

## **ORDINANCE NO. 24-05-16-03**

**AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 3.104, SECTION 3.112, AND SECTION 3.124 OF ARTICLE 3.100 AND ARTICLE 3.1000 OF CHAPTER 3, AND SECTION 4.20, SECTION 4.21, SECTION 4.22, SECTION 4.25, SECTION 4.27, SECTION 4.30, SECTION 4.50, SECTION 4.80, SECTION 8.10, SECTION 18.20, SECTION 18.30, AND TABLE B OF CHAPTER 14 OF THE LAGO VISTA CODE OF ORDINANCES TO UPDATE REGULATIONS RELATED TO INDUSTRIALIZED OR MANUFACTURED HOUSING AND TO UPDATE VARIOUS ZONING DISTRICT REFERENCES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City of Lago Vista, Texas is a Home Rule City; and

**WHEREAS**, the City Council of the City of Lago Vista has previously established regulations related to use of industrialized or manufactured housing within both Chapter 3 and Chapter 14 of the Code of Ordinances, and

**WHEREAS**, the City Council of the City of Lago Vista has also recently created a small number of new zoning districts and renamed several existing zoning districts within Chapter 14 so that these districts could more directly facilitate the regulation of residential densities, and

**WHEREAS**, both the staff and members of the Building and Standards Commission and the Planning and Zoning Commission of the City of Lago Vista had become aware of needed changes and a better organization of those requirements in order for those provisions to be more easily determined while yielding outcomes consistent with the expectations of residents; and

**WHEREAS**, the staff had also become aware of the need to update various references related to the renaming of some of the existing zoning districts as well as some minor errors in the footnotes within Table B of Chapter 14; and

**WHEREAS**, the Building and Standards Commission has undertaken a review of existing regulations in Chapter 3 of the Code of Ordinances for consistency with provisions of Chapter 14 along with an evaluation of potential organizational improvements that continued after it was initiated beginning with their meeting on March 2, 2022 and ending with their meeting on January 10, 2024; and

**WHEREAS**, the Planning and Zoning Commission has undertaken a review of existing regulations related to the use of industrialized or manufactured housing as well as various other provisions within Chapter 14 that required updates and corrections following a public hearing at their special call meeting on April 22, 2024; and

**WHEREAS**, the Building and Standards Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend the requirements contained in Chapter 3 of the Lago Vista Code of Ordinances as described below; and

**WHEREAS**, the Planning and Zoning Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend the requirements contained in Chapter 14 of the Lago Vista Code of Ordinances as described below; and

**WHEREAS**, the City Council following a public hearing to consider this ordinance amendment held on May 16, 2024, reviewed the recommendation, and found the changes to be warranted.

**WHEREAS**, the City Council desires to amend the Lago Vista Code of Ordinances as described below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:**

**SECTION 1. FINDINGS OF FACT.** All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

**SECTION 2. AMENDMENT.** The City Council of the City of Lago Vista, Texas does hereby amend Chapter 3 and Chapter 14 of the Lago Vista Code of Ordinances as shown in **Exhibit “A,” Exhibit “B,” and Exhibit “C.”**

**SECTION 3. REPEALER.** All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5. CODIFICATION AND PUBLICATION.** The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Code of Ordinances as authorized by Section 52.013 of the *Texas Local Government Code*.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Texas Local Government Code*.

**SECTION 7. OPEN MEETINGS.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open

Meetings Act, Chapter 551 of the *Texas Government Code*.

**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 16th day of May 2024.

  
\_\_\_\_\_  
Kevin Sullivan, Mayor

ATTEST:

  
\_\_\_\_\_  
Lucy Aldrich, City Secretary



On a motion by Councilor Roberts, seconded by Councilor Marion, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

**CHAPTER 3**

**BUILDING REGULATIONS**

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**Sec 3.104 Definitions**

Definitions not supplied herein shall be obtained from adopted editions of the International Building Code, International Mechanical Code, International Plumbing Code, National Electrical Code, International Property Maintenance Code, International Fuel Gas Code, International Energy Conservation Code, the International Fire Code and Webster's Third New International Dictionary of the English language, unabridged.

Alterations. Any change, addition or modification in construction, any change in the structural members of the building, such as exterior walls, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

Antenna Support Structures.

- (a) Monopole Antenna Structure. A self-supporting, pole-type structure with no guy wire support, tapering from base to top and so designed to support fixtures which hold one or more antennas and related equipment for wireless telecommunication transmission.
- (b) Lattice Antenna Structure. A steel lattice, self-supporting structure with no guy wire support, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.
- (c) Guyed Lattice Antenna Structure. A steel lattice, guy wire supported structure, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.

Apprentice Electrician. A person undertaking the learning of the electrical trade and doing electrical work under the direct, constant personal supervision and control of either a licensed master electrician or a journeyman electrician and who has been properly licensed by the state department of licensing and regulation.

Building. Any structure either temporary or permanent, having a roof or other covering and designed or used for the shelter or enclosure of any person, animal, or property of any kind, including, but not limited to, tents, awnings or vehicles situated on private property and used for the purpose of a building.

Building Height. See Section 2.10 of Chapter 14.

Building or Other Independent Support Structures. Buildings or other structures such as water towers, church steeples, utility poles and other creative locations.

Certificate of Occupancy. A certificate granting inhabitation of a structure issued by the city upon the satisfactory completion of all city ordinances, policies and regulations.

City. The word city as used in this article shall refer to the City of Lago Vista.

City Engineer. A person or entity so qualified according to state regulations to provide the required services.

Dwelling. Any building which contains one or more “dwelling units” or “guest rooms” used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Electrical Wiring and Apparatus. All materials, devices, machinery, appliances, appurtenances or conductors used in connection with the production of electric lights, heat or power or the transmission of electrical signals.

Erosion. The process by which the ground surface is worn away by the action of wind and/or water and material therefrom is carried, or is likely to be carried, across any property line in significant quantities.

Excavation. Any breaking of ground on the site by mechanical means, but does not include operations in securing survey or geological data including necessary borings to ascertain subsurface conditions for foundations and septic systems.

Floor Area and Living Area. See Chapter 14.

Grading. Any act by which soil, rock, or mineral matter is cut into, dug, uncovered, removed, displaced or relocated; and includes the removal of vegetation, excavation and land balancing.

Graywater System. A graywater sewage system may consist only of wastewater from showers, tubs, lavatories, clothes washer, the nongarbage disposal side of a two-compartment sink and from a bar sink.

Impervious Cover. Any structure or surface not permitting the absorption of water.

Industrialized Building. A commercial structure that:

- (a) is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site;
- (b) is designed to be used as a commercial building when the module or the modular components are transported to the commercial site and erected or installed;
- (c) includes the structure's plumbing, heating, air conditioning, and electrical systems; and
- (d) includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include a commercial building or structure that is:
  - (1) installed in a manner other than on a permanent foundation; and
  - (2) either:

- (A) not open to the public; or
- (B) less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

Industrialized Housing.

- (a) A residential structure that is:
  - (1) Designed for the occupancy of one or more families;
  - (2) Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site;
  - (3) Designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on an engineered permanent foundation system.
- (b) Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) Industrialized Housing does not include:
  - (1) housing constructed of a sectional or panelized system that does not use a modular component; or
  - (2) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- (d) Only housing designed as single-family housing, duplexes, townhouses, or apartments are considered industrialized housing. Residential occupancies such as dormitories and motels or hotels would be considered industrialized buildings, not industrialized housing.

Journeyman Electrician. Except as otherwise provided, a person undertaking electrical work under the supervision, direction and control of a licensed master electrician and who has been properly licensed by the state department of licensing and regulations. The term "journeyman electrician," however, shall not include an apprentice electrician, and nothing in this article shall be construed as prohibiting an apprentice electrician from doing electrical work under the direct, constant, personal supervision and control of either a licensed master or journeyman electrician.

Master Electrician. A person skilled in the planning, supervision, installation, alteration or changing of electric wiring and apparatus and familiar with the rules, laws and regulations governing such and who has been licensed by the state department of licensing and regulations.

Manufactured Home. Prefabricated housing products which are typically manufactured or assembled at a location other than the end user's permanent site, and which are regulated by the Texas Manufactured Housing Standards Act. For the purposes of this Ordinance there are two types of manufactured homes.

- (a) HUD-Code Manufactured Home.
  - (1) A HUD-Code Manufactured Home refers to a structure that is:

- (A) constructed on or after June 15, 1976, according to the rules of the US Department of Housing and Urban Development;
  - (B) built on a permanent chassis;
  - (C) designed to use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
  - (D) transportable in one or more sections; and
  - (E) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet in area.
- (2) Includes the plumbing, heating, air conditioning and electrical systems of the home, and
  - (3) Each unit is identified by the presence of a HUD Plate/Compliance Certificate label.
- (b) Mobile Home.
- (1) A Mobile Home refers to a structure that is:
    - (A) constructed before June 15, 1976;
    - (B) built on a permanent chassis;
    - (C) designed to use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
    - (D) transportable in one or more sections; and
    - (E) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet in area.
  - (2) Includes the plumbing, heating, air conditioning and electrical systems of the home.

Modular Building. See Industrialized Building.

Modular Home. See Industrialized Housing.

Multifamily. Any development having more than two residential dwelling units on a single lot.

Person. An individual, proprietorship, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

Repair. The reconstruction, renovation or renewal of any part of an existing building for the purpose of its maintenance. Such term shall not apply to any change in construction, alteration, or addition to a building other than for the purpose of reconstruction, renovation or renewal.

Retaining Wall. A structure that is constructed between lands of different elevations to stabilize the surfaces, prevent erosion, and/or protect structures. Retaining walls not taller than 18 inches may also be used to identify property lines, driveways, etc. Retaining walls taller than 18 inches above the material being retained shall be considered regulated by the zoning ordinance as that ordinance addresses fences.

Seal. A device or insignia issued by the state or federal government to be affixed to manufactured homes and mobile homes to indicate compliance with the standards, rules, and regulations established by the state or the U.S. Department of Housing and Urban Development. The term also applies to any device or insignia issued by the Texas Industrialized Building Code Council relating to industrialized buildings, including modular homes. Any state seal shall remain the property of the state.

Site Preparation. Any clearing of trees and other vegetation and/or disturbing or grading the land with equipment such as “bobcats,” bulldozers, backhoes and graders. This definition does not include normal lot maintenance such as mowing, trimming and pruning. Also, this definition does not include efforts necessary for securing survey or geological data including necessary borings to ascertain subsurface conditions and percolation rates for planned septic fields.

Structure. Anything constructed or erected which requires location on the ground or is attached to anything having a location on or in the ground that is of a permanent nature and such is constructed; or an erected object that is positioned on private property or in a street right-of-way of the city posing a danger or threat to the safety and/or welfare of the public. See also Section 2.10 of Chapter 14.

Swimming Pool. A body of water in an artificial or semi-artificial receptacle, structure or container located outdoors, either above ground or below ground, that contains water over 24 inches in depth, used or intended to be used for public, semipublic, or private swimming, and includes swimming pools used or intended to be used solely by the owner or others without payment of any fee.

Unmanned Equipment Building. An accessory building housing electronic and communication equipment as an associated and permitted part of a wireless communication system.

Wireless Communication System. Antennae and antenna support structures for mobile and land based telecommunications facilities including, but not limited to, whip antennas, panel antennas, microwave dishes and receive-only satellite dishes, cell enhancers and related equipment for wireless transmission from a sender to one or more receivers, such as for mobile cellular telephones, mobile radio systems facilities, commercial mobile radio service and radio or television (commercial only) broadcasting towers and transmitting stations. This definition is inclusive of the placement of the above referenced equipment on a monopole tower, guyed steel lattice tower and any communication tower which does or does not utilize guy wire support in addition to existing buildings or other independent support structures. This system shall also allow as one of its components an unmanned equipment shelter. See Section 19 of Chapter 14.

Zoning Districts. The zoning districts provided for in the city’s zoning ordinance. See Chapter 14.

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### **Sec 3.112 Inspection Requirements**

This section proscribes the inspection requirements for this article.

- (a) General. All construction or work for which a permit is required shall be subject to inspection by the city or its agent(s).
- (b) Field Permit Records. No work requiring a building permit shall be conducted without all relevant permit documents having been approved, and the signed permit itself, being readily available on the property where the work is to occur whenever there is construction activity. The signed permit shall remain available at the property whenever there is construction activity until the certificate of occupancy has been issued.



