

§ 78. C, commercial district. (Ord. No. B-582-N0512, § 1, 6-4-2012; Ord. No. CSO#313-09-2015, § 1(Exh. A), 9-21-2015; Ord. No. CSO#1240-01-2020 , § 1, 1-21-2020; Ord. No. CSO#1124-09-2019, § 1, 11-11-2019; Ord. No. 5434-03-2024, 3/18/2024)

78-100

Purpose.

The C, commercial district is established to accommodate the "heavier than retail sales and service uses" such as automobile sales and building material sales yards. Generally, the C, commercial district, is near highways, major thoroughfares, or railroad locations. Care is required in locating the C, commercial district, in close proximity to residential areas because of the heavier nature of the uses and the vehicular traffic which they tend to generate.

78-105

Primary uses allowed.

In the C, commercial district no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

(a) Primary uses allowed:

- Airport or landing field
- Amusement, commercial (outdoor)
- Antique shop
- Art supply store
- Art gallery or museum
- Auto glass, seat cover, muffler shop
- Auto laundry/carwash
- Auto, new used auto sales; outdoors
- Auto painting or body shop
- Auto parts and accessory sales (No outside storage)
- Auto parts sales and accessory sales (with outside storage)
- Auto repair garage
- Auto sales or auction
- Automotive fuel sales
- Batting cages
- Bakery or retail confectionery
- Bakery or wholesale candy
- Bottling works
- Building materials sales
- Bus station or terminal

Cabinet and upholstery shop
Cemetery or mausoleum
Clean/press shop pickup
Clothing or similar manufacturing
College or university
Community center: public
Contractors, electrical/mechanical/plumbing (no outside storage)
Convent or monastery
Convenience store with or without automotive fuel sales
Country club, private
Custom personal service shop
Day camp for children
Department store
Drapery, sewing or weaving shop
Drop-in child care center
Drugstore or pharmacy
Electrical generating station
Electrical substation
Electrical transmission line
Fairgrounds or exhibition area
Feed store
Fire or police station
Florist shop
Food/beverage sales store
Franchised utility lane
Fraternal lodge or union hall
Fraternity or sorority
Furniture or appliance store
Golf course; commercial
Greenhouse or commercial nursery (on premises sales)
Greenhouse or plant nursery (off premises sales)
Handicraft shop and art objects
Hardware or hobby shop
Hauling or storage company

Helistop
Home for aged, residence
Hospital, acute care
Hospital, institution care
Household appliance repair
Key shop
Laboratory, medical or dental
Laboratory manufacturing
Laboratory research
Laundry/clean self-service
Lithography or print shop
Local franchise utility
Maintenance and repair services for buildings
Massage, Therapeutic
Medical appliances sale rent
Miniature golf course
Mold and tool shop
Monument manufacturing
Mortuary or funeral home
Motel or hotel
Motorcycle sales and repair
Municipal building and uses
Musical instrument sales and manufacturing
Natural gas regulating station
Office, business and professional
Office, medical or dental
Paint shop
Park or public playground
Parking lot or structure, commercial (auto)
Parking lot, trucks/trailers
Pawnshop
Pet shop
Playfield or stadium (public)
Plumbing shop (no outside storage)

Private club
Public facility; governmental unit
Radio, microwave, TV tower
Radio, television station
Railroad passenger terminal
Railroad team track
Railroad track or right-of-way
Religious institution
Restaurant or cafeteria (not of drive-in type)
Restaurant or cafeteria (drive in type)
Retail shop, apparel, gift accessories and similar items
Rodeo grounds
Roller or ice rink
School, business
School, commercial trade
School, primary and secondary
Sewage pumping station
Studio, artist and/or photographer
Studio, health and fitness
Studio, music, dance, and/or drama
Swim, tennis, handball club
Swimming pool, commercial
Telephone office
Telephone exchange, switching, relay, or transmission station
Theater or indoor playhouse
Theater: open drive-in
Theater: open drive-in
Tool rental
Trailer, manufactured home sales, or rental, assembly and manufacturing
Travel bureau or consultant
Veterinarian hospital
Veterinarian, office only
Veterinarian, supply store
Water pumping station

Water storage facility
 Water treatment plant
 Wholesale sales/storage

(b) Accessory uses allowed:

Accessory building, (neighborhood service, commercial, business, or industry)
 Off-street parking
 Swimming pool

78-110

Specific use permit.

