- ~~9. 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;~~
- ~~10. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the Premises; and~~
- ~~11. 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.~~

## CHAPTER 2. – ZONING REGULATIONS

### ARTICLE V. - OFF-STREET VEHICLE AND BICYCLE PARKING AND LOADING REGULATIONS

#### Sec. 2-210. - General Requirements.

- A. In all districts, for every use, there must be provided at the time any Building or Structure is erected, enlarged, or increased in capacity an off-street Parking Lot in compliance with this Article.
- B. A required Certificate of Occupancy will not be issued for any premises that does not comply with the requirements of this Article.
- C. Except as otherwise provided herein, all Parking Lots must be on the same premises as the use being served.
- D. Nothing in this Article shall require additional parking spaces to be furnished for an existing Building that is repaired, altered, maintained, or modernized, where no structural alterations are made and the size of the Building is not increased.
- E. For existing Buildings that are enlarged, additional parking spaces shall be required for the enlarged portion only.
- F. When the occupancy of any Building is changed to another use, parking shall be provided to meet the requirements of this Article for the new use.
- G. Where off-street parking is required, a plan showing the location and arrangement of spaces shall be submitted with the Site Plan Package to the Director. Any future changes in parking arrangements must be submitted to the Director with a revised Site Plan Package.
- H. Parking Spaces must be constructed, maintained, and operated in accordance with City standards and must be maintained in good condition, free of obstructions and readily available for vehicular parking.
- I. In all zoning districts, parking and loading areas shall not be used for refuse containers, for the repair, storage, dismantling, or servicing of vehicles or equipment, for the storage of materials or supplies, or for any other use in conflict with the designated parking and loading areas."

**Commented [RML31]:** Added provisions to ensure parking spaces are utilized for vehicular parking and no other activities

**Commented [RML32]:** Added provisions to ensure parking spaces are utilized for vehicular parking and no other activities

#### Sec. 2-213. - Rules for Computing Number of Parking Spaces.

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In computing the number of Parking Spaces required for each of the uses as shown in the off-street Parking Schedule, the following rules govern:

- A. Whenever a Building or use is changed so that there is an increase in Floor Area, the number of employees, the number of Dwelling Units, the seating capacity of the Building, or similar change, additional Parking Spaces must be provided on the basis of the enlargement or change. Whenever a Building or use existing prior to July 21, 2015 is enlarged in Floor Area or in the area used, the Building or use must comply with the parking requirements set forth herein.
- B. The Parking Space requirement for a use not specifically mentioned herein will be determined by the Director based on the most comparable use.
- C. Where fractional spaces result, the Parking Spaces required must be provided by calculating to the nearest whole number.
- D. The Director may approve areas for exemptions from parking calculations. Service areas provided exclusively for the occupants of a Building, including foyers, cafeterias/break rooms, auditoriums, gymnasiums/wellness rooms, mechanical rooms, stairwells and elevator shafts can be excluded from the calculation of Floor Area for determining required Parking Spaces if the Director determines these areas do not require parking capacity.
- E. For mixed uses on a parcel or lot, the Parking Spaces required must equal the sum of the requirements of the various uses computed separately.

~~F. For Shopping Centers where Eating and Drinking Establishments occupy:~~

- ~~1. Less than 50% of the gross square footage (not the primary use), parking is calculated at the Shopping Center ratio detailed in the Off-Street Parking Schedule in this Article.~~
- ~~2. 50% or more of the gross square footage, parking is calculated at the Eating and Drinking Establishments ratio for the portion of the building occupied by the Eating and Drinking Establishment(s). For the remainder of the building, the Parking Spaces required must equal the sum of the requirements of the remaining uses computed separately.~~

- ~~G.~~ **E. Shared Parking.** Shared parking ratios shall be based on Urban Land Institute (ULI) Shared Parking methodology and Institute of Transportation Engineers (ITE) Parking Generation. Authorization by City Council in an approved Planned Development District is required for a site within a Planned Development District to utilize shared parking.