- (c) Approval Required. No work shall be done on any part of the building or structure which would cover up work which would require inspection until proper inspection has been made. There shall be a final inspection and approval of all buildings or structures by the city when completed.
- (d) Required Inspections.
  - (1) Residential (constructed on-site).
    - (A) Inspection #1. To be scheduled when:
      - (i) Layout Inspection. All property corner pins located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed, culverts installed and the building permit card and lot number posted.
      - (ii) Plumbing Rough. The drain waste, water lines and the slab.
      - (iii) Form survey as required by section 3.110(l).
    - (B) Inspection #2. To be scheduled when:
      - (i) Foundation Inspection. Trenches excavated, forms erected, the vapor barrier in place and reinforcing steel in place, changes in slab elevation(s) installed and ready to pour.
      - (ii) Plumbing Rough. Water or wastewater pipe in place.
    - (C) Inspection #3. To be scheduled when:
      - (i) Frame Inspection and Building Height Verification. Roof, all framing, fireplaces (metal) in place, fire blocking and bracing in place, all pipes and vents installed. The building height relative to the finish floor elevation and highest existing natural grade elevation documented on the required form survey shall be certified by a registered professional land surveyor.
      - (ii) Plumbing Top-Out. All pipes in place, supports connected, meter location and tests, vent takeoffs, water heater location, trap arm installed, but prior to covering walls.
      - (iii) Mechanical Rough. All duct work and vents in place. All furnace closets and/or catwalks in the attic completed.
      - (iv) Electrical Rough. All wiring, boxes, piping, and so forth that are to be covered installed, but prior to being concealed by drywall or other materials.
      - (v) Exterior moisture barrier/stucco lath to be in place and ready to cover. All holes, tears, or gaps repaired.
    - (D) Inspection #4. Insulation in all areas.
    - (E) Inspection #5. Prior to performance of final and C.O. inspection, all necessary approvals, including but not limited to septic systems, must be received by the city. To be scheduled when:

- (i) Building Final. Building complete and ready for occupancy, including minimum four (4) inch street address numbers prominently displayed on front of structure.
  - (ii) Plumbing Final. All valves and fixtures installed, all vents completed, and tests on water and gas systems ready to be inspected. All PVC vents exposed to sunlight to be painted.
  - (iii) Mechanical Final. All equipment, including dryer vents, stove hoods, and furnace vents installed and ready for use. All supply and return air grills installed.
  - (iv) Electrical Final. All fixtures, switches, receptacles and appliances installed and meter loop in place.
  - (v) Certificate of Occupancy. Upon obtaining final approval, the city building inspector will perform a certificate of occupancy inspection. However, the Certificate of Occupancy shall not be issued until all fees are paid, including any assessed re-inspection fees. See Section 3.113(e) below.
- (2) Residential (industrialized homes). See Section (g)(1) of Article 3.1000 of this chapter below.
- (3) Manufactured Homes. Includes a layout inspection, structural design/condition inspection including slab, carport, and storage facility.
- (A) Inspection #1. To be scheduled when an off-site inspection may be made prior to the home being moved to a permanent location, all required erosion control fences are installed and culverts are installed. Form survey as required by section 3.110(l).
  - (B) Inspection #2. To be scheduled when the foundation is completed and ready to receive the housing unit.
  - (C) Inspection #3. To be scheduled when:
    - (i) Electrical Service Connection. Meter loop and all plugs or connections are in place.
    - (ii) Plumbing Service Connection. Sewer and water lines are properly connected.
    - (iii) Tie Downs. All ground supports and tie downs are in place.
  - (D) Inspection #4. To be scheduled when the perimeter skirting is in place.
  - (E) Certificate of Occupancy. A certificate of occupancy may be issued by the city upon completion of plumbing, electrical, tie-down and skirting approval. However, the Certificate of Occupancy shall not be issued until all fees are paid, including any assessed re-inspection fees. See Section 3.113(e) below.
  - (F) Each manufactured home submission shall include all items required by on-site construction submission, or as required by the city.
  - (G) All applicable permits and licenses must be obtained prior to start of construction.

- (H) All components must bear an approval decal or insignia, reflecting that they have been inspected by the applicable federal and state regulatory authorities.
  - (I) Foundation systems, erection and installation of modules or modular components on the permanent foundation system shall be inspected by the city to assure compliance with the approved designs, plans and specifications.
- (4) Commercial Buildings. Same basic requirements as for residential unless during the plan check it is determined that additional or different inspections or requirements are needed. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection. Certificates of occupancy shall be issued pursuant to the completion of applicable requirements, including the payment of all fees, including any assessed re-inspection fees. See Section 3.113(e) below.
- (e) Other Inspections. At the discretion of the city manager or their designee, the city may require additional inspections beyond those specified above on any construction work to ascertain compliance with the provisions of this article or other ordinances. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection.
  - (f) Pools. All public and semipublic pools shall be subject to annual inspection for compliance with state and local laws. Inspections may be performed by any qualified individual so designated by the city manager. Fees for inspectional service will be assessed in accordance with appendix A of this code. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection.

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### **Sec 3.124 Minimum Standards for Multifamily and Nonresidential Buildings**

- (a) In addition to the requirements in the IBC, every building, structure, or part thereof, erected or altered, moved or relocated for nonresidential use in the city shall conform to the following standards, which are deemed to be minimum standards, necessary for the safety, health and general welfare of the residents of the community and to provide for the enhancement of the overall visual image of the city and to encourage some degree of design consistency, by requiring specific exterior materials for all nonresidential buildings.
- (b) General Requirements.
  - (1) Driveways and Off-Street Parking. Each nonresidential building shall be on a lot abutting a public or private street, and all structures shall be located on lots to provide safe, convenient access for service by police and fire protection, and minimum off-street parking and loading areas as stated in the zoning ordinance. See Chapter 14.
  - (2) Exterior Lighting. All outdoor or exterior lighting shall comply with the requirements of Article 3.800 in Chapter 3.
  - (3) Exterior Compressors and Other Equipment. All exterior air-conditioning compressors, mechanical equipment, fuel tanks and devices shall be adequately screened from view from both public and private streets. In no case shall such equipment be located in the front setback area of any residence or commercial establishment, except liquefied petroleum gas containers that are buried in accordance with the general zoning ordinance. See Chapter 14.

- (4) Height. All buildings shall conform to the building heights as listed in the zoning ordinance for the area in which the nonresidential building is to be located. See Chapter 14.
- (5) Lot Coverage. Total impervious coverage shall comply with the zoning ordinance and subdivision ordinance. See Chapter 14 and Chapter 10.
- (6) Industrialized Buildings.
  - (A) Permanent. Non-residential industrialized buildings or building additions which are securely fixed to a permanent foundation equal to the requirements for traditional construction are allowed for permanent use in accordance with Chapter 14, the Lago Vista Zoning Ordinance and all other applicable requirements.
  - (B) Temporary. Non-residential industrialized buildings shall be permitted to accommodate temporary uses as follows:
    - (i) Industrialized buildings may be used as a temporary construction office for a maximum of two years on non-residential projects provided the proper permits are obtained, shall be located within the development that it serves, and shall be removed upon completion of the project.
    - (ii) Industrialized buildings may be used as a temporary residential real estate sales office within residential zoning districts provided the proper permits are obtained and the sales are only for property within the same subdivision in accordance with the requirements applicable to a model home. See Section 6.100(c) of Chapter 14. The temporary residential real estate sales office may be a separate structure or shared space within the temporary construction office. Permits for temporary sales office will expire within one year of issuance and are nonrenewable. Within one year of approval, a temporary sales office shall be relocated within a permanent structure, such as within a permitted model home. See Section 6.100(c) of Chapter 14.

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### **ARTICLE 3.1000 INDUSTRIALIZED HOUSING AND BUILDINGS**

- (a) Whenever a provision of this section and any other provision of this article, or any provision in any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern. Any provisions of this article that are in conflict with state law shall be governed by state law to the extent of the conflict only.

- (b) Definitions.

Alteration. Any construction, other than ordinary repairs of the house or building, to an existing industrialized house or building after affixing of the decal by the manufacturer or Relocatable Educational Facility (REF) builder. Industrialized housing or buildings that have not been maintained shall be considered altered.

Alteration Decal. The approved form of certification issued by the department to an industrialized builder to be permanently affixed to an industrialized building module indicating that alterations have been constructed to meet or exceed the code requirements and in compliance with this chapter.

Code. Chapter 1200 of the Texas Occupation Code, as amended.

Council. Texas Industrialized Building Code Council.

Decals and Insignia. Labels used to certify that modules or modular components are constructed and inspected in accordance with the approved design package, the mandatory building codes and the in-plant inspection requirements approved by the Texas Industrialized Building Code Council. Decals are used for module certification and insignia are used for modular component certification.

Industrialized Builder. A person who is engaged in the assembly, connection, and on-site construction and erection of modules or modular components at the building site or who is engaged in the purchase of industrialized housing or buildings modules or modular components for sale or lease to the public. An industrialized builder also includes a person who assembles and installs site-built Relocatable Educational Facilities (REFs) that are moved from the initial construction site.

Industrialized Building. See Section 3.104 of Chapter 3.

Industrialized Housing. See Section 3.104 of Chapter 3.

Mandatory Building Codes. Codes adopted by the Texas Department of Licensing and Registration (TDLR) in 16 TAC Chapter 70.100 and as may be further amended in 16 TAC Chapter 70.101.

Relocatable Educational Facility (REF). A portable, modular building capable of being relocated, regardless of whether the facility is built at the installation site, that is used primarily as an educational facility for teaching the curriculum required under Section 28.002, Education Code. An REF that is purchased or leased on or after January 1, 2010, must comply with all provisions applicable to industrialized buildings under this Chapter.

Texas Department of Licensing and Regulation (TDLR). The state agency that is primarily responsible for the oversight of businesses, industries, general trades, and occupations that are regulated by the state and assigned to the department by the legislature.

- (c) Industrialized housing and industrialized buildings shall not be permitted to be installed or constructed within the city limits unless each of the following conditions are met:
- (1) All applicable approvals and permits required by this Article or this Chapter have been obtained.
  - (2) Strict compliance with the requirements of Chapter 14, the Lago Vista Zoning Ordinance and consistency with all other zoning, subdivision, landscaping, site development plan review requirements, and other development standards as applicable to site constructed homes or buildings.
  - (3) Construction and installation meets or exceeds requirements of the *Mandatory Building Codes* as defined above.
  - (4) All modules or modular components are affixed with an approved decal or insignia provided by the TDLR.
  - (5) Installation is performed by:

- (A) an industrialized builder who is licensed by the TDLR; or
  - (B) a person who is purchasing or leasing an industrialized house or building for their own use, or their company's use, and has a valid TDLR permit for the installation.
- (6) Except for temporary uses specifically identified in Section 3.124 in Article 3.100 of this chapter, industrialized homes and buildings shall be securely fixed to a permanent foundation which is completed in accordance with a foundation system design and any on-site details that have been sealed by a Texas licensed engineer or registered architect.
- (d) In addition to meeting the requirements of Section (c)(1) through Section (c)(5) immediately above, industrialized housing must also comply with each of the following conditions:
- (1) In all residential zoning districts:
    - (A) Must have all local permits and licenses that are applicable to site-built single-family or two-family residences.
    - (B) Must comply with aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards within the Lago Vista Code of Ordinances.
  - (2) In all single-family or two-family residential zoning districts except the R-MH ("Manufactured Home and Industrialized Housing") district:
    - (A) Must have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence. For purposes of this subsection, "value" means the taxable value of the industrialized housing and the lot after installation of the housing.
    - (B) Must have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.
- (e) Permit Requirements:. Any owner or authorized agent who intends to construct erect, install or move any industrialized building or housing into the City shall first make application to the Building Official or Development Services Director and obtain the required permits, licensing and approvals as set forth in Section 3.110 of Article 3.100 of this chapter. In addition to the specified minimum requirements within Section 3.110 to be submitted for a permit review request, the applicant must submit:
- (1) A complete set of the design plans and specifications in a digital (electronic) format bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of an industrialized home or building. Plans shall include the site-specific foundation system design and any unique on-site construction details.

