

§ 155.028 B-1 OFFICE DISTRICT.

(A) *Permitted uses.*

- (1) Office, general business.
- (2) Offices of practitioners of the recognized professions, as herein defined:
 - (a) *Professional building.* Any structure used solely for the housing of professional offices of recognized professions.
 - (b) *Recognized professions.* Members of a recognized profession include those persons and customary staff normally considered as professional and shall be deemed to include doctors, veterinarians, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, and professions providing personal services, and the like.
- (3) Uses customarily incidental to the primary use.
- (4) Coffee shop.
- (5) Barber shop; beauty shop; beauty parlor.
- (6) Public schools.
- (7) Public parks, municipal golf courses, public recreation facilities, and community buildings.
- (8) Municipal buildings, public libraries or museums, police and fire stations.
- (9) Construction field office and yard on the job site for the duration of construction only.
- (10) An on-premises residential use or living quarters associated with the business provided both uses are in compliance with appropriate building codes, and the proprietor or employee of the business is a resident of the living quarters.
- (11) Low impact telecom towers.
- (12) Churches or places of worship.

(B) *Conditional uses.*

- (1) Private schools.
- (2) Civic clubs.
- (3) Fitness centers.

(C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.

(D) *Area regulations.* Front yard, side yard, and rear yards as per Table 21-A.

(E) *Landscaping requirements.* As per § 155.051.

(F) *Intensity of use.* There are no minimum lot area or lot width requirements.

(G) *Parking regulations.* As per §§ 155.061 through 155.068.

(H) *Additional use, height, and area regulation.*

(1) *Conditions for use.* Buildings may be used for one or more of the uses prescribed in division (A)(2) hereof only under the following conditions:

(a) The total area of a professional building devoted to any single incidental use shall not exceed 15% of the gross floor area of the building.

(b) The total area of a professional building devoted to incidental uses in the aggregate shall not exceed 25% of the gross floor area of the building.

(c) Public access to such incidental uses shall be from the interior of the building.

(2) *Parking.* No parking space shall occupy any part of the required front yard, except as provided in division (G) of this section.

(3) *Visibility of interior.* No building in this district shall be constructed or altered to produce a store front, show window or display window, and there shall be no merchandise visible from the exterior of the building.

(4) *Storage.* No outside storage shall be permitted in this district.

(5) *Signage.* As per Chapter 151.

(6) *Screening requirements.* As per § 155.050.

(7) *Building facade.* As per § 155.040.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2004-01, passed 1-13-04)

§ 155.029 B-2 NEIGHBORHOOD RETAIL DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B-1 District that is permitted by right.
- (2) Household appliance sales.
- (3) Bakery shop (retail sales only).
- (4) Cleaning or laundry (pickup station).
- (5) Cleaning or laundry (self service) using fully automatic equipment, as follows:
 - (a) Washer, capacity of not more than 40 pounds.
 - (b) Dryers or extractor, capacity of not more than 60 pounds.
 - (c) Dry-cleaning machines.
- (6) Custom personal service shops, such as health studio, answering service, typing service, tailor, employment agency, FM piped music service, letter or mailing service, secretarial service, or pharmacy.
- (7) Drugstore or pharmacy.
- (8) Florist (retail): Retail sales of flowers and small plants. No flower or plant raising or outside display or storage.
- (9) Home for the aged or nursing home.
- (10) All child care facilities except commercial boarding homes.
- (11) Real estate office.
- (12) Restaurant or café (no drive-in service).
- (13) Retail store, (other than listed): Offering all types of personal consumer goods for retail sales.
- (14) Studio for photography, interior decoration, fine arts instruction, or sales of art objects.
- (15) Low impact telecommunication tower.

(B) *Conditional uses.*

- (1) Any use permitted in a more restricted district that is permitted by a conditional use permit.
- (2) Electric utility substation.
- (3) Grocery store (drive-in).
- (4) Ice retail distributing station, no manufacture, and capacity not to exceed five tons storage.

(C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.

(D) *Area regulations.* As per Table 21-A.

