

ORDINANCE #04-283 (cont.)

SECTION 5 (of 7)

SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS

5.100 LOT STANDARDS

5.110 Required Lot Area

The required area of a lot or parcel of land shall not be less than the area indicated in the various zones contained in this Ordinance, except as hereinafter provided.

5.120 Boundary Lines

Where a lot or parcel of land, which would otherwise have been shown as one (1) lot, is divided into two (2) or more lots because of City boundaries, the required area shall mean the total area of the parcel of land.

5.130 Easement

Where a lot or parcel of land is subject to a street or highway easement or other public or private easement where the owner does not have the right to use the entire surface area of the lot or parcel of land, such may be accepted as having the required area as indicated by the zone, provided that the required area for a lot or parcel of land is of the minimum lot size designated and the area covered by any such easement contains not more than ten percent (10%) of the required area.

5.140 Lot Reduction

No person shall divide any lot or parcel of land nor convey any lot or parcel of land or any portion thereof, (for the purpose of creating a new lot) if, as a result of such division or conveyance the area of any lot or parcel of land so reduced, or any lot or parcel of land so created is in violation of the required lot width and length of the zoning district in which it is located.

5.150 Public Use Reduction

Where a lot or parcel of land has the required area and after creation of such lot or parcel of land a part thereof is acquired for a public use other than for street or highway purposes, in any manner including dedication, condemnation or purchase, and if the remainder of such lot or parcel of land has at least eighty percent (80%) of the required area, such remainder shall be considered as having the required area.

5.160 Street Reduction

Where a lot or parcel of land has the required area, and after the creation of such lot or parcel of land, a part thereof is required for street or highway purposes exclusively, in any manner including dedication, condemnation, or purchase, and if the remainder of such lot or parcel of land has at least seventy five percent (75%) of the required area, then such remainder shall be considered as having the required area.

5.200 REQUIRED LOT WIDTH AND LENGTH

The required width and length of a lot or parcel of land shall not be less than the width and length indicated in this Ordinance except as hereinafter provided.

5.210 Designation of Lot Lines

Where the identification or designation of the front, side or rear lot line is in doubt, as in the following situation, the Planning and Zoning Commission shall determine the identity or designation of lot lines:

- A.** Corner lots or parcels of land with two (2) streets and/or highway frontages approximately equal in length.
- B.** Through lots or parcels of land fronting on two (2) or more streets and/or highways.

5.220 Dimensions Reduced By Public Use

If a lot or parcel of land has the required width or length, and after creation of such lot or parcel of land a portion of it is acquired for public use in any manner including, but not limited to,

dedication, condemnation, or purchase, and if the remainder of such lot or parcel of land has at least seventy percent (70%) of the required width, but in no event less than thirty-five (35) feet, such remainder shall be considered as having the required width.

5.300 YARD AND SETBACK REGULATIONS

5.310 Purpose

Minimum yard requirements (setbacks) are established to ensure safety, light, air, privacy, building separation, and open areas appropriate to each use and district, and to minimize impacts of uses and structures on one site upon adjoining sites.

5.320 Special Front Yard Regulations:

- A. Where the frontage on one (1) side of a street between two (2) intersecting streets is divided by two (2) or more zoning districts, the front yard shall comply with the requirement of the most restrictive district for the entire frontage.
- B. Where a building line has been established by plat or ordinance and such line requires a greater or lesser front yard setback than is prescribed by this Ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat.
- C. The front yard shall be measured from the property line to the front face of the closest building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed three (3) feet.
- D. Accessory buildings shall have a front yard not less than the main building
- E. Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

- F. Prior to the effective date of this Ordinance, if twenty-five percent (25%) or more of the frontage on one side of a street between two (2) intersecting streets in any residential district is improved with buildings that have an average front yard line less than required in this Ordinance, then the average front yard existing in the block shall be observed, provided, however, that this regulation shall not be interpreted as requiring a front yard line of more than twenty-five (25) feet.

5.330 Special Side and Rear Yard Regulations

1. Projections of window sills, belt courses, cornices, and other architectural features projecting shall not exceed twelve inches (12.0") into the required side yard, and roof eaves and overhangs projecting shall not exceed three feet (3.0') into the required side and rear yards.

5.400 MEASUREMENT OF DISTANCES

Distances between structures, or between a structure and any property line, setback line, or other line or location prescribed by the Zoning Regulations shall be measured to the exterior face of the nearest wall or vertical support of the structure. Where a structure does not have a vertical wall or support, the point of measurement shall be as determined by the Building Official, consistent with the purposes of the Zoning Ordinance and the provisions of the Building Code.

5.500 HEIGHT REGULATIONS

Height limitations are established to ensure that buildings and structures shall not exceed heights generally compatible with purposes of the district and other uses therein, and shall not unnecessarily impact upon the privacy, views, or desirability of development of adjoining sites.

5.510 Measurement of Height

Building: The height of a building shall be measured from the average of the highest and lowest grade adjacent to the building, to the highest point of the coping of a flat roof, deck line of a mansard roof, or to the highest gable on a pitched or hipped roof.