- (2) Verification that the building or home has not been altered, modified or remodeled since receiving approval as required in the code, or, if such changes have occurred, an explanation of the extent of alteration, modification or remodeling.
  - (3) Plans that demonstrate the industrialized building will be securely attached to a permanent foundation as described in section (c)(6) of this article.
  - (4) Plans that indicate which items of the industrialized building installation will be performed a TDLR registered industrialized builder and which items will be performed by a TDLR permitted owner or agent if both are responsible for the installation.
  - (5) Proof of TDLR registration of any industrialized builder and/or a copy of the TDLR permit of any owner or agent performing any part of the installation.
  - (6) The owner of an industrialized building or home that has been modified or altered since applicable seal was affixed shall be required to bring the building or home into compliance with the building codes as provided in Section 1202.1535 of the Texas Occupation Code. If issues arise on the sufficiency of compliance, code equivalency or alternative material authorized for use in the industrial building codes, the building official shall contact the appropriate state agency for determination as provided in Section 1202.156.
- (f) In addition to meeting requirements of Section (e)1 through Section (e)5 immediately above, an industrialized housing building permit application must also submit the following:
- (1) Plans that depict the exterior siding composition, roofing composition, roofing pitch, foundation fascia and fenestration of the proposed industrialized housing.
  - (2) Plans that demonstrate compliance with residential aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards applicable to single-family and two-family residences in the City.
  - (3) Identification of each single family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, listing the following for each:
    - (A) Address;
    - (B) Lot and block number; and
    - (C) Appraised value as determined by the most recent certified tax appraisal for the county in which the industrialized housing is to be located.
  - (4) Description and front view photographs depicting exterior siding, roofing, roof pitch, foundation fascia and fenestration for each dwelling located within 500 feet of the lot on which the industrialized housing is to be located.
  - (5) Documentation verifying the projected value of the improved property, using one, or a combination of the following:
    - (A) A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located.

- (B) Appraisal of estimated value performed by a qualified appraiser. At the sole discretion of the City, it may commission its own appraisal, and use that appraisal for the estimated value.
- (C) For the purposes of this subsection, “value” means the taxable value of the industrialized housing and the lot after installation of the housing.

(g) Required Inspections.

(1) Residential.

- (A) Inspection #1. To be performed by an agent of the City Building Official when:
  - (i) Layout Inspection. All property corner pins have been located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed, culverts are installed, the signed building permit available, and the municipal address is posted.
  - (ii) Plumbing rough. Locations of utility and sewer lines from city tie-in points to slab entry points are identified.
  - (iii) Form survey. The form survey required by Section 3.110(l) of Article 3.100 of this chapter has been submitted.
- (B) Inspection #2. To be performed by an agent of the City Building Official when:
  - (i) Foundation inspection. Trenches excavated, forms erected, vapor barrier and reinforcing steel in place, and changes in slab elevation(s) installed and ready to pour.
  - (ii) Plumbing Rough. Water and waste water pipes in place.
- (C) Either the industrialized builder or the TDLR permit holder must have Inspections #3 and #4 performed by a TDLR approved inspector.
  - (i) The industrialized builder shall notify the City Building Official of the date and time of each inspection at least two business days before its performance.
  - (ii) A copy of each completed inspection or re-inspection report shall be furnished to the City Building Official within two business days of its receipt by the industrialized builder or permit holder.
- (D) Inspection #3 (TDLR Set Inspection). To be performed when modules or modular components are connected and fastened to the foundation.
- (E) Inspection #4 (TDLR Final On-Site Inspection). To be performed when utility services are connected, and all required tests have been performed.
- (F) Inspection #5 (Certificate of Occupancy). To be performed by an agent of the City Building Official after review of Inspections #2 through #4 and all necessary approvals including, but not limited to septic systems have been received by the City.



- (2) Commercial Buildings. Same basic requirements as for residential unless during the plan review it is determined that additional or different inspections or requirements are needed. A form survey will be required in accordance with section 3.110(1) at the time of layout inspection.
- (h) A Certificate of Occupancy will be issued by the City Building Official in accordance with applicable requirements of Section 3.113 of Article 3.100 of this chapter.

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**EXHIBIT "B"**

**CHAPTER 14**

**ZONING**

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**4.20 R-1S Single-Family Residential Districts (Small Lot)**

- (a) **Purpose.** These districts are intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.
- (b) **Permitted Uses.** The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, "Industrialized Housing" as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) **Development Standards.** The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) **Parking Area.** Each dwelling shall include, off-street parking in accordance with Section 7, herein.

**4.21 R-1M-Single-Family Residential Districts (Medium Lot)**

- (a) **Purpose.** These districts are intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses on lots that are larger in area than the R-1S zoning district, but smaller in area than the R-1L zoning district. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.
- (b) **Permitted Uses.** The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, "Industrialized Housing" as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) **Development Standards.** The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be 14,000 square feet with a minimum depth of 120 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 70 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) **Parking Area.** Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.22 R-1L Single-Family Residential District (Large Lot)**

- (a) **Purpose.** This district is intended to include lands being used, or intended to be used, for low density single-family residential purposes and associated uses. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service, generous spacing of residences to maximize privacy, and preservation of environmentally sensitive land.
- (b) **Permitted Uses.** The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) **Development Standards.** The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be one-acre (43,560 square feet) with a minimum depth of 200 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 130 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) **Parking Area.** Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.25 R-1R, Single-Family Residential District (Rural)**

- (a) **Purpose.** This district is intended to include lands being used, or intended to be used, for the lowest density single-family and residential and associated uses within the jurisdiction. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service, generous spacing of residences to maximize privacy, and preservation of both rural character and environmentally sensitive land.
- (b) **Permitted Uses.** The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) **Development Standards.** The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in the Table A, Table of Development Standard. In addition, the minimum lot size in these districts shall be five-acres (217,800 square feet) with a minimum depth of 200 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 150 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) **Parking Area.** Each dwelling shall include off-street parking space in accordance with Section 7, herein.

#### **4.27 R-1T Single-Family Residential (Tall)**

- (a) **Purpose.** This district is intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses with residences that are taller than permitted in similar zoning districts. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.

- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be 7,200 square feet with a minimum depth of 110 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 65 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.30 R-2 Two-Family Residential District**

- (a) Purpose. This district is intended to include lands within the corporate limits of the City being used or intended to be used for duplex dwellings. This district is at moderate densities. It may be used as a transitional zone between low density residential and multifamily or commercial uses.
- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts.
- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include off-street parking in accordance with Section 7 herein.

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#### **4.50 C-A Airport District**

- (a) Purpose. This district is intended to include those lands and improvements within the corporate limits of the City used, or intended to be used, for the commercial development of an airport, to include aircraft operating and refueling facilities, hangars and ramp space related to aviation. This district also provides space for financial, administrative, and business services compatible with the district's unique function.
- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. However, no lot shall include a hangar without platted access to a taxiway or an access easement providing access to a taxiway.
- (c) Development Standards. The maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards and subsection (e) below.
- (d) Minimum Parking Area. Buildings and development shall have an off-street parking unit in accordance with Section 7, herein.
- (e) Single-family residences within a C-A structure are allowed based on the following conditions:

- (1) Application. Any person proposing to establish a single-family residence within a C-A structure shall apply for a building permit in conformance with the City's Building Ordinance. The application will include:
  - (A) The site plan shall be a survey or drawing on one or more pages which shall be drawn to scale with distances marked. The site plan shall provide the following information:
    - (i) The lot, tract or parcel covered by the site plan;
    - (ii) The location of each existing building and use in the area covered by the site plan;
    - (iii) The location and dimensions of the proposed residential unit, location and dimensions of all curb cuts, public and private streets, parking and loading area on and abutting the lot;
    - (iv) The location and dimensions of the proposed residential unit; and
    - (v) The location and dimensions of all proposed additional curb cuts, driveways and parking areas on and abutting the lot.
  - (B) Information that there are adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided;
  - (C) Information that the single-family residential unit will be located within a hangar or other commercial or business structure and occupied by the owner of the property; and
  - (D) The application shall contain such additional documentation as necessary to show that the structures and buildings as existing or proposed to be improved prior to occupancy will comply with the requirements of this chapter.
- (2) Parking. Two (2) off-street parking spaces shall be required in addition to the number of parking spaces required for the existing or proposed commercial and business use within the C-A zoning district.
- (3) Minimum Living Area. The minimum living area required for any residential unit located within the C-A zoning district shall be 750 square feet.
- (4) Building Code Requirements. Residential units within the C-A zoning district shall comply with the building standards and regulations applicable to mixed-use occupancy. A certificate of occupancy for any such residential unit shall be issued only upon the residential unit being found to comply with the city building code requirements for mixed-use occupancy, including, but not limited to, requirements for firewalls, separation, ingress and egress, construction materials, etc.
- (5) Permits and Certificates. A building permit or certificate of occupancy will not be issued for any residential unit or occupancy within the C-A zoning district unless the residential unit for which a permit or certificate is requested is in a mixed-use structure designed for use both as a single-family dwelling, and a hangar, or other commercial or business use. Such building permits and certificates of occupancy shall otherwise be issued upon compliance with the Building Code of the City.

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#### **4.80 RR-A Restricted Residential with Aircraft**

- (a) **Purpose.** This district is available only to residential property that abuts the municipal airport property in the C-A zoning district or other property in the RR-A zoning district at a location at which a permit may be issued in compliance with the applicable rules and regulations of the Federal Aviation Administration, the Rusty Allen Airport Property Owners Association, and the applicable restrictive covenants, if any, provided in any grant or contract with a Federal or State agency. The purpose of this district is to provide an appropriate zoning district so that qualifying property may be used for a single-family dwelling, with a hangar; when it has “through the fence” access to the municipal airport.
- (b) **Permitted Uses.** The permitted uses in the RR-A District shall be a single-family dwelling with or without a hangar. However, no lot shall include a hangar without platted access to a taxiway or an access easement providing access to a taxiway.
- (c) **Parking.** Each dwelling in the RR-A District shall include a covered, off-street parking area, as required in the zoning ordinance for single-family dwellings, and a hangar-residence.
- (d) **Development Standards.** The Minimum Yard Requirements, Minimum Area of Dwelling, Height, and Setbacks are set forth in Table A, Table of Development Standards.
- (e) **Special Requirements.** No property shall be zoned RR-A unless the following conditions are met:
  - (1) Such property shall abut property adjoining the municipal airport, property in the C-A zoning district or other property in the RR-A zoning district;
  - (2) The owner of the property shall give written assurance that his or her access to the municipal airport and use of the airport property and facilities shall be subject to and in conformance with the rules and regulations of the City, the Rusty Allen Airport Property Owners Association, and Federal and State agencies;
  - (3) All hangars shall have access to a taxiway access easement or taxiway that provides a connection to the runway of the municipal airport;
  - (4) All hangars shall be required to have doors for each entrance/exit capable of reasonably securing the hangar, and shall be attached directly to the residence or connected to the residence by a breezeway;
  - (5) The hangar and driveway shall be designed and constructed in a manner to prevent the aircraft from exiting to or entering any public street from the property;
  - (6) Aircraft are required to be housed in their hangars and are not permitted to be tied down or parked elsewhere on the lot except for aircraft of guests temporarily visiting the occupants, which may be tied down for a period not to exceed three days; and
  - (7) Home-based businesses shall be permitted only in accordance with the requirements in Section 16 of this chapter applicable to all other single-family residential zoning districts.

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### **8.10 Uses Prohibited**

All uses not expressly permitted or authorized by this chapter are prohibited in the city, including but not limited to the following:

- (a) Maintaining a business within an R-1, R-2, R-4, or R-MH district if inconsistent with Section 16, Home Occupation, of this chapter.
- (b) Construction vehicles or equipment, singly or on commercial trailers, in driveways, yards, vacant property, or public rights-of-way in residential districts, except for moving vans or construction vehicles during construction. Commercial vehicles and trailers of all types shall not be parked or stored on any lot in any residential district except in accordance with Section 6.65 above.
- (c) Vehicles used for the sale of food or drink without a City permit.
- (d) Open-air commercial amusements, except those in place for one week or less, and for which a permit has been issued by the City.
- (e) The sale of fireworks.
- (f) Kennels and veterinary hospitals with outside runs, unless approved by the city council through the SUP process.
- (g) Junk yards, salvage yards, and all open-air storage of junk, waste products and salvage material, unless approved by the city council through the SUP process.
- (h) Oil drilling, extraction or removal of stone, sand, gravel, caliche, minerals, earth, topsoil, or other natural material for commercial purposes, unless approved by the city council through the SUP process.

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### **18.20 Applicability and Uses or Structures Requiring a Special Use Permit (SUP)**

An SUP may be applied for any temporary or permanent use not permitted in the zoning district in which it is proposed and as shown on Table B. The SUP approval process shall not be used to seek deviation from development standards such as a setback or height. In addition to the requirement for a special use permit contained within Table B, the following uses and structures may be established or constructed only upon the issuance of a special use permit.

- (a) Radio, television, telephone, wireless communication system, or microwave towers not in zoning districts C-1A, C-1C, C-2, C-3, U-1, P-1B, P-2, G-1 and LI. A special use permit shall also be required anywhere for the installation of any antenna support structures that would be more than twenty-five (25) feet above the ground, an antenna that is taller than twelve (12) feet that is attached to a building or other independent support structures, and unmanned equipment buildings developed for a wireless communication system.
- (b) Investor-owned utility distribution facilities and equipment in any district.

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- (h) Helistop not in the C-A district.