(E) *Intensity of use.* There are no minimum lot area or lot width requirements.

(F) *Parking regulations.* As per §§ 155.061 through 155.068.

(G) *Signage.* As per Chapter 151.

(H) *Screening requirements.* As per § 155.050.

(I) *Building facade.* As per § 155.040.

(J) *Landscaping requirements.* As per § 155.051.

(Ord. 2001-36, passed 11-13-01)

§ 155.030 B-3 LOCAL BUSINESS DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B -2 District that is permitted by right.
- (2) Bakery or confectionery: Engages in preparation, baking, cooking, and selling of products at retail on the premises, with six or less employees.
- (3) Bank, savings and loan or other financial institutions.

(4) Cleaning, pressing and drying plants not employing more than six persons.

(5) Florist, garden shop, greenhouse or nursery office (retail): No growing of plants, shrubs or trees out of doors on premises; no outside display or storage unless behind the required front yard line or the actual setback of the principal building, whichever is greater.

(6) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, sea food sales, or health food sales.

(7) Cafeteria or catering service.

(8) Hospital, home or center for the acute or chronically ill.

(9) Mortuary or funeral chapel.

(10) Job printing, provided total mechanical power used in operation of such printing plant shall not exceed five horsepower.

(11) Lodge halls and private clubs.

(12) Hotels.

(13) Restaurants or cafes with drive-in or pick-up service.

(14) Restaurants serving alcoholic beverages (in wet areas only) subject to TABC regulations and the following:

(a) A restaurant which desires to sell alcohol for on premises consumption, under the Texas Alcoholic Beverage Code, and the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, all of which are adopted hereby and made apart hereof as if fully set out herein.

(b) During any consecutive four-month period, a restaurant serving alcoholic beverages must produce at least 51% of its total revenues, exclusive of tips and gratuities, from the provision of food service. Documentation of this requirement may be by affidavit of a certified public accountant or by examination of the books by the city at the city's option. No more than two requests for such documentation shall be made of any restaurant serving alcohol during any calendar year by the city, unless good cause is shown as determined by the City Council in a hearing before the Council requested by the City Manager asking that a restaurant provide the city with the documentation request on more than two occasions during one calendar year. The restaurant must be given 14 days notice of such hearing.

(c) The failure of any such restaurant to allow its books to be inspected by the city or provide an affidavit of compliance from a certified public accountant within 14 days of a request being made by the city to verify that the provisions of this section are being complied with, as well as the failure to obey any other provision of the Code of the city or the laws of the state concerning the sale of beer, wine and/or alcoholic beverages, or the operation of a private club, shall result in the following:

1. Notification in writing mailed to the owner/operator that a violation exists, and what such violation is.

2. The notification shall give the owner/operator 15 days in which to correct the violation.

3. If the violation is not corrected within 15 days, a fine of up to \$250 shall be assessed for each violation. Each day the violation shall exist shall be considered as a separate violation.

(15) Moving picture house or theater.

(16) Tennis or swim club.

(17) Auto laundry or car wash.

(18) Auto parts sales, new, at retail.

(19) Any retail business and typical accessory uses not included in the neighborhood retail district, provided that such use is not noxious or offensive by reason of vibration, smoke, odor, dust, gas, light or noise.

(20) Radio studios, repair and sales shops (only).

(21) Low impact telecommunication tower (as defined in Chapter 157).

(22) Filling station, service station, convenience store, subject to the following requirements:

(a) All service must take place in the interior (service bays) of the building. No tents may be used for repair or service, except during times of urgent public necessity as declared by the Mayor or the Planning and Development Director and posted as such at the main entrance to the City Hall.

(b) Oil storage facilities and refuse containers shall be screened from the view of travelers along public streets.

(c) There shall be no vehicle storage longer than 30 days, or auto sales including vehicles belonging to the owner.

(d) There shall be no dismantling or wrecking on premises.

(e) The use shall be operated in accordance with all applicable regulations including licensing from all government

agencies that have jurisdiction.

(f) Gasoline storage tanks must be underground.