**Commented [RML33]:** Moved to Note 9 Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Schedule

#### Sec. 2-220. - Off-Street Parking Schedule.

- A. The minimum number of Parking Spaces required for various land uses are as set forth in the Residential Districts Permitted Uses and Parking Schedule and the Nonresidential Districts and Parking Schedule found in Article II. following Schedule:

*Table 2-220.1: Off-Street Parking Schedule*

<i>Table 2-220.1: Off-Street Parking Schedule</i>		
Land-Use Classification	Required Spaces	Unit of Measurement

**Commented [RML34]:** Removed table and moved parking regulations to Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule and Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Schedule (parking requirements modified as described in Comparison Table)

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

### Redline of Additional Development Code Changes

Single and Two Family Dwellings	2	Dwelling Unit
Multi-Family Dwellings and Townhouses:	1:5-plus	Dwelling Unit
— 1 bedroom	1:5:1	Dwelling Unit
— 2 or more bedrooms	2:1	Dwelling Unit
Commercial Uses not listed below	1:200 (minimum 5)	Square Feet
Eating and drinking establishments	1:100-plus 1:2	Square Feet Employees
Banks and Other Personal Services	1:200	Square Feet
Retail Sales—Furniture/Carpet or other showrooms	1:300	Square Feet
Shopping Centers:		
— Less than 400,000 Square Feet	1:200	Square Feet
— 400,001 to 600,000 Square Feet	1:250	Square Feet
— Greater than 600,001 Square Feet	1:300	Square Feet
Equipment Sales and Service or Wholesale Sales	1:300	Square Feet
Office Buildings	1:250	Square Feet
Industrial Buildings (manufacturing, research or testing):		
— Less than 25,000 Square Feet	1:500	Square Feet
— 25,000 Square Feet or greater	1:500-plus	Square Feet (Office)
	1:1,000	Square Feet (Warehouse)
Warehouses:		

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### Redline of Additional Development Code Changes

<del>Less than 25,000 Square Feet</del>	<del>1:4,000 plus</del>	<del>Square Feet (Warehouse)</del>
	<del>1:1 (Minimum 5)</del>	<del>Employee</del>
<del>25,000 Square Feet or greater</del>	<del>1:2,000</del>	<del>Square Feet</del>
<del>Clubs or Lodges</del>	<del>1:200</del>	<del>Square Feet</del>
<del>Churches, Theaters, Auditoriums, Stadiums, and Other Assembly Halls</del>	<del>1:4 (With Fixed Seats)</del>	<del>Seats</del>
	<del>1:100 (Without Fixed Seats)</del>	<del>Square Feet</del>
<del>Mortuaries or Funeral Homes</del>	<del>1:4 plus 1:2</del>	<del>Seats Employees</del>
<del>Elementary and Middle Schools</del>	<del>1:20</del>	<del>Students</del>
<del>High Schools</del>	<del>1:4</del>	<del>Students</del>
<del>College or University</del>	<del>1:2</del>	<del>Students</del>
<del>Trade or Vocational School</del>	<del>1:1 plus 1:1</del>	<del>Students Employee</del>
<del>Country Club or Golf Course</del>	<del>1:4 plus 1:2</del>	<del>Members Employees</del>
<del>Hospitals</del>	<del>1:2 plus 1:1</del>	<del>Beds Employee</del>
<del>Medical clinic, health services facility</del>	<del>1:200</del>	<del>Square Feet</del>
<del>Nursing Homes (Personal Care Facilities)</del>	<del>1:4 plus 1:1</del>	<del>Beds Employee</del>
<del>Assisted Living Facility (limited care)</del>	<del>1:2 plus 1:1</del>	<del>Units Employee</del>

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

### Redline of Additional Development Code Changes

<del>Retirement Housing</del>	<del>0.8</del>	<del>Dwelling Unit</del>
<del>Hotels and Motels</del>	<del>1:1 plus 1:2</del>	<del>Guest Room Employees</del>
<del>Community Center, Library, Museum, Gallery</del>	<del>1:200 (Minimum 10)</del>	<del>Square Feet</del>
<del>Car Wash:</del>		
<del>— Full Service</del>	<del>1:200 (Minimum 5)</del>	<del>Square Feet</del>
<del>— Self Service</del>	<del>1:1 (Minimum 5)</del>	<del>Bays</del>
<del>Day Care Facilities</del>	<del>1:1 plus 1:8</del>	<del>Employee Students</del>
<del>Indoor activity center (e.g. rock climbing gym, bowling alley, bounce house, gym or fitness center)</del>	<del>1:350 plus 1:2</del>	<del>Square Feet Employees</del>

- B. For buildings with multiple uses, the minimum number of Parking Spaces required shall be calculated based on the actual use of the Building or the sum of required parking for each use within the Building.
- C. Eating and drinking establishments in Town Square that also provide a place on private property for outdoor on-premises service adjacent to the establishment must provide additional off-street parking under the Off Street Parking Schedule (Table 2-220.1) applicable to eating and drinking establishments only for that portion of the outdoor service area that exceeds by more than 25% the square feet of the indoor dining area to which the off-street parking requirements apply.