- (i) Heliports not in the C-A district.
- (j) Bed and breakfast facility or rooming house in any R-1 district or the R-2 district.
- (k) Livestock and/or poultry keeping, except chickens (female only), caring or shelters.
- (l) Kennels and veterinary hospitals with outside runs.
- (m) Junk yards, salvage yards, and all open-air storage of junk, waste products and salvage material.
- (n) Oil drilling, mining, extraction of natural resources such as stone, gravel, topsoil.

**18.30 Application for a Special Use Permit**

An application for a special use permit may be filed by the owner of, or other person having a contractual or possessory interest in, the subject property. Any application filed by a person who is not the owner of the property for which the special use permit is sought shall be accompanied by evidence of the consent of the owner. An application for a special use permit shall be filed with the City Manager or their designee. A public hearing on an application for a special use permit shall be held by the Planning and Zoning Commission and by the city council with notice given in the manner and form required by Section 13 above.

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**EXHIBIT "C"**

<h1 style="margin: 0;">CHAPTER 14</h1> <h2 style="margin: 20px 0 0 0;">ZONING</h2>
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**TABLE B**

**TABLE OF ALLOWED USES FOR ZONING**

New and unlisted uses. The city manager or their designee may permit a use in a district that is not listed on Table B if the use is reasonably similar, comparable, and compatible with other uses permitted in the district or may seek an amendment to Table B to add the unlisted use in the same manner as amendment to this chapter.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Accessory Building or Use	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Aircraft hangar, servicing, repair										V					
Amphitheater						V	V	V						V	V
Amusement arcade							V	V							V
Amusement Park							V	V							V
Antique shop						V	V	V							V
Apartments			V											V	
Apartment Hotel with Commercial						V	V	V						V	
Arboretums															
Arcades						SUP	SUP	SUP						SUP	SUP
Asphalt and concrete production															V
Assisted Living			V												
Auditorium							V	V							V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>1</sup> For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

<sup>2</sup> All uses must be in accordance with the City Council approved CR Master Plan.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Auto sales and service							V	V							V
Auto wash, tune-up, repair						V	V	V							V
Bakery						V	V	V							V
Bank, Savings and Loan						V	V	V							V
Barber, Beauty Shop						V	V	V							V
Bars, Nightclubs and Taverns							V	V						V	V
Bed and Breakfast Establishment	SUP	SUP	V			V	V							V	
Beverage Bottling or distribution							V	V							V
Bike/motorbike sales & service							V	V							V
Billiard/Pool Rooms							V	V						V	V
Boat storage (outside)							V		V					V	V
Boat Sales or Service							V		V						V
Boat slips/day slips									V					V	
Boat Ramp, Commercial						V	V		V				SUP	V	
Book/stationary shop						V	V	V							V
Bowling alley establishment							V	V							V
Building material sales							V	V							V
Bus depot							V	V							V
Cabinet shop/commercial							V			V					V
Cafeterias						V	V	V							V
Camera store						V	V	V							V
Canvas goods fabrication							V			V					V
Carpentry shop						V	V			V					V
V	is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.														
<sup>1</sup>	For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.														
<sup>2</sup>	All uses must be in accordance with the City Council approved CR Master Plan.														
SUP	Permitted by special use permit only.														

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Carpet, rug cleaners						V	V								V
Carting, hauling, storage warehouse							V	V							V
Catering establishments						V	V								V
Cemetery							V					V			
Chapel						V	V					V		V	
Child care institution						V	V							V	
Churches, Temples	V	V	V	V		V	V	V				V		V	
Clinics (medical)						V	V	V				V			V
Clothing store-men's and/or women's						V	V	V							V
Club, not nightclub						V	V	V					V	V	V
Coal, sand, soil, and gravel yards						SUP									V
College or university							V	V				V			
Community Home	V	V	V	V	V										
Community Center						V	V	V				V	V	V	
Condominiums														V	
Contractor, Builder or Subcontractor						SUP	V			V					V
Convalescent home/Nursing home			V			V									
Cottage			V											V	
Country club <sup>9</sup>						V	V				V			V	
Craft, hobby shop						V	V	V							V
Dance halls							V								V
Dept. store, sporting goods, novelty, toys						V	V	V							V
Dog and cat grooming						V	V								V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>9</sup> Clubhouse and country club facilities including associated alcoholic beverage service, parking lots, restaurants, swimming pools, tennis courts, and pickleball courts.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Drug store, tobacco, candy shops						V	V	V							V
Dry cleaning						V	V	V						V	V
Dwelling-manufactured home / industrialized housing <sup>8</sup>				V											
Dwelling-multifamily			V												
Dwelling-single family	V	V	V	V											
Dwelling-single family with hangar					V										
Dwelling-two-family		V	V												
Electric appliance shop/repair						V	V	V		V					V
Employment agency						V	V	V							V
Exhibition and rodeo grounds															V
Expressing, baggage, delivery service							V			V					V
Fabric shop						V	V	V							V
Family home facility	V	V	V	V	V										
Farmers markets						V	V	V							V
Fire Station	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Florist						V	V								V
Food store-convenience						V	V	V							V
Food store-supermarket						V	V	V							V
Fractional housing (time shares)														V	
Fuel storage						V	V		V	V					V
Furniture, appliance store						V	V	V							V
Golf course (including disc golf)	V	V	V			V	V		V		V	V	V	V	

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>8</sup> Also see permitted uses in other zoning districts where single-family or two-family residences are allowed.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Golf course-driving range											V		V	V	
Golf course-miniature						V	V				V		V	V	
Greenhouse-wholesale							V	V						V	V
Greenhouse-retail						V	V	V							V
Hardware, paints, wallpaper						V	V	V							V
Health club/spa						V	V	V						V	V
Heliports							SUP			V		SUP			SUP
Helistops						SUP	SUP	SUP		V		SUP			SUP
Hobby shop						V	V	V							V
Home based business or occupation	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>										
Hospital							V	V							V
Hospice			V			V									
Hotel							V	V						V	V
Ice cream store						V	V	V							V
Interior Decorator						V	V	V							V
Jewelry, optical goods						V	V	V							V
Junk and salvage yards, all open-air storage of junk, waste and salvage material															SUP
Kennels						SUP	SUP	SUP							SUP
Laboratory							V								V
Laundromat						V	V	V						V	V
Laundry-commercial							V								V
Library	V	V	V	V		V	V	V				V			V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>3</sup> Permitted only in accordance with Section 16, Home Occupations.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Livestock or Poultry shelter or carc, Stable	SUP	SUP	SUP		SUP	SUP	SUP					SUP	SUP		SUP
Machine shop, metal products, welding							V								V
Manufactured housing sales							V								V
Manufacturing and Assembly							V								V
Marina									V	V			V	V	
Massage establishments <sup>6</sup>						V	V								
Meat markets						V	V	V							V
Mini warehouse (inside storage only)															V
Mini warehouse (with outside storage)															V
Mixed-use						SUP	SUP	SUP							
Mortuary							V								V
Motel							V	V						V	V
Museums						V	V	V		V		V			V
Office, medical and general						V	V	V				V		V	V
Open storage							V								V
Park-Active											V	V	V		
Park-passive	V	V	V	V		V	V				V	V	V		
Park-and-ride facilities															V
Parking lot, commercial						V	V		V	V		V	V		V
Pet boarding with outside run						SUP	SUP					V			V
Pet store-no outside run						V	V								V
Photo studio						V	V	V							V
Playground	V	V	V	V								V	V	V	
Plumbing, HVAC, roofing supply							V			V					V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>6</sup> Some require SUPs. See Section 18.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Police station	V	V	V	V		V	V	V		V		V	V		V
Printing shop							V	V							V
Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Quarry, Mining, Rock Crushing															V
Radio, TV, VCR sales / service						V	V	V							V
Radio, TV studio						V	V	V							V
Realty office						V	V	V						V	V
Realty office-temporary <sup>7</sup>	V	V	V			V	V	V						V	V
Recreation facility, commercial						V	V	V	V		SUP	V		V	V
Recreational Vehicle Park			SUP	SUP					V				V	V	V
Restaurant						V	V	V		V				V	V
Retail store-general						V	V	V							V
School-public/private	V	V	V	V		V	V	V				V			
School-business/commercial						V	V	V		V		V			
Service station						V	V	V							V
Sexually-oriented business <sup>5</sup>							SUP								
Short Term Occupancy	V <sup>4</sup>	V <sup>4</sup>	V											V	
Sign Shop						V	V	V							V
Specialty and novelty establishments <sup>6</sup>						V	V	V							V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>4</sup> Permitted only in accordance with Section 23, Short-Term Occupancy.

<sup>5</sup> Permitted only in accordance with Section 8.20, Sexually Oriented Businesses.

<sup>6</sup> Some require SUPs. See Section 18.

<sup>7</sup> See Section 6.100.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Storage & sale of autos, trailers, farm implements & equip., & similar equipment on open lot							V								V
Studio-artist						V	V	V		V					
Studio-dance						V	V	V							
Studio-health						V	V	V							
Studio-music						V	V	V							
Substation-public utility	V	V	V	V		V	V			V		V	V		V
Swimming pool-private	V	V	V	V		V	V						V		V
Swimming pool-public							V					V	V		
Tattoo Parlor or Studio						SUP	V	V							V
Tailor & dressmaking shop						V	V	V							V
Telephone exchange	V	V	V	V		V	V			V	V	V	V		
Theater-indoor							V	V							V
Tinsmith & sheet metal							V			V					V
Townhouse			V											V	
Trailer, truck, bus sales							V								V
Upholstery shop						V	V	V		V					V
Veterinary hospital, no outside run						V	V								V
Vocational and Private School						V	V	V						V	V
Warehouse							V			V					V
Watercraft rental									V					V	
Water tank-surface, subsurface, public	V	V	V	V		V	V		V	V	V	V	V		V
Wildlife sanctuaries													V		V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

SUP Permitted by special use permit only.



STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Wireless Comm. Systems, Radio, television and microwave antennae and towers						V	V	V			V	V			V
Wholesale distribution							V	V		V					V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.  
 SUP Permitted by special use permit only.

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## CHAPTER 3

# BUILDING REGULATIONS

\*\*\*\*\*

### **Sec 3.104 Definitions**

Definitions not supplied herein shall be obtained from adopted editions of the International Building Code, International Mechanical Code, International Plumbing Code, National Electrical Code, International Property Maintenance Code, International Fuel Gas Code, International Energy Conservation Code, the International Fire Code and Webster's Third New International Dictionary of the English language, unabridged.

*Alterations.* Any change, addition or modification in construction, any change in the structural members of the building, such as exterior walls, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

#### *Antenna Support Structures.*

- (a) *Monopole Antenna Structure.* A self-supporting, pole-type structure with no guy wire support, tapering from base to top and so designed to support fixtures which hold one or more antennas and related equipment for wireless telecommunication transmission.
- (b) *Lattice Antenna Structure.* A steel lattice, self-supporting structure with no guy wire support, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.
- (c) *Guyed Lattice Antenna Structure.* A steel lattice, guy wire supported structure, so designed to support fixtures which hold one or more antennas and related equipment for wireless communication transmission.

*Apprentice Electrician.* A person undertaking the learning of the electrical trade and doing electrical work under the direct, constant personal supervision and control of either a licensed master electrician or a journeyman electrician and who has been properly licensed by the state department of licensing and regulation.

*Building.* Any structure either temporary or permanent, having a roof or other covering and designed or used for the shelter or enclosure of any person, animal, or property of any kind, including, but not limited to, tents, awnings or vehicles situated on private property and used for the purpose of a building.

*Building Height.* See Section 2.10 of Chapter 14.

*Building or Other Independent Support Structures.* Buildings or other structures such as water towers, church steeples, utility poles and other creative locations.

*Certificate of Occupancy.* A certificate granting inhabitation of a structure issued by the city upon the satisfactory completion of all city ordinances, policies and regulations.

City. The word city as used in this article shall refer to the City of Lago Vista.

City Engineer. A person or entity so qualified according to state regulations to provide the required services.

Dwelling. Any building which contains one or more “dwelling units” or “guest rooms” used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Electrical Wiring and Apparatus. All materials, devices, machinery, appliances, appurtenances or conductors used in connection with the production of electric lights, heat or power or the transmission of electrical signals.

Erosion. The process by which the ground surface is worn away by the action of wind and/or water and material therefrom is carried, or is likely to be carried, across any property line in significant quantities.

Excavation. Any breaking of ground on the site by mechanical means, but does not include operations in securing survey or geological data including necessary borings to ascertain subsurface conditions for foundations and septic systems.

~~Floor Area and Living Area. The sum of the heated and air conditioned horizontal areas of each story of a building measured from the exterior faces of the exterior structural walls for the purpose of computing the minimum allowable floor area in a residential dwelling unit~~ See Chapter 14.