5.520 Permitted Exceptions to Height Limits

The following structures and features may exceed the maximum height for the district in which they are located, and are subject to the limits specified herein:

1. The following structures may exceed the height limit of any district by not more than fifteen percent (15%) or such height as may be necessary to comply with generally accepted engineering practices for stacks and vents, or any applicable Federal or State law, regulation, guideline, or order, whichever is greater:
 - a. Parapet walls, chimneys, vents, and mechanical and safety features such as fire towers, stairways, elevator penthouses, heating and cooling equipment, and protective covers.
 - b. Ornamental towers, cupolas, domes, and spires not designed for occupancy.
2. The following structures are exempt from the height limit:
 - a. Radio and television receiving antennae of the type customarily used for home radio and television receivers.
 - b. Flagpoles.
3. Radio towers operated by licensed radio operators' no more than forty (40) feet in height plus fifteen (15) feet for antennae. A Conditional Use Permit shall be required to exceed radio tower and antennae height of forty (40) feet and fifteen (15) feet respectively.
4. Cellular telephone towers no more than forty (40) feet in height. A Conditional Use Permit shall be required to exceed tower height.

5.600 LOT COVERAGE REGULATIONS

Lot coverage limitations are established to ensure that building coverage and impervious surface coverage of each lot are compatible with the nature of uses allowable in each district to avoid overcrowding of sites with buildings and paved or impermeable surface materials.

5.610 Measurement

- A. Building coverage of a lot shall be deemed the total horizontal area of all buildings and roofed or covered spaces on the lot, expressed as a percent to total lot area. Eaves and roof overhangs shall not be counted as building coverage.
- B. Impervious coverage of a lot shall include the total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements or structures contributing to run-off.
- C. Subsurface areas shall be excluded from building coverage and impervious coverage calculations.

5.700 OFF-STREET PARKING PROCEDURES

A. General Requirements:

- a) Off street parking facilities shall be provided for any new building constructed.
- b) Off-street parking requirements do not apply to businesses located in the C-1 zoning district.
- c) Accessible parking spaces shall be provided according to the regulations of the Americans Disability Act (ADA).
- d) If the existing off-street parking does not comply with the regulations of this Ordinance, the existing building or structures may not be enlarged in such a manner that enlargement eliminates existing required parking, unless the City Commission grants a variance.

B. Responsibility for Provision of Facilities

The provision for, and maintenance of, off-street parking facilities herein required shall be the joint responsibility of the operator and the owner of the land, building, structure, or use on which is located the use for which off-street parking facilities are required.

C. Size and Location

Each off-street parking space shall be not less than nine (9) feet by eighteen (18) feet, [handicapped spaces shall be not less than twelve and one half (12.5) feet by eighteen and one half (18.5) feet] exclusive of access or maneuvering area, ramps and other appurtenances. Except as otherwise permitted under a special plan for location or sharing of facilities, off-street parking facilities shall include adequate maneuvering room and shall be located on the lot on which the use for which they are provided is located.

D. Construction and Maintenance

Off-street parking areas shall be constructed, maintained and operated in accordance with the following specifications:

1. Drainage and Surfacing:
 - a. All commercial, manufacturing or multi-family parking areas, vehicle maneuvering areas and driveways shall be paved with concrete, asphalted concrete, asphalt, brick, granite gravel or interlocking paving blocks, or other durable and all-weather material.
 - b. All facilities shall be properly graded for drainage and maintained in good condition.
2. Protective Screen Fencing: Parking areas for commercial or industrial uses adjacent to residential properties shall be provided with solid protective screen fencing so that adjacent residential occupants are not unreasonably disturbed, during day or night, by the movement of vehicles.
3. Lighting: Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from any residential use.

E. Combined Facilities

The off-street parking facilities required of two (2) or more uses located on the same lot may be combined and used jointly, provided, however, that where the facilities are combined and used by two (2) or more uses, the off-street parking facilities shall be adequate in area to provide ninety percent (90%) of the total of the required parking for all such uses.

F. Limitations on Separation from Use

Off-street parking facilities may be located on a separate site from which the primary use is located. The separate site must be within three hundred (300) feet of the primary use. This distance shall be measured by a straight line from the nearest point of the lot on which the use is located to the nearest point of the separated off-street parking facilities.

G. Table of Off-Street Parking Requirements

The requirements for off-street parking facilities in all districts shall be governed by the following table: (Each fractional parking space required by the table shall be rounded up to the next whole number.) Where the classification of use is not determinable from the said table, the Building Official shall determine the appropriate classification.