#### Sec. 2-222. - Bicycle Parking Requirements.

##### A. *Application.*

1. Bicycle parking shall be provided for nonresidential, townhome, and multi-family developments where the submittal of a Site Plan Package is required and when the intensity or use of any Building, Structure or premises is increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurement that requires additional automobile parking spaces.

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*

## Redline of Additional Development Code Changes

2. The following nonresidential uses ~~identified in the 1987 Standard Industrial Classification Manual~~ are exempt from this Section:

~~a. Agriculture~~

~~b. Manufacturing~~

~~c. Railroad Freight Yard~~

~~d. Utilities~~

~~e. Wholesale~~

~~f. Adult Day-Care~~

~~g. Heliport~~

~~h. Helipad~~

~~i. Mini-Warehouse and Self-Storage~~

~~a. Agriculture, forestry, fishing,~~

~~b. Mining,~~

~~c. Construction,~~

~~d. Manufacturing,~~

~~e. Transportation, Communications, Electric, Gas, and Sanitary Service (except Local and Suburban Transit and Interurban Highway Passenger Transportation),~~

~~f. Wholesale Trade,~~

~~g. Non-Classifiable Establishments:~~

~~(1) Adult Day Care,~~

~~(2) Heliport/Helipad, and~~

~~(3) Storage Lots for Recreational Vehicles.~~

**Commented [RML35]:** Revised to remove references to SIC and include new land use categories that are exempt from bicycle parking requirements

## CHAPTER 2. – ZONING REGULATIONS

### ARTICLE XIV. - HOTELS RESERVED

#### ~~Sec. 2-370. Intent.~~

~~The City Council has determined that establishing minimum standards for hotels protects and advances the general welfare of the community by providing for structural integrity, safety, durability, and improved maintenance of sites, and by promoting economic development by providing quality hospitality developments that support the City's businesses.~~

#### ~~Sec. 2-371. Definition.~~

~~In this Article, *Cooking Facility* includes a conventional oven, convection oven, stove top burner, grill, hibachi or hotplate that does not serve an integral part of an appliance designed solely to produce coffee, sink with a 1 inch or larger in diameter drain, garbage disposal, dishwasher, counter space for~~

~~Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.~~

**Commented [RML36]:** Moved unchanged all content to Note 16 of Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Schedule



## Redline of Additional Development Code Changes

~~cooking, preparing, or serving food, but does not include a microwave, miniature refrigerator or freezer, or coffee maker.~~

### ~~Sec. 2-372. – Minimum Requirements.~~

~~A. – A hotel must meet the following requirements:~~

- ~~1. – Guest rooms may be accessible only through interior corridors;~~
- ~~2. – Entrance through exterior doors must be secured and accessible only to guests and employees;~~
- ~~3. – Hotel management must be on-site 24 hours each day;~~
- ~~4. – Prohibit overnight parking of trucks with more than 2 axles and recreational vehicles in the hotel's parking lot and Parking Garage, erect signs in compliance with Chapter 2308 of the Texas Occupations Code stating those vehicles will be towed from the hotel property;~~
- ~~5. – Except for not more than 5% of the total number of guest rooms in a Full Service Hotel, guest rooms in a hotel may not contain any Cooking Facility; and~~
- ~~6. – Delivery service areas must be screened from the view of any Right-of-Way or residential area by masonry walls.~~

~~Secs. 2-373 – 2-379. – Reserved.~~

## CHAPTER 9. – SUGAR LAND REGIONAL AIRPORT ZONING REGULATIONS

### ARTICLE III. – COMPATIBLE LAND USE ZONING REGULATIONS

~~Sec. 9-17 Land Use Matrix.~~

*Note – existing Airport Land Use Matrix may be found online.*

Land Use	AZ-01	AZ-02
<b>Institutional</b>		
Botanical and Zoological Gardens	P	
Library		
Museums and Art Galleries	P	
Parks and Recreational Facilities	P	
School, College and University		
School, Private, Elementary, Middle, and High		
School, Public, Elementary, Middle, and High		