(23) Beer and wine sales for off premises consumption (in wet areas only) subject to TABC and city regulations.

(B) *Conditional uses.* Any use permitted in a more restricted district that is permitted by a conditional use permit.

(C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.

(D) *Area regulations.* The same as prescribed for B-2 District.

(E) *Intensity of use.* There are no minimum lot area or lot width requirements.

(F) *Parking regulations.* As per §§ 155.061 through 155.068.

(G) *Signage.* As per Chapter 151.

(H) *Screening requirements.* As per § 155.050.

(I) *Building facade.* As per § 155.040.

(J) *Landscaping requirements.* As per § 155.051.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06)

§ 155.031 B-4 SECONDARY AND HIGHWAY BUSINESS DISTRICT.

(A) *Permitted uses.*

(1) Any use permitted in the B-3 Local Business District that is permitted by right.

(2) Automobile parking lots.

(3) Bakery (wholesale).

(4) Dance hall and skating rink.

(5) Frozen food locker plant.

(6) Garage, public.

(7) Drive-in theater.

(8) Bowling alley.

(9) Tourist court or motel.

(10) Antique shop.

(11) Secondhand goods store: (No outside display, repair or storage.)

(12) Automobile and marine sales and re-pair, provided that:

(a) All service must take place in the interior (service bays) of the building. No tents may be used for repair or service, except during times of urgent public necessity as declared by the Mayor or the Planning and Development Director and posted as such at the main entrance to the City Hall.

(b) Oil storage facilities and refuse containers shall be screened from the view of travelers along public streets;

(c) There shall be no vehicle storage longer than 30 days, or auto sales including vehicles belonging to the owner (except for sales lots);

(d) There shall be no dismantling or wrecking on premises;

(e) The use shall be operated in accordance with all applicable regulations including licensing from all government agencies that have jurisdiction; and

(f) Gasoline storage tanks must be underground.

(13) Building material or lumber sales (no outside storage without screening).

(14) Cleaning, pressing and dyeing.

(a) No direct exterior exhaust from cleaning plant permitted.

(b) Dust must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.

(15) Florist, garden shop, greenhouse, or nursery (retail).

(16) Ball park, stadium, athletic field (private).

- (17) Philanthropic institutions (not else-where listed).
 - (18) Cabinet, upholstery, woodworking shop.
 - (19) Plumbing, electrical, air conditioning service shop (no outside storage without screening).
 - (20) Trade or business school.
 - (21) Any retail business not included in the Local Business District, provided that such use is not noxious or offensive by reason of vibrations, smoke, light, odor, dust, gas or noise.
 - (23) Package liquor store (in wet areas only and subject to TABC regulations). The property, if located outside the commercial zone of Business Hwy 190, must:
 - (a) Be part of a commercial development containing a minimum of 12,000 square feet of leaseable retail floor space (for example, a shopping center or mall); and
 - (b) Be located a minimum of 300 feet, measured from the front door to the establishment, from any R zoned property by the most commonly traveled public roadway.
 - (24) Brewpub or winery (in wet areas only and subject to TABC regulations). The property, if located outside the commercial zone of Business Hwy 190 or I-14, must be located a minimum of 300 feet from any R zoned property, measured from the front door of the establishment by the most commonly traveled public roadway. All manufacture, blending, fermentation, processing, and packaging of alcoholic beverages must take place wholly inside a building.
 - (B) *Conditional uses.* Any use permitted in a more restricted district that is permitted by a conditional use permit.
 - (C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.
 - (D) *Area regulations.* The same as provided for B-2 District.
 - (E) *Intensity of use.* There are no minimum lot area or lot width requirements.
 - (F) *Parking regulations.* As per §§ 155.061 through 155.068.
 - (G) *Signage.* As per Chapter 151.
 - (H) *Screening requirements.* As per § 155.050.
 - (I) *Building facade.* As per § 155.040.
 - (J) *Landscaping requirements.* As per § 155.051.
- (Ord. 2001-36, passed 11-13-01; Am. Ord. 2019-14, passed 5-28-19)