See section 130, specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, Site plan regulations and a public hearing are required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Amusement, commercial (indoor)

Animal pound, private

1. Facilities adjacent to residentially zoned property shall have no outside animal pens.
2. Screening between residentially zoned property with a 20-foot buffer and trees planted on 20-foot centers.

Automobile/truck rental service, except no rental trucks or trailers shall be located in any multi-use/multi-tenant shopping center.

1. In considering whether to grant a specific use permit, the following shall be considered while granting an SUP:
 - a. Number and location of parking of rental units versus customer parking.
 - b. Type of vehicles and trailers to be let.
 - c. Traffic impact on surrounding areas.
 - d. Location and screening of outdoor service areas.
 - e. Screening from residentially zoned properties.
 - f. Hours of operation.
 - g. Lighting.

Community center, private

Kennel (indoor)**Liquor store**

1. In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:
 - a. Shall not be located within the Old Town Overlay District or within 300 feet of IH-35 frontage without City Council approval.
 - b. Minimum building size shall be 5,000 sq. ft.
 - c. No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.
 - d. A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.
 - e. The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.
 - f. All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.
 - g. Shall provide additional landscaping between front facade and the parkway.
 - i. Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage

Miniwarehouse

1. No outside storage, sales, service or repair activities other than the rental of dead storage of units.
2. No stall or locker doors shall face any public streets or residentially zoned property.
3. Outdoor storage of trash receptacles shall be at the side or rear of the lot and completely screened by a wall or fence no less than six feet in height.

Miniature golf course**Petroleum or gas well****Small tractor and farm equipment sales and repair****Tattoo studio**

1. In considering whether to grant a specific use permit, the following shall be required:
 - a. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
 - i. No earlier than 10AM
 - ii. Sundays no later than 6PM

- iii. All other days no later than Midnight
- b. Tattoo Studios not allowed to operate in residential areas
- c. Signage requirement
 - i. No flashing signs
 - ii. No neon signs
- d. No loitering on permitted premises
- 2. In considering whether to grant a specific use permit, the following shall be considered in addition to the other factors to be considered while granting an SUP:
 - a. Distance to residentially zoned areas, churches, schools, day-care facilities, and other tattoo studios.
- 3. The application for a building permit shall be accompanied by a copy of the applicant's state license.
- 4. After five affirmative findings of violations of either state or local regulations relating to the operations of the tattoo studio the specific use permit will be automatically terminated.

Taxidermy Zoo, public

78-115

Height requirements.

No building shall exceed two stories or 35 feet except as noted in section 133, special height requirements.

78-120

Development regulations.

The following minimum standards shall be required measured from property lines:

- (a) Lot size: None.
- (b) Depth of front yard: 20 feet minimum.
- (c) Depth of rear yard adjacent to commercial or industrial districts: None.
- (d) Depth of rear yard adjacent to residential districts whether separated by an alley or not: ten feet minimum.
- (e) Width of side yard adjacent to commercial or industrial districts: None.
- (f) Width of side yard adjacent to residential district whether separated by an alley or not: ten feet minimum.
- (g) Width of side yard adjacent to side street: ten feet minimum.
- (h) Width of lot: None.
- (i) Depth of lot: None.

- (j) Setback for gasoline service pumps: Notwithstanding the district yard requirements gasoline service station pump island may not be located nearer than 18 feet to the front property line, and the outer edge of the canopy shall not be nearer than ten feet to the front property line.
- (k) Development Regulations for Commercial properties located within the Old Town Overlay District shall be as established by the Burleson Old Town Design Standards.

78-125

Landscaping.

Landscaping shall be in compliance with [chapter 86 of the Burleson Code of Ordinances].

78-130

Parking.

Parking shall be in compliance with section 134, vehicle parking regulations.

78-135

Off-street loading.

Off-street loading shall be in compliance with section 135, off-street loading regulations.