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*

**Commented [RML37]:** Replaced all SIC categories with new land use categories

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
School, Vocational	P	
<b>Office</b>		
Call/Message Center	P	
Professional Office, Neighborhood	P	
Professional Office, Regional	P	
<b>Retail</b>		
Bar	P	
Furniture and Home Furnishings Store	P	
Grocery, Convenience Store	P	
Grocery, Market	P	
Grocery, Supermarket	P	
Home Improvement Store, Large	P	
Home Improvement Store, Small	P	
Household Appliance Store	P	
Liquor Store	P	
Lumber and Other Building Materials	P	
Nurseries and Gardening, Retail	P	
Pawnshop	P	
Pharmacy	P	
Restaurant, With Drive-In and/or Drive-Thru Service	P	
Restaurant, With No Drive-In or Drive-Thru Service	P	
Retail, Neighborhood	P	
Retail, Regional (Department or Big Box Store)	P	

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
Shopping Center	P	
Thrift Store or Donation Center	P	
Tobacco, Hookah, and Vapor Retail Store	P	
<b>Services</b>		
Adult Day-Care		
Adult Oriented Businesses		
Animal Services, Boarding/ Day Care	P	
Animal Services, Large Animals	P	
Animal Services, Outdoor Runs (Accessory)	P	
Animal Services, Small Animals	P	
Assembly Facility, Banquet/Event Center	P	
Assisted Living		
Building and Property Maintenance Services and Security	P	
Campground and RV Park	P	
Child Care Facility, Daycare		
Cleaning, Dry Cleaners Pick-Up & Drop-Off	P	
Cleaning, Dry Cleaning Plant	P	
Cleaning, Laundromat	P	
Clinic, Drug and Alcohol Treatment	P	
Clinic, Medical, Dental, or Therapist	P	
Commercial Amusement, Indoor	P	
Commercial Amusement, Outdoor	P	
Concert or Performance Hall	P	

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
Concierge Medical Care	P	
Emergency Rooms/Urgent Care Facilities	P	
Financial Institution with Drive-Thru	P	
Financial Institution without Drive-Thru	P	
Fitness Center, Indoor Fitness Instruction	P	
Fitness Center, Large	P	
Fitness Center, Outdoor Facilities & Activities (Accessory)	P	
Fitness Center, Small	P	
Funeral Home	P	
Funeral Home, Crematory (Accessory)	P	
Golf Course or Country Club	P	
Heavy Commercial Equipment Rental, Leasing and Sales	P	
Helipad (Accessory)	P	
Heliport	P	
Hospital		
Hotel, Full Service	P	
Hotel, Limited Service	P	
Hotel, Select Service	P	
Independent Senior Living		
Individual and Family Social Services	P	
Landscape Services	P	
Long-Term Acute Care Facility/ Rehabilitation Hospital		
Medical and Dental Laboratory	P	

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
Mini-Warehouse and Self-Storage	P	
Movie Theater	P	
Nursing and Personal Care Facility		
Other Educational Services		
Other Health Services	P	
Payday Loans, Check Cashing, and Bail Bonds	P	
Permanent Makeup	P	
Place of Worship		
Print Shop, Local	P	
Radio and Television Broadcasting	P	
Repair Shop, Small Personal and Household Goods	P	
Repair Shop, Small Engine	P	
Research, Life Sciences and Healthcare	P	
Research, Research and Testing Laboratory	P	
Research, Technology Development	P	
Salon, Spa, or Barber Shop	P	
Studio, Art Instruction	P	
Studio, Dance	P	
Studio, Glass or Ceramics	P	
Studio, Metalwork, Woodwork, & Furniture (Including Repair)	P	
Studio, Photography	P	
Studio, Tattoo and/or Body Piercing		
Supply Rental	P	

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
<b>Vehicle-Related</b>		
Auto Parts, Retail	P	
Auto Repair and Services, Major	P	
Auto Repair and Services, Minor	P	
Boat and RV Sales	P	
Car Sales, New and Used	P	
Car Sales, Used	P	
Car Wash (Accessory)	P	
Car Wash, Drive-Thru or Hand Wash	P	
Car Wash, Self Service	P	
Gas Pumps (Accessory)	P	
Other Automotive Sales	P	
Parking of Passenger Vehicles	P	
Passenger Car Rental	P	
Truck, Trailer, and RV Rental	P	
<b>Industrial</b>		
Agricultural, Commercial Crops	P	P
Agricultural, Commercial Livestock	P	
Alcohol Production, Macro	P	
Alcohol Production, Micro with Food Sales	P	
Alcohol Production, Micro without Food Sales	P	
Commercial Extraction of Soil, Sand, and Gravel or Similar Material and Storage		