Grading. Any act by which soil, rock, or mineral matter is cut into, dug, uncovered, removed, displaced or relocated; and includes the removal of vegetation, excavation and land balancing.

Graywater System. A graywater sewage system may consist only of wastewater from showers, tubs, lavatories, clothes washer, the nongarbage disposal side of a two-compartment sink and from a bar sink.

Impervious Cover. Any structure or surface not permitting the absorption of water.

~~Industrialized Building. A commercial or residential structure or addition constructed using components, prefabrications, and methods that distinguish it from traditional site-built construction by the extent to which materials delivered to the construction site and incorporated into the building have been previously assembled. Unlike manufactured housing which includes mobile homes, industrialized buildings are required to be compliant with local building codes rather than standards of the U.S. Department of Housing and Urban Development (HUD). Industrialized buildings include, but are not limited to that:~~

- ~~(a) modular homes and buildings is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site;~~
- ~~(b) construction incorporating shipping containers is designed to be used as a commercial building when the module or the modular components are transported to the commercial site and erected or installed; and~~

- (c) ~~pre-engineered, or metal buildings with any standardized metal components, trim or assemblies other than a metal roof exposed on the exterior.~~ includes the structure's plumbing, heating, air conditioning, and electrical systems; and
- (d) includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include a commercial building or structure that is:
  - (1) installed in a manner other than on a permanent foundation; and
  - (2) either:
    - (A) not open to the public; or
    - (B) less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

*Industrialized Housing.* ~~Any type of industrialized building or building addition used as a residence or dwelling.~~

- (a) A residential structure that is:
  - (1) Designed for the occupancy of one or more families;
  - (2) Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site;
  - (3) Designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on an engineered permanent foundation system.
- (b) Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) Industrialized Housing does not include:
  - (1) housing constructed of a sectional or panelized system that does not use a modular component; or
  - (2) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- (d) Only housing designed as single-family housing, duplexes, townhouses, or apartments are considered industrialized housing. Residential occupancies such as dormitories and motels or hotels would be considered industrialized buildings, not industrialized housing.

*Journeyman Electrician.* Except as otherwise provided, a person undertaking electrical work under the supervision, direction and control of a licensed master electrician and who has been properly licensed by the state department of licensing and regulations. The term "journeyman electrician," however, shall not include an apprentice electrician, and nothing in this article shall be construed as prohibiting an apprentice

electrician from doing electrical work under the direct, constant, personal supervision and control of either a licensed master or journeyman electrician.

Master Electrician. A person skilled in the planning, supervision, installation, alteration or changing of electric wiring and apparatus and familiar with the rules, laws and regulations governing such and who has been licensed by the state department of licensing and regulations.

Manufactured Home. ~~A prefabricated structure that is used as a residence or dwelling and is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular buildings and modular homes are not considered manufactured homes, and instead refer to a method of construction that is regulated by local building codes.~~ Prefabricated housing products which are typically manufactured or assembled at a location other than the end user's permanent site, and which are regulated by the Texas Manufactured Housing Standards Act. For the purposes of this Ordinance there are two types of manufactured homes.

(a) HUD-Code Manufactured Home.

- (1) A HUD-Code Manufactured Home refers to a structure that is:
  - (A) constructed on or after June 15, 1976, according to the rules of the US Department of Housing and Urban Development;
  - (B) built on a permanent chassis;
  - (C) designed to use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
  - (D) transportable in one or more sections; and
  - (E) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet in area.
- (2) Includes the plumbing, heating, air conditioning and electrical systems of the home, and
- (3) Each unit is identified by the presence of a HUD Plate/Compliance Certificate label.

(b) Mobile Home.

- (1) A Mobile Home refers to a structure that is:
  - (A) constructed before June 15, 1976;
  - (B) built on a permanent chassis;
  - (C) designed to use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
  - (D) transportable in one or more sections; and

(E) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet in area.

(2) Includes the plumbing, heating, air conditioning and electrical systems of the home.

~~Mobile Home. See Manufactured Home.~~

Modular Building. See Industrialized Building.

Modular Home. See Industrialized Housing.

Multifamily. Any development having more than two residential dwelling units on a single lot.

Person. An individual, proprietorship, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

Repair. The reconstruction, renovation or renewal of any part of an existing building for the purpose of its maintenance. Such term shall not apply to any change in construction, alteration, or addition to a building other than for the purpose of reconstruction, renovation or renewal.

Retaining Wall. A structure that is constructed between lands of different elevations to stabilize the surfaces, prevent erosion, and/or protect structures. Retaining walls not taller than 18 inches may also be used to identify property lines, driveways, etc. Retaining walls taller than 18 inches above the material being retained shall be considered regulated by the zoning ordinance as that ordinance addresses fences.

Seal. A device or insignia issued by the state or federal government to be affixed to manufactured homes and mobile homes to indicate compliance with the standards, rules, and regulations established by the state or the U.S. Department of Housing and Urban Development. The term also applies to any device or insignia issued by the Texas Industrialized Building Code Council relating to industrialized buildings, including modular homes. Any state seal shall remain the property of the state.

Site Preparation. Any clearing of trees and other vegetation and/or disturbing or grading the land with equipment such as "bobcats," bulldozers, backhoes and graders. This definition does not include normal lot maintenance such as mowing, trimming and pruning. Also, this definition does not include efforts necessary for securing survey or geological data including necessary borings to ascertain subsurface conditions and percolation rates for planned septic fields.

Structure. Anything constructed or erected which requires location on the ground or is attached to anything having a location on or in the ground that is of a permanent nature and such is constructed; or an erected object that is positioned on private property or in a street right-of-way of the city posing a danger or threat to the safety and/or welfare of the public. **See also Section 2.10 of Chapter 14.**

Swimming Pool. A body of water in an artificial or semi-artificial receptacle, structure or container located outdoors, either above ground or below ground, that contains water over 24 inches in depth, used or intended to be used for public, semipublic, or private swimming, and includes swimming pools used or intended to be used solely by the owner or others without payment of any fee.

Unmanned Equipment Building. An accessory building housing electronic and communication equipment as an associated and permitted part of a wireless communication system.

Wireless Communication System. Antennae and antenna support structures for mobile and land based telecommunications facilities including, but not limited to, whip antennas, panel antennas, microwave dishes and receive-only satellite dishes, cell enhancers and related equipment for wireless transmission from a sender to one or more receivers, such as for mobile cellular telephones, mobile radio systems facilities, commercial mobile radio service and radio or television (commercial only) broadcasting towers and transmitting stations. This definition is inclusive of the placement of the above referenced equipment on a monopole tower, guyed steel lattice tower and any communication tower which does or does not utilize guy wire support in addition to existing buildings or other independent support structures. This system shall also allow as one of its components an unmanned equipment shelter. See Section 19 of Chapter 14.

Zoning Districts. The zoning districts provided for in the city's zoning ordinance. See Chapter 14.

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### Sec 3.112 Inspection Requirements

This section proscribes the inspection requirements for this article.

- (a) General. All construction or work for which a permit is required shall be subject to inspection by the city or its agent(s).
- (b) Field Permit Records. No work requiring a building permit shall be conducted without all relevant permit documents ~~having been approved, including approved plans being available~~ and the signed permit itself, being readily available on the property where the work is to occur ~~whenever there is construction activity. This card shall be maintained in such position by the permit holder. These documents~~ The signed permit shall remain available at the property ~~whenever there is construction activity~~ until the certificate of occupancy has been issued.
- (c) Approval Required. No work shall be done on any part of the building or structure which would cover up work which would require inspection until proper inspection has been made. There shall be a final inspection and approval of all buildings or structures by the city when completed.
- (d) Required Inspections.
  - (1) Residential (constructed on-site).
    - (A) Inspection #1. To be ~~called~~ **scheduled** when:
      - (i) Layout Inspection. All property corner pins located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed, culverts installed and the building permit card and lot number posted.
      - (ii) Plumbing Rough. The drain waste, water lines and the slab.
      - (iii) Form survey as required by section 3.110(ml).
    - (B) Inspection #2. To be ~~called~~ **scheduled** when:

- (i) Foundation Inspection. Trenches excavated, forms erected, the vapor barrier in place and reinforcing steel in place, changes in slab elevation(s) installed and ready to pour.
  - (ii) Plumbing Rough. Water or wastewater pipe in place.
- (C) Inspection #3. To be ~~called~~ **scheduled** when:
- (i) Frame Inspection and Building Height Verification. Roof, all framing, fireplaces (metal) in place, fire blocking and bracing in place, all pipes and vents installed. **The building height relative to the finish floor elevation and highest existing natural grade elevation documented on the required form survey shall be certified by a registered professional land surveyor.**
  - (ii) Plumbing Top-Out. All pipes in place, supports connected, meter location and tests, vent takeoffs, water heater location, trap arm installed, but prior to covering walls.
  - (iii) Mechanical Rough. All duct work and vents in place. All furnace closets and/or catwalks in the attic completed.
  - (iv) Electrical Rough. All wiring, boxes, piping, and so forth that are to be covered installed, but prior to ~~wall-covering~~ **being concealed by drywall or other materials.**
  - (v) Exterior moisture barrier/stucco lath to be in place and ready to cover. All holes, tears, or gaps repaired.
- (D) Inspection #4. Insulation in all areas.
- (E) Inspection #5. Prior to performance of final and C.O. inspection, all necessary approvals, ~~such as~~ **including** but not limited to septic systems, must be received by the city. To be ~~called~~ **scheduled** when:
- (i) Building Final. Building complete and ready for occupancy, including minimum four (4) inch street address numbers prominently displayed on front of structure.
  - (ii) Plumbing Final. All valves and fixtures installed, all vents completed, and tests on water and gas systems ready to be inspected. All PVC vents exposed to sunlight to be painted.
  - (iii) Mechanical Final. All equipment, including dryer vents, stove hoods, and furnace vents installed and ready for use. All supply and return air grills installed.
  - (iv) Electrical Final. All fixtures, switches, receptacles and appliances installed and meter loop in place.
  - (v) Certificate of Occupancy. Upon obtaining final approval, the city building inspector will perform a certificate of occupancy inspection. However, the



Certificate of Occupancy shall not be issued until all fees are paid, including any assessed re-inspection fees. See Section 3.113(5e) below.

- (2) ~~Mobile, Prefabricated or Manufactured Homes Residential (industrialized homes). Includes a layout inspection, structural design/condition inspection including slab, carport and storage facility~~ See Section (g)(1) of Article 3.1000 of this chapter below.
- (3) Manufactured Homes. Includes a layout inspection, structural design/condition inspection including slab, carport, and storage facility.
  - (A) Inspection #1. To be ~~called~~ **called** scheduled when an off-site inspection may be made prior to the home being moved to a permanent location, all required erosion control fences are installed and culverts are installed. ~~This inspection may be waived by the city if the home is of new construction.~~ Form survey as required by section 3.110(ml).
  - (B) Inspection #2. To be ~~called~~ **called** scheduled when the foundation is completed and ready to receive the housing unit.
  - (C) Inspection #3. To be ~~called~~ **called** scheduled when:
    - (i) Electrical Hookup Service Connection. Meter loop and all plugs or connections are in place.
    - (ii) Plumbing Hookup Service Connection. Sewer and water lines are properly connected.
    - (iii) ~~Tiedown Tie Downs~~. All ground supports and ~~tiedowns tie downs~~ are in place.
  - (D) Inspection #4. To be ~~called~~ **called** scheduled when the perimeter skirting is in place:
    - (i) ~~Skirting Inspection. The perimeter skirting is in place.~~
  - (E) Certificate of Occupancy. A certificate of occupancy may be issued by the city upon completion of plumbing, electrical, tie-down and skirting approval. However, the Certificate of Occupancy shall not be issued until all fees are paid, including any assessed re-inspection fees. See Section 3.113(5e) below.
  - (F) Each ~~industrialized housing manufactured home~~ submission shall include all items required by on-site construction submission, or as required by the city.
  - (G) All applicable permits and licenses must be obtained prior to start of construction.
  - (H) All ~~modules or modular~~ components must bear an approval decal or insignia, reflecting that they have been inspected by the ~~applicable federal and state regulatory authorities department of licensing and regulation~~.
  - (I) Foundation systems, erection and installation of modules or modular components on the permanent foundation system shall be inspected by the city to assure compliance with the approved designs, plans and specifications.
- (34) Commercial Buildings. Same basic requirements as for residential unless during the plan check it is determined that additional or different inspections or requirements are needed. A

form survey will be required in accordance with section 3.110(ml) at the time of layout inspection. Certificates of occupancy shall be issued pursuant to the completion of applicable requirements, including the payment of all fees, including any assessed re-inspection fees. See Section 3.113(5e) below.