5.710 OFF-STREET PARKING REQUIREMENTS

USES	MINIMUM PARKING SPACES REQUIRED
Church, auditorium, theater, gymnasium, assembly hall, convention hall, stadium, funeral home	1 for each 5 seats plus 1 per employee
Dwelling, except Multi-Family	2 minimum
Gas station	1 for each 300 square feet of gross floor area plus 1 per employee / shift
General retailing, business and commercial uses	1 for each 300 square feet of gross floor area plus 1 per 2 employees/ shift
Health Clinic	1 for each 175 square feet of gross floor area plus 1 per 2 employees / shift

USES	MINIMUM PARKING SPACES REQUIRED
Hotel, motel, travel trailer court	1 for each guest room or travel trailer space, plus 1 for each 2 employees / shift. (Bars and restaurants are counted as additional uses.)
Library, club or lodge	1 for each 300 square feet of gross floor area
Manufacturing, processing, wholesaling	1 for each 400 square feet of gross floor area
Multi-family dwelling	1.5 for each studio, one or two-bedroom unit; 2 for each unit with 3 or more bedrooms
Nursing Home	1.5 for each 4 beds plus 1 per employee/ shift
Office	1 for each 300 square feet of gross floor area plus 1 per 2 employees / shift
Outdoor recreation and entertainment facilities	1 for each 800 square feet of outdoor recreational area
Restaurant, Drive-In	1 for each 100 square feet of gross floor area
Restaurant, General	1 for each 200 square feet of gross floor area
Retail with outdoor sales yards	2 for each 1,500 square feet of site area
Retirement Community	0.5 for each dwelling unit plus 1 per employee/ shift
Shopping Center	1 for each 175 square feet of gross floor area plus 1 per 2 employees/ shift
Warehouse	1 for each 1,000 square feet of gross floor area

5.800 LANDSCAPING AND SCREENING REGULATIONS

The purpose of landscaping and screening requirements is to improve certain set-back and yard areas, including off-street vehicular parking and open-lot sales and service areas, for all uses other than single-family residential use.

5.810 Specific Definitions

The following specific definitions shall apply to the landscaping and screening regulations contained in this Ordinance:

- A. Landscaping: Landscaping shall consist of any of the following or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, flowers, vines, hedges, trees, native plant materials, planters, brick, stone or natural forms, water forms, aggregate or other landscape features, but not including the use of smooth concrete or asphalt. The use of brick, stone, aggregate or other inorganic materials shall not predominate over the use of organic plant material.
- B. Sight Distance for Landscaping Adjacent to Public Rights-of-Way and Points of Access: When an access way intersects a public right-of-way, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between three (3) feet and six (6) feet in height; provided, however, trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area may be allowed if they are so located so as not to create a traffic hazard. Landscaping, other than grass or ground cover, shall not be located within three (3) feet from the edge of any access way pavement. The triangular areas above referred to are:
 - 1. The areas of property on each side of an access way formed by the intersection of the access way and the public right-of-way line with two (2) sides of each triangle between ten (10) feet in length from the point

of intersection along the access way and public right-of-way lines respectively, and the third side being a line connecting the ends of the two (2) other sides.

2. The area of property located at a corner formed by the intersection of two (2) or more public rights-of-ways with two (2) sides of the triangular area being thirty (30) feet in length along the public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) lines.

- C. Landscape Preservation: The existing natural landscape character (especially native oaks, elms, and pecan trees) is recommended for preservation to the extent possible.

5.820 Screening Requirements and Standards

- A. Minimum screening requirements shall be provided in the following situations:
 1. Multiple Family (greater than four (4) units) and along property lines abutting a Single Family District.
 2. Commercial uses along property lines abutting any residential use.
- B. Screening shall be provided by installation and maintenance thereafter of a visual screen or buffer of one of the following types:
 1. A solid wood, masonry and/or metal fence or wall at least six (6) feet but not greater than eight (8) feet in height.
 2. A hedge-like screen of evergreen plant material capable of attaining a minimum height of eight (8) feet within two years of planting, planted initially at a minimum of four (4) foot centers and with a minimum height of three and one-half (3 1/2) feet.

5.830 FENCES, WALLS, SHRUBS AND HEDGES AND VISIBILITY

All fences, walls, shrubs, and hedges shall be located, constructed, and maintained in accordance with the following standards:

A. Front Yard Requirements

1. Residential Zoning Districts:

- a. Solid - Maximum four (4) feet above the grade of the lot.
- b. Minimum 50% open – Maximum six (6) feet above the grade of the lot. Heights above six (6) feet above the grade of the lot require a Conditional Use Permit.

2. Non-residential Zoning Districts:

- a. Solid - Maximum four (4) feet above the grade of the lot.
- b. Minimum 50% open – Maximum eight (8) feet above the grade of the lot. Heights above eight (8) feet above the grade of the lot require a Conditional Use Permit.

B. Side and Rear Yard Requirements in all Zoning Districts:

1. Maximum eight (8) feet above the grade of the lot. Heights above eight (8) feet above the grade of the lot require a Conditional Use Permit.

C. Visibility Requirements in all Zoning Districts:

1. Corner lots – Free vision from three (3) feet to six (6) above the curb grade for a distance of thirty (30) feet back from the property corner at the intersection on both the front and side street exposures.