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

### Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
Document Shredding	P	
Food and Drink Bottling, Canning, and Packaging		
Industrial Printing, Media Development and Distribution	P	
Industrial/ Agricultural Machinery and Equipment Servicing and Repair Shop	P	
Manufacturing, Bio-Tech, Hi-Tech	P	
Manufacturing, Chemical	P	
Manufacturing, Food and Related Products	P	
Manufacturing, Heavy	P	
Manufacturing, Light	P	
Municipal Airport	P	P
Pharmaceuticals Packing and/or Blending	P	
Railroad Freight Yard	P	P
Recycling Collection Center	P	
Telecommunications Towers	P	
Utilities	P	P
Warehouse and Distribution Facility	P	
Wholesale, Agricultural Products and Livestock	P	
Wholesale, Durable and Nondurable Goods	P	
Wholesale, Automobiles and Other Vehicles	P	
Wholesale, Bakery	P	
Wholesale, Beer, Wine, and Distilled Beverages	P	
Wholesale, Heavy Industrial Goods	P	
Wholesale, Nurseries and Gardening	P	

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.

## Redline of Additional Development Code Changes

Land Use	AZ-01	AZ-02
Woodworking and Planing Mill	P	

### CHAPTER 10. - DEFINITIONS

#### Sec. 10-3. - Definitions.

##### A

~~**Adult Day Care** means a facility for adults having characteristics of homes for the elderly that provides 1 or more personal care services, including housing, food service, bathing, and dressing, for 4 or more persons not related to the owner or operator for less than 24 hours a day.~~

**Commented [RML38]:** Revised to provide a more detailed description, and moved to Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

##### C

~~**Child Care Home** means a private residence where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than 6 children at one time, including children of the adult provider, for less than 24 hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40.~~

**Commented [RML39]:** Revised to provide better clarity and moved to Sec. 2-71 Residential Districts Permitted Uses and Parking Table

~~**Child Care Center** means a facility, other than a public or private school, licensed by the state that provides, for less than 24 hours a day, care, training, education, custody, treatment or supervision for more than 6 children that are not related by blood, marriage, or adoption to the owner or operator of the facility.~~

**Commented [RML40]:** Revised to provide better clarity and moved to Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

##### H

~~**Hotel, Full Service** means a hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities:~~

**Commented [RML41]:** Moved unchanged to Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

- ~~1. A minimum of 10,000 square feet of dedicated meeting and event facilities;~~
- ~~2. Full menu room service;~~
- ~~3. Fitness center;~~
- ~~4. Swimming pool;~~
- ~~5. Restaurant accessible through the interior of the hotel that offers a full menu, table service, and seating for at least 50 patrons during standard dining hours; and~~
- ~~6. Lounge area containing a counter, tables, or seating area where alcoholic beverages are sold for consumption in that area.~~

~~**Hotel, Limited Service** means a hotel with guest rooms offered at nightly rates only, and that contains the following amenities:~~

**Commented [RML42]:** Moved unchanged to Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

- ~~1. A minimum of 500 square feet of dedicated meeting and event facilities;~~

*Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.*



## Redline of Additional Development Code Changes

~~2. Swimming pool; and~~

~~3. Fitness center.~~

~~Hotel, Select Service means a hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities:~~

~~1. A minimum of 4,000 square feet of dedicated meeting and event facilities;~~

~~2. A restaurant accessible through the interior of the hotel that offers made-to-order food and seating for at least 30 patrons during standard dining hours;~~

~~3. Swimming pool; and~~

~~4. Fitness center.~~

**Commented [RML43]:** Moved unchanged to Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

## P

~~Park means land and facilities owned by a public entity used to provide recreational activities to the general public or land and facilities owned by a private, nonprofit, or homeowner's association used to provide recreational activities to the members of the association. 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.~~

**Commented [RML44]:** Revised for consistency with definition in Sec. 2-71 Residential Districts Permitted Uses and Parking Table and Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Table

## R

~~Recreational Vehicle Park means an area, other than a Recreational Vehicle Storage Lot, designed to be used for the temporary occupancy of persons traveling by means of a Recreational Vehicle.~~

**Commented [RML45]:** Revised to provide better clarity, and moved to definition for use category: Campground and RV Park in Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Schedule

~~Recreational Vehicle Storage Lot means an area designed for the temporary or long-term storage of recreational vehicles.~~

**Commented [RML46]:** Revised/ combined and moved to definition for use category: Mini-Warehouse and Self-Storage Sec. 2-91 Nonresidential Districts Permitted Uses and Parking Schedule

Note: Only modified Development Code sections are included in this redline document; those with no changes are not shown.