- (e) Other Inspections. At the discretion of the city manager or ~~his/her~~ their designee, ~~in addition to the required inspections specified above~~, the city may require additional inspections ~~beyond those specified above~~ on any construction work to ascertain compliance with the provisions of this article or other ordinances. A form survey will be required in accordance with section 3.110(ml) at the time of layout inspection.
- (f) Pools. All public and semipublic pools shall be subject to annual inspection for compliance with state and local laws. Inspections may be performed by any qualified individual so designated by the city manager. Fees for inspectional service will be assessed in accordance with appendix A of this code. A form survey will be required in accordance with section 3.110(ml) at the time of layout inspection.

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### Sec 3.124 Minimum Standards ~~For for~~ Multifamily ~~And and~~ Nonresidential Buildings

- (a) In addition to the requirements in the IBC, every building, structure, or part thereof, erected or altered, moved or relocated for nonresidential use in the city shall conform to the following standards, which are deemed to be minimum standards, necessary for the safety, health and general welfare of the residents of the community and to provide for the enhancement of the overall visual image of the city and to encourage some degree of design consistency, by requiring specific exterior materials for all ~~nonresidential~~ nonresidential buildings.
- (b) General Requirements.
  - (1) Driveways and Off-Street Parking. Each nonresidential building shall be on a lot abutting a public or private street, and all structures shall be located on lots to provide safe, convenient access for service by police and fire protection, and minimum off-street parking and loading areas as stated in the zoning ordinance. See Chapter 14.
  - (2) Exterior Lighting. All outdoor or exterior lighting shall comply with the requirements of Article 3.800 in Chapter 3.
  - (3) Exterior Compressors and Other Equipment. All exterior air-conditioning compressors, mechanical equipment, fuel tanks and devices shall be adequately screened from view from both public and private streets. In no case shall such equipment be located in the front setback area of any residence or commercial establishment, except liquefied petroleum gas containers that are buried in accordance with the general zoning ordinance. See Chapter 14.
  - (4) Height. All buildings shall conform to the building heights as listed in the zoning ordinance for the area in which the nonresidential building is to be located. See Chapter 14.
  - (5) Lot Coverage. Total impervious coverage shall comply with the zoning ordinance and subdivision ordinance. See Chapter 14 and Chapter 10.
  - (6) Industrialized Buildings.

- (A) Permanent. Non-residential industrialized buildings or building additions which are securely fixed to a permanent foundation equal to the requirements for traditional construction are allowed for permanent use in accordance with Chapter 14, the Lago Vista Zoning Ordinance and all other applicable requirements.
- (B) Temporary. Non-residential industrialized buildings shall be permitted to accommodate temporary uses as follows:
  - (i) Industrialized buildings may be used as a temporary construction office for a maximum of two years on non-residential projects provided the proper permits are obtained, shall be located within the development that it serves, and shall be removed upon completion of the project.
  - (ii) Industrialized buildings may be used as a temporary residential real estate sales office within residential zoning districts provided the proper permits are obtained and the sales are only for property within the same ~~development subdivision in accordance with the requirements applicable to a model home. See Section 6.100(c) of Chapter 14.~~ The temporary residential real estate sales office may be a separate structure or shared space within the temporary construction office. Permits for temporary sales office will expire within one year of issuance and are nonrenewable. Within one year of approval, a temporary sales office shall be relocated within a permanent structure, such as within a permitted model home. See ~~Article 3.700 in Chapter 3~~ Section 6.100(c) of Chapter 14.

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**ARTICLE 3.1000 INDUSTRIALIZED HOUSING AND BUILDINGS**

(a) ~~Industrialized housing and buildings shall be installed only in locations within the city specified in Chapter 14, the Lago Vista Zoning Ordinance and consistent with all other zoning, subdivision, landscaping, site plan requirements, and other applicable development standards including the following requirements: Whenever a provision of this section and any other provision of this article, or any provision in any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern. Any provisions of this article that are in conflict with state law shall be governed by state law to the extent of the conflict only.~~

~~(1) Interpretation of Provisions. Whenever a provision of this section and any other provision of this article, or any provision in any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern. Any provisions of this article that are in conflict with state law shall be governed by state law to the extent of the conflict only.~~

(b) Definitions.

Alteration. Any construction, other than ordinary repairs of the house or building, to an existing industrialized house or building after affixing of the decal by the manufacturer or Relocatable Educational Facility (REF) builder. Industrialized housing or buildings that have not been maintained shall be considered altered.

Alteration Decal. The approved form of certification issued by the department to an industrialized builder to be permanently affixed to an industrialized building module indicating that alterations have been constructed to meet or exceed the code requirements and in compliance with this chapter.

Code. Chapter 1200 of the Texas Occupation Code, as amended.

Council. Texas Industrialized Building Code Council.

Decals and Insignia. Labels used to certify that modules or modular components are constructed and inspected in accordance with the approved design package, the mandatory building codes and the in-plant inspection requirements approved by the Texas Industrialized Building Code Council. Decals are used for module certification and insignia are used for modular component certification.

Industrialized Builder. A person who is engaged in the assembly, connection, and on-site construction and erection of modules or modular components at the building site or who is engaged in the purchase of industrialized housing or buildings modules or modular components for sale or lease to the public. An industrialized builder also includes a person who assembles and installs site-built Relocatable Educational Facilities (REFs) that are moved from the initial construction site.

Industrialized Building. See Section 3.104 of Chapter 3.

Industrialized Housing. See Section 3.104 of Chapter 3.

Mandatory Building Codes. Codes adopted by the Texas Department of Licensing and Registration (TDLR) in 16 TAC Chapter 70.100 and as may be further amended in 16 TAC Chapter 70.101.

Relocatable Educational Facility (REF). A portable, modular building capable of being relocated, regardless of whether the facility is built at the installation site, that is used primarily as an educational facility for teaching the curriculum required under Section 28.002, Education Code. An REF that is purchased or leased on or after January 1, 2010, must comply with all provisions applicable to industrialized buildings under this Chapter.

Texas Department of Licensing and Regulation (TDLR). The state agency that is primarily responsible for the oversight of businesses, industries, general trades, and occupations that are regulated by the state and assigned to the department by the legislature.

- (c) Industrialized housing and industrialized buildings shall not be permitted to be installed or constructed within the city limits ~~except in strict compliance with this article and Chapter 14, the Lago Vista Zoning Ordinance.~~ unless each of the following conditions are met:
- (1) All applicable approvals and permits required by this Article or this Chapter have been obtained.
  - (2) Strict compliance with the requirements of Chapter 14, the Lago Vista Zoning Ordinance and consistency with all other zoning, subdivision, landscaping, site development plan review requirements, and other development standards as applicable to site constructed homes or buildings.

- (3) Construction and installation meets or exceeds requirements of the *Mandatory Building Codes* as defined above.
  - (4) All modules or modular components are affixed with an approved decal or insignia provided by the TDLR.
  - (5) Installation is performed by:
    - (A) an industrialized builder who is licensed by the TDLR; or
    - (B) a person who is purchasing or leasing an industrialized house or building for their own use, or their company's use, and has a valid TDLR permit for the installation.
  - (6) Except for temporary uses specifically identified in Section 3.124 in Article 3.100 of this chapter, industrialized homes and buildings shall be securely fixed to a permanent foundation which is completed in accordance with a foundation system design and any on-site details that have been sealed by a Texas licensed engineer or registered architect.
- (d) ~~Foundation Required. Except for temporary uses specifically identified in Section 3.124 of Chapter 3, industrialized homes and buildings shall be securely fixed to a permanent foundation of the type required for a site-built building with modifications to accommodate the connection and installation requirements of an industrialized building.~~ In addition to meeting the requirements of Section (c)(1) through Section (c)(5) immediately above, industrialized housing must also comply with each of the following conditions:
- (1) In all residential zoning districts:
    - (A) Must have all local permits and licenses that are applicable to site-built single-family or two-family residences.
    - (B) Must comply with aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards within the Lago Vista Code of Ordinances.
  - (2) In all single-family or two-family residential zoning districts except the R-MH ("Manufactured Home and Industrialized Housing") district:
    - (A) Must have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence. For purposes of this subsection, "value" means the taxable value of the industrialized housing and the lot after installation of the housing.
    - (B) Must have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.

- (e) Permit and Inspection Requirements: Any owner or authorized agent who intends to construct erect, install or move any industrialized building or housing into the City shall first make application to the Building Official or Development Services Director and obtain the required permits, licensing and approvals as set forth in Section 3.110 of Article 3.100 of this chapter. In addition to the specified minimum requirements within Section 3.110 to be submitted for a permit review request, the applicant must submit:
- (1) ~~Before an industrialized home or building may be installed or constructed on a property in the city limits, the property owner must submit an application for the appropriate permits as provided in Article 3.100, Section 3.110 and additionally submit:~~ A complete set of the design plans and specifications in a digital (electronic) format bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of an industrialized home or building. Plans shall include the site-specific foundation system design and any unique on-site construction details.
    - (A) ~~A complete set of designs, plans, and specifications bearing the stamp of approval required in the code;~~
    - (B) ~~Verification that the building or home has not been altered, modified or remodeled since receiving approval as required in the code, or, if such changes have occurred, an explanation of the extent of alteration, modification or remodeling; and~~
    - (C) ~~Verification that any appropriate seal has been affixed to the building or home.~~
  - (2) ~~Inspection of the industrialized home or building prior to connection to utilities shall be required to ensure compliance with all applicable building codes and ordinances. Verification that the building or home has not been altered, modified or remodeled since receiving approval as required in the code, or, if such changes have occurred, an explanation of the extent of alteration, modification or remodeling.~~
  - (3) ~~The owner of an industrialized building or home that has been modified or altered since applicable seal was affixed shall be required to bring the building or home into compliance with the building codes as provided in Section 1202.1535 of the Texas Occupation Code. If issues arise on the sufficiency of compliance, code equivalency or alternative material authorized for use in the industrial building codes, the building official shall contact the appropriate state agency for determination as provided in Section 1202.156. Plans that demonstrate the industrialized building will be securely attached to a permanent foundation as described in section (c)(6) of this article.~~
  - (4) Plans that indicate which items of the industrialized building installation will be performed a TDLR registered industrialized builder and which items will be performed by a TDLR permitted owner or agent if both are responsible for the installation.
  - (5) Proof of TDLR registration of any industrialized builder and/or a copy of the TDLR permit of any owner or agent performing any part of the installation.
  - (6) The owner of an industrialized building or home that has been modified or altered since applicable seal was affixed shall be required to bring the building or home into compliance with the building codes as provided in Section 1202.1535 of the Texas Occupation Code. If issues arise on the sufficiency of compliance, code equivalency or alternative material

authorized for use in the industrial building codes, the building official shall contact the appropriate state agency for determination as provided in Section 1202.156.

(f) In addition to meeting requirements of Section (e)1 through Section (e)5 immediately above, an industrialized housing building permit application must also submit the following:

- (1) Plans that depict the exterior siding composition, roofing composition, roofing pitch, foundation fascia and fenestration of the proposed industrialized housing.
- (2) Plans that demonstrate compliance with residential aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards applicable to single-family and two-family residences in the City.
- (3) Identification of each single family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, listing the following for each:
  - (A) Address;
  - (B) Lot and block number; and
  - (C) Appraised value as determined by the most recent certified tax appraisal for the county in which the industrialized housing is to be located.
- (4) Description and front view photographs depicting exterior siding, roofing, roof pitch, foundation fascia and fenestration for each dwelling located within 500 feet of the lot on which the industrialized housing is to be located.
- (5) Documentation verifying the projected value of the improved property, using one, or a combination of the following:
  - (A) A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located.
  - (B) Appraisal of estimated value performed by a qualified appraiser. At the sole discretion of the City, it may commission its own appraisal, and use that appraisal for the estimated value.
  - (C) For the purposes of this subsection, “value” means the taxable value of the industrialized housing and the lot after installation of the housing.

(g) Required Inspections.

(1) Residential.

(A) Inspection #1. To be performed by an agent of the City Building Official when:

- (i) Layout Inspection. All property corner pins have been located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed,

culverts are installed, the signed building permit available, and the municipal address is posted.

- (ii) Plumbing rough. Locations of utility and sewer lines from city tie-in points to slab entry points are identified.
  - (iii) Form survey. The form survey required by Section 3.110(l) of Article 3.100 of this chapter has been submitted.
- (B) Inspection #2. To be performed by an agent of the City Building Official when:
- (i) Foundation inspection. Trenches excavated, forms erected, vapor barrier and reinforcing steel in place, and changes in slab elevation(s) installed and ready to pour.
  - (ii) Plumbing Rough. Water and waste water pipes in place.
- (C) Either the industrialized builder or the TDLR permit holder must have Inspections #3 and #4 performed by a TDLR approved inspector.
- (i) The industrialized builder shall notify the City Building Official of the date and time of each inspection at least two business days before its performance.
  - (ii) A copy of each completed inspection or re-inspection report shall be furnished to the City Building Official within two business days of its receipt by the industrialized builder or permit holder.
- (D) Inspection #3 (TDLR Set Inspection). To be performed when modules or modular components are connected and fastened to the foundation.
- (E) Inspection #4 (TDLR Final On-Site Inspection). To be performed when utility services are connected, and all required tests have been performed.
- (F) Inspection #5 (Certificate of Occupancy). To be performed by an agent of the City Building Official after review of Inspections #2 through #4 and all necessary approvals including, but not limited to septic systems have been received by the City.
- (2) Commercial Buildings. Same basic requirements as for residential unless during the plan review it is determined that additional or different inspections or requirements are needed. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection.
- (h) A Certificate of Occupancy will be issued by the City Building Official in accordance with applicable requirements of Section 3.113 of Article 3.100 of this chapter.

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# CHAPTER 14

## ZONING

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### **4.20 R-1S Single-Family Residential Districts (Small Lot)**

- (a) Purpose. These districts are intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.
- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:
- ~~(1) Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~
  - ~~(2) Meets or exceeds the development standards of any single family dwelling within five hundred feet of the proposed industrialized housing location and the applicable development standards specified in Table A, Table of Development Standards; and~~
  - ~~(3) Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single-family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence.~~
- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include, off-street parking in accordance with Section 7, herein.

### **4.21 R-1M-Single-Family Residential Districts (Medium Lot)**

- (a) Purpose. These districts are intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses on lots that are larger in area than the R-1S zoning district, but smaller in area than the R-1L zoning district. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.

- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:
- ~~(1) — Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~
  - ~~(2) — Meets or exceeds the development standards of any single family dwelling within five hundred feet of the proposed industrialized housing location, including but not limited to exterior siding, roofing, roof pitch, fenestration, and the finishes of a permanent foundation it is secured to, along with the applicable development standards specified in Table A, Table of Development Standards; and~~
  - ~~(3) — Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single-family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single family residence.~~
- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be 14,000 square feet with a minimum depth of 120 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 70 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.22 R-1L Single-Family Residential District (Large Lot)**

- (a) Purpose. This district is intended to include lands being used, or intended to be used, for low density single-family residential purposes and associated uses. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service, generous spacing of residences to maximize privacy, and preservation of environmentally sensitive land.
- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:
- ~~(1) — Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~
  - ~~(2) — Meets or exceeds the development standards of any single family dwelling within five hundred feet of the proposed industrialized housing location, including but not limited to exterior siding, roofing, roof pitch, fenestration, and the finishes of a permanent foundation it is secured to, along with the applicable development standards specified in Table A, Table of Development Standards; and~~

~~(3) — Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single-family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence.~~

- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be one-acre (43,560 square feet) with a minimum depth of 200 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 130 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.25 R-1R, Single-Family Residential District (Rural)**

(a) Purpose. This district is intended to include lands being used, or intended to be used, for the lowest density single-family and residential and associated uses within the jurisdiction. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service, generous spacing of residences to maximize privacy, and preservation of both rural character and environmentally sensitive land.

(b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:

~~(1) — Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~

~~(2) — Meets or exceeds the development standards of any single-family dwelling within five hundred feet of the proposed industrialized housing location, including but not limited to exterior siding, roofing, roof pitch, fenestration, and the finishes of a permanent foundation it is secured to, along with the applicable development standards specified in Table A, Table of Development Standards; and~~

~~(3) — Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single-family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence.~~

(c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in the Table A, Table of Development Standard. In addition, the minimum lot size in these districts shall be five-acres (217,800 square feet) with a minimum depth of 200 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the

minimum width shall be 150 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.

- (d) Parking Area. Each dwelling shall include off-street parking space in accordance with Section 7, herein.

#### **4.27 R-1T Single-Family Residential (Tall)**

- (a) Purpose. This district is intended to include lands being used, or intended to be used, for single-family residential purposes and associated uses with residences that are taller than permitted in similar zoning districts. The district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, and provided with necessary facilities and service.

- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, "Industrialized Housing" as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:

- ~~(1) Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~

- ~~(2) Meets or exceeds the development standards of any single family dwelling within five hundred feet of the proposed industrialized housing location, including but not limited to exterior siding, roofing, roof pitch, fenestration, and the finishes of a permanent foundation it is secured to, along with the applicable development standards specified in Table A, Table of Development Standards; and~~

- ~~(3) Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single family residence.~~

- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. In addition, the minimum lot size in these districts shall be 7,200 square feet with a minimum debt of 110 feet. Except for portions of a lot that fronts on a curve or a cul-de-sac, the minimum width shall be 65 feet. All single-family residences shall have a garage with a minimum of four hundred (400) square feet in area. See Section 3.123 of Chapter 3 for exterior appearance requirements.

- (d) Parking Area. Each dwelling shall include, off-street parking in accordance with Section 7, herein.

#### **4.30 R-2 Two-Family Residential District**

- (a) Purpose. This district is intended to include lands within the corporate limits of the City being used or intended to be used for duplex dwellings. This district is at moderate densities. It may be used as a transitional zone between low density residential and multifamily or commercial uses.

- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. In addition, “Industrialized Housing” as defined in Section 3.104 of Chapter 3 and meeting the following requirements within Section (d) of Article 3.100 of Chapter 3 shall be permitted in any of these residential districts:
- ~~(1) — Meets all the requirements of the Texas Industrialized Building Code Council including the placement of a decal or seal issued by that agency on each transportable modular section or modular component indicating compliance with mandatory building codes;~~
  - ~~(2) — Meets or exceeds the development standards of any single family dwelling within five hundred feet of the proposed industrialized housing location and the applicable development standards specified in Table A, Table of Development Standards; and~~
  - ~~(3) — Has a value, as documented by a Texas licensed appraiser, of both the proposed location and industrialized housing, that equals or exceeds the median taxable value for each single-family residence located within five hundred feet, as determined by the most certified tax appraisal roll for Travis County. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single family residence.~~
- (c) Development Standards. The Maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards. See Section 3.123 of Chapter 3 for exterior appearance requirements.
- (d) Parking Area. Each dwelling shall include off-street parking in accordance with Section 7 herein.

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#### **4.50 C-A Airport District**

- (a) Purpose. This district is intended to include those lands and improvements within the corporate limits of the City used, or intended to be used, for the commercial development of an airport, to include aircraft operating and refueling facilities, hangars and ramp space related to aviation. This district also provides space for financial, administrative, and business services compatible with the district's unique function.
- (b) Permitted Uses. The permitted uses are specified in Table B, Table of Allowed Uses for Zoning. However, no lot shall include a hangar without platted access to a taxiway or an **access** easement providing access to a taxiway.
- (c) Development Standards. The maximum Building Height, Minimum Yard Requirements, and the Minimum Area of Dwelling shall be as specified in Table A, Table of Development Standards and subsection (e) below.
- (d) Minimum Parking Area. Buildings and development shall have an off-street parking unit in accordance with Section 7, herein.
- (e) Single-family residences within a ~~C-4~~ **C-A** structure are allowed based on the following conditions:

- (1) Application. Any person proposing to establish a single-family residence within a ~~C-4 C-A~~ structure shall apply for a building permit in conformance with the City's Building Ordinance. The application will include:
  - (A) The site plan shall be a survey or drawing on one or more pages which shall be drawn to scale with distances marked. The site plan shall provide the following information:
    - (i) The lot, tract or parcel covered by the site plan;
    - (ii) The location of each existing building and use in the area covered by the site plan;
    - (iii) The location and dimensions of the proposed residential unit, location and dimensions of all curb cuts, public and private streets, parking and loading area on and abutting the lot;
    - (iv) The location and dimensions of the proposed residential unit; and
    - (v) The location and dimensions of all proposed additional curb cuts, driveways and parking areas on and abutting the lot;
  - (B) Information that there are adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided;
  - (C) Information that the single-family residential unit will be located within a hangar or other commercial or business structure and occupied by the owner of the property; and
  - (D) The application shall contain such additional documentation as necessary to show that the structures and buildings as existing or proposed to be improved prior to occupancy will comply with the requirements of this chapter.
- (2) Parking. Two (2) off-street parking spaces shall be required in addition to the number of parking spaces required for the existing or proposed commercial and business use within the ~~C-4 C-A~~ zoning district.
- (3) Minimum Living Area. The minimum living area required for any residential unit located within the ~~C-4 C-A~~ zoning district shall be 750 square feet.
- (4) Building Code Requirements. Residential units within the ~~C-4 C-A~~ zoning district shall comply with the building standards and regulations applicable to mixed-use occupancy. A certificate of occupancy for any such residential unit shall be issued only upon the residential unit being found to comply with the city building code requirements for mixed-use occupancy, including, but not limited to, requirements for firewalls, separation, ingress and egress, construction materials, etc.
- (5) Permits and Certificates. A building permit or certificate of occupancy will not be issued for any residential unit or occupancy within the ~~C-4 C-A~~ zoning district unless the residential unit for which a permit or certificate is requested is in a mixed-use structure designed for use both as a single-family dwelling, and a hangar, or other commercial or business use. Such building permits and certificates of occupancy shall otherwise be issued upon compliance with the Building Code of the City.

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#### **4.80 RR-A Restricted Residential ~~With~~ with Aircraft**

- (a) **Purpose.** This district is available only to residential property that abuts the municipal airport property in the ~~C-4 C-A~~ zoning district or other property in the RR-A zoning district at a location at which a permit may be issued in compliance with the applicable rules and regulations of the Federal Aviation Administration, the Rusty Allen Airport Property Owners Association, and the applicable restrictive covenants, if any, provided in any grant or contract with a Federal or State agency. The purpose of this district is to provide an appropriate zoning district so that qualifying property may be used for a single-family dwelling, with a hangar; when it has “through the fence” access to the municipal airport.
- (b) **Permitted Uses.** The permitted uses in the RR-A District shall be a single-family dwelling with or without a hangar. However, no lot shall include a hangar without platted access to a taxiway or ~~taxiway an access~~ easement ~~providing access to a taxiway.~~
- (c) **Parking.** Each dwelling in the RR-A District shall include a covered, off-street parking area, as required in the zoning ordinance for single-family dwellings, and a hangar-residence.
- (d) **Development Standards.** The Minimum Yard Requirements, Minimum Area of Dwelling, Height, and Setbacks are set forth in Table A, Table of Development Standards.
- (e) **Special Requirements.** No property shall be zoned RR-A ~~save and except;~~ ~~unless the following conditions are met:~~
  - (1) Such property shall abut property adjoining the municipal airport, property in the ~~C-4 C-A~~ zoning district or other property in the RR-A zoning district;
  - (2) The owner of the property shall give written assurance that his or her access to the municipal airport and use of the airport property and facilities shall be subject to and in conformance with the rules and regulations of the City, the Rusty Allen Airport Property Owners Association, and Federal and State agencies;
  - (3) All hangars shall have access to a taxiway ~~access~~ easement or taxiway that provides a connection to the runway of the municipal airport;
  - (4) All hangars shall be required to have doors for each entrance/exit capable of reasonably securing the hangar, and shall be attached directly to the residence or connected to the residence by a breezeway;
  - (5) The hangar and driveway shall be designed and constructed in a manner to prevent the aircraft from exiting to or entering any public street from the property; ~~and~~
  - (6) Aircraft are required to be housed in their hangars and are not permitted to be tied down or parked elsewhere on the lot except for aircraft of guests temporarily visiting the occupants, which may be tied down for a period not to exceed three days.; ~~and~~
  - (7) Home-based businesses shall be permitted ~~only~~ in accordance with the requirements in Section 16 of this chapter applicable to all other single-family residential zoning districts.

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### **8.10 Uses Prohibited**

All uses not expressly permitted or authorized by this chapter are prohibited in the city, including but not ~~by way of limitation, limited to~~ the following:

- (a) Maintaining a business within an R-1, R-2, R-4, or ~~R-1M~~ R-MH district if inconsistent with Section 16, Home Occupation, of this chapter.
- (b) Construction vehicles or equipment, singly or on commercial trailers, in driveways, yards, vacant property, or public rights-of-way in residential districts, except for moving vans or construction vehicles during construction. Commercial vehicles and trailers of all types shall not be parked or stored on any lot in any residential district except in accordance with ~~the following provisions: Section 6.65 above.~~
  - ~~(1) No more than one (1) commercial vehicle, which does not exceed one and one-half (1 1/2) tons rated capacity, per family living on the premises shall be permitted.~~
  - ~~(2) In no case shall a commercial vehicle used for hauling explosives, gasoline, or liquefied petroleum products be permitted.~~
  - ~~(3) No more than one (1) trailer over nineteen (19) feet in length per family living on the premises shall be permitted.~~
- (c) Vehicles used for the sale of food or drink without a City permit.
- (d) Open-air commercial amusements, except those in place for one week or less, and for which a permit has been issued by the City.
- (e) The sale of fireworks.
- (f) Kennels and veterinary hospitals with outside runs, unless approved by the city council through the SUP process.
- (g) Junk yards, salvage yards, and all open-air storage of junk, waste products and salvage material, unless approved by the city council through the SUP process.
- (h) Oil drilling, extraction or removal of stone, sand, gravel, caliche, minerals, earth, topsoil, or other natural material for commercial purposes, unless approved by the city council through the SUP process.

\*\*\*\*\*

### **18.20 Applicability ~~And~~ and Uses ~~And or~~ Structures Requiring ~~A~~ a Special Use Permit (SUP)**

~~A~~ An SUP may be applied for any temporary or permanent use not permitted in the zoning district in which it is proposed and as shown on Table B. The SUP approval process shall not be used to seek deviation from development standards such as a setback or height. ~~In addition to the requirement for a special use permit contained within Table B, The~~ the following uses and structures may be established or constructed only upon the issuance of a special use permit.



- (a) Radio, television, telephone, wireless communication system, or microwave towers not in zoning districts C-1A, C-1C, C-2, ~~C-4-C-3, C-6~~, U-1, P-1B, P-2, G-1 and LI, ~~and on school property~~. A special use permit shall also be required anywhere for the installation of any antenna support structures that would be more than twenty-five (25) feet above the ground, an antenna that is taller than twelve (12) feet that is attached to a building or other independent support structures, and unmanned equipment buildings developed for a wireless communication system.
- (b) Investor-owned utility distribution facilities and equipment in any district.

\*\*\*\*\*

- (h) Helistop not in the ~~C-4 C-A~~ district.
- (i) Heliports not in the ~~C-4 C-A~~ district.
- (j) Bed and breakfast facility or **rooming house** in any R-1 district ~~and or the R-2 district~~.
- (k) Livestock and/or poultry keeping, except chickens (female only), caring or shelters.
- (l) Kennels and veterinary hospitals with outside runs.
- (m) Junk yards, salvage yards, and all open-air storage of junk, waste products and salvage material.
- (n) Oil drilling, mining, extraction of natural resources such as stone, gravel, topsoil.

### **18.30 Application ~~For A~~ for a Special Use Permit**

An application for a special use permit may be filed by the owner of, or other person having a contractual or possessory interest in, the subject property. Any application filed by a person who is not the owner of the property for which the special use permit is sought shall be accompanied by evidence of the consent of the owner. An application for a special use permit shall be filed with the City Manager, ~~or such other official as he may designate or their designee~~. A public hearing on an application for a special use permit shall be held by the Planning and Zoning Commission and by the city council ~~and with notice thereof~~ given in the manner and form required by Section 13 ~~hereof~~ above.

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EXHIBIT "A"

**CHAPTER 14**

**ZONING**

\*\*\*\*\*

**TABLE B**

**TABLE OF ALLOWED USES FOR ZONING**

New and unlisted uses. The city manager or their designee may permit a use in a district that is not listed on Table B if the use is reasonably similar, comparable, and compatible with other uses permitted in the district or may seek an amendment to Table B to add the unlisted use in the same manner as amendment to this chapter.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Accessory Building or Use	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Aircraft hangar, servicing, repair										V					
Amphitheater						V	V	V						V	V
Amusement arcade							V	V							V
Amusement Park							V	V							V
Antique shop						V	V	V							V
Apartments			V											V	
Apartment Hotel with Commercial						V	V	V						V	
Arboretums															
Arcades						SUP	SUP	SUP						SUP	SUP
Asphalt and concrete production															V
Assisted Living			V												
Auditorium							V	V							V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>1</sup> For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.

<sup>2</sup> All uses must be in accordance with the City Council approved CR Master Plan.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Auto sales and service							V	V							V
Auto wash, tune-up, repair						V	V	V							V
Bakery						V	V	V							V
Bank, Savings and Loan						V	V	V							V
Barber, Beauty Shop						V	V	V							V
Bars, Nightclubs and Taverns							V	V						V	V
Bed and Breakfast Establishment	SUP	SUP	V			V	V							V	
Beverage Bottling or distribution							V	V							V
Bike/motorbike sales & service							V	V							V
Billiard/Pool Rooms							V	V						V	V
Boat storage (outside)							V		V					V	V
Boat Sales or Service							V		V						V
Boat slips/day slips									V					V	
Boat Ramp, Commercial						V	V		V				SUP	V	
Book/stationary shop						V	V	V							V
Bowling alley establishment							V	V							V
Building material sales							V	V							V
Bus depot							V	V							V
Cabinet shop/commercial							V			V					V
Cafeterias						V	V	V							V
Camera store						V	V	V							V
Canvas goods fabrication							V			V					V
Carpentry shop						V	V			V					V
V	is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.														
1	For permitted uses in P-1A, P-1B, P-1C and P-2, see Section 4.70.														
2	All uses must be in accordance with the City Council approved CR Master Plan.														
SUP	Permitted by special use permit only.														

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Carpet, rug cleaners						V	V								V
Carting, hauling, storage warehouse							V	V							V
Catering establishments						V	V								V
Cemetery							V					V			
Chapel						V	V					V		V	
Child care institution						V	V							V	
Churches, Temples	V	V	V	V		V	V	V				V		V	
Clinics (medical)						V	V	V				V			V
Clothing store-men's and/or women's						V	V	V							V
Club, not nightclub						V	V	V					V	V	V
Coal, sand, soil, and gravel yards						SUP									V
College or university							V	V				V			
Community Home	V	V	V	V	V										
Community Center						V	V	V				V	V	V	
Condominiums														V	
Contractor, Builder or Subcontractor						SUP	V			V					V
Convalescent home/Nursing home			V			V									
Cottage			V											V	
Country club <sup>9</sup>						V	V				V			V	
Craft, hobby shop						V	V	V							V
Dance halls							V								V
Dept. store, sporting goods, novelty, toys						V	V	V							V
Dog and cat grooming						V	V								V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>9</sup> Clubhouse and country club facilities including associated alcoholic beverage service, parking lots, restaurants, swimming pools, tennis courts, and pickleball courts.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Drug store, tobacco, candy shops						V	V	V							V
Dry cleaning						V	V	V						V	V
Dwelling-manufactured home / industrialized housing <sup>8</sup>				V											
Dwelling-multifamily			V												
Dwelling-single family	V	V	V	V											
Dwelling-single family with hangar					V										
Dwelling-two-family		V	V												
Electric appliance shop/repair						V	V	V		V					V
Employment agency						V	V	V							V
Exhibition and rodeo grounds															V
Expressing, baggage, delivery service							V			V					V
Fabric shop						V	V	V							V
Family home facility	V	V	V	V	V										
Farmers markets						V	V	V							V
Fire Station	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Florist						V	V								V
Food store-convenience						V	V	V							V
Food store-supermarket						V	V	V							V
Fractional housing (time shares)														V	
Fuel storage						V	V		V	V					V
Furniture, appliance store						V	V	V							V
Golf course (including disc golf)	V	V	V			V	V		V		V	V	V	V	

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>8</sup> Also see permitted uses in other zoning districts where single-family or two-family residences are allowed.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Golf course-driving range											V		V	V	
Golf course-miniature						V	V				V		V	V	
Greenhouse-wholesale							V	V						V	V
Greenhouse-retail						V	V	V							V
Hardware, paints, wallpaper						V	V	V							V
Health club/spa						V	V	V						V	V
Heliports							SUP			V		SUP			SUP
Helistops						SUP	SUP	SUP		V		SUP			SUP
Hobby shop						V	V	V							V
Home based business or occupation	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>	V <sup>3</sup>										
Hospital							V	V							V
Hospice			V			V									
Hotel							V	V						V	V
Ice cream store						V	V	V							V
Interior Decorator						V	V	V							V
Jewelry, optical goods						V	V	V							V
Junk and salvage yards, all open-air storage of junk, waste and salvage material															SUP
Kennels						SUP	SUP	SUP							SUP
Laboratory							V								V
Laundromat						V	V	V						V	V
Laundry-commercial							V								V
Library	V	V	V	V		V	V	V				V			V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>3</sup> Permitted only in accordance with Section 16, Home Occupations.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Livestock or Poultry shelter or care, Stable	SUP	SUP	SUP		SUP	SUP	SUP					SUP	SUP		SUP
Machine shop, metal products, welding							V								V
Manufactured housing sales							V								V
Manufacturing and Assembly							V								V
Marina									V	V			V	V	
Massage establishments <sup>6</sup>						V	V								
Meat markets						V	V	V							V
Mini warehouse (inside storage only)															V
Mini warehouse (with outside storage)															V
Mixed-use						SUP	SUP	SUP							
Mortuary							V								V
Motel							V	V						V	V
Museums						V	V	V		V		V			V
Office, medical and general						V	V	V				V		V	V
Open storage							V								V
Park-Active											V	V	V		
Park-passive	V	V	V	V		V	V				V	V	V		
Park-and-ride facilities															V
Parking lot, commercial						V	V		V	V		V	V		V
Pet boarding with outside run						SUP	SUP					V			V
Pet store-no outside run						V	V								V
Photo studio						V	V	V							V
Playground	V	V	V	V								V	V	V	
Plumbing, HVAC, roofing supply							V			V					V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>6</sup> Some require SUPs. See Section 18.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Police station	V	V	V	V		V	V	V		V		V	V		V
Printing shop							V	V							V
Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities	V	V	V	V	V	V	V	V	V	V	V	V	V	V	V
Quarry, Mining, Rock Crushing															V
Radio, TV, VCR sales / service						V	V	V							V
Radio, TV studio						V	V	V							V
Realty office						V	V	V						V	V
Realty office-temporary <sup>7</sup>	V	V	V			V	V	V						V	V
Recreation facility, commercial						V	V	V	V		SUP	V		V	V
Recreational Vehicle Park			SUP	SUP					V				V	V	V
Restaurant						V	V	V		V				V	V
Retail store-general						V	V	V							V
School-public/private	V	V	V	V		V	V	V				V			
School-business/commercial						V	V	V		V		V			
Service station						V	V	V							V
Sexually-oriented business <sup>5</sup>							SUP								
Short Term Occupancy	V <sup>4</sup>	V <sup>4</sup>	V											V	
Sign Shop						V	V	V							V
Specialty and novelty establishments <sup>6</sup>						V	V	V							V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

<sup>4</sup> Permitted only in accordance with Section 23, Short-Term Occupancy.

<sup>5</sup> Permitted only in accordance with Section 8.20, Sexually Oriented Businesses.

<sup>6</sup> Some require SUPs. See Section 18.

<sup>7</sup> For additional standards, see C-4 district See Section 6.100.

SUP Permitted by special use permit only.



STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Storage & sale of autos, trailers, farm implements & equip., & similar equipment on open lot							V								V
Studio-artist						V	V	V		V					
Studio-dance						V	V	V							
Studio-health						V	V	V							
Studio-music						V	V	V							
Substation-public utility	V	V	V	V		V	V			V		V	V		V
Swimming pool-private	V	V	V	V		V	V						V		V
Swimming pool-public							V					V	V		
Tattoo Parlor or Studio						SUP	V	V							V
Tailor & dressmaking shop						V	V	V							V
Telephone exchange	V	V	V	V		V	V			V	V	V	V		
Theater-indoor							V	V							V
Tinsmith & sheet metal							V			V					V
Townhouse			V											V	
Trailer, truck, bus sales							V								V
Upholstery shop						V	V	V		V					V
Veterinary hospital, no outside run						V	V								V
Vocational and Private School						V	V	V						V	V
Warehouse							V			V					V
Watercraft rental									V					V	
Water tank-surface, subsurface, public	V	V	V	V		V	V		V	V	V	V	V		V
Wildlife sanctuaries													V		V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.

SUP Permitted by special use permit only.

STRUCTURE/USE	R-1	R-2	R-4	R-MH	RR-A	C-1	C-2	C-3	C-M	C-A	G-1	U-1	P <sup>1</sup>	CR <sup>2</sup>	LI
Wireless Comm. Systems, Radio, television and microwave antennae and towers <sup>6</sup>						V	V	V		∅	V	V			V
Wholesale distribution							V	V		V					V

V is allowed provided it is for the primary use of tenants, customers or persons associated with a primary use.  
 SUP Permitted by special use permit only.

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