

## Subchapter 5 – Zoning Districts and Limitations

### 35.5.1 Rural Districts

**Sections:**

- 35.5.1.1 Purpose.
- 35.5.1.2 Permitted Uses.
- 35.5.1.3 General Regulations.

#### 35.5.1.1 Purpose.

The purpose of a Rural District is to maintain an area of rural use within the City of Denton. Application of this district will ensure that the farming, forest, environmental and scenic values of these areas are protected from incompatible development that may result in a degradation of their values. Land Use categories within a Rural District include:

- RD-5 Rural Residential
- RC Rural Commercial

#### 35.5.1.2 Permitted Uses.

The following uses and their accessory uses are permitted as contained in the use table below:

Residential Land Use Categories	RD-5	RC
Agriculture	P	P
Livestock	L(7)	L(7)
Single Family Dwellings	P	P
Accessory Dwelling Units	P	P
Attached Single Family Dwellings	N	N
Dwellings Above Businesses	N	P
Live/Work Units	P	P
Duplexes	N	N
Community Homes For the Disabled	P	P
Group Homes	SUP	SUP
Multi-Family Dwellings	N	SUP
Fraternity or Sorority House	N	N
Dormitory	N	N
Manufactured Housing Developments	P	P
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Commercial Land Use Categories	RD-5	RC
Home Occupation	P	P
Sale of Products Grown on Site	P	P
Hotels	N	N
Motels	N	N
Bed and Breakfast	L(10)	P
Retail Sales and Service	N	N
Movie Theaters	N	N
Restaurant	N	L(11)
Private Club	N	L(11)
Bar	N	L(11)
Drive-through Facility	N	N
Professional Services and Offices	N	L(15)
Quick Vehicle Servicing	N	N
Vehicle Repair	N	P
Auto and RV Sales	N	N
Laundry Facilities	N	N
Equestrian Facilities	P	P
Outdoor Recreation	P	P
Indoor Recreation	N	N
Conference/Convention Centers	N	N
Major Event Entertainment	N	SUP
Commercial Parking Lots	N	N
Administrative or Research Facilities	SUP	L(15)
Broadcasting of Production Studio	SUP	P
Sexually Oriented Business	N	SUP/ L(32)
Temporary Uses	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Industrial Land Use Categories	RD-5	RC
Printing / Publishing	N	N
Bakeries	N	L(21)
Manufacture of Non-odoriferous Foods	N	N
Feed Lots	SUP	N
Food Processing	N	N
Light Manufacturing	N	SUP / L(24)
Heavy Manufacturing	N	N
Wholesale Sales	N	N
Wholesale Nurseries	P	P
Distribution Center/Warehouse, General	N	N
Warehouse, Retail	N	N
Self-service Storage	N	N
Construction Materials Sales	N	N
Junk Yards and Auto Wrecking	N	N
Wrecker Services and Impound Lots	N	N
Kennels	L(14)	L(14)
Veterinary Clinics	P	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N
Gas Wells	L(27)	L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Institutional Land Use Categories	RD-5	RC
Basic Utilities	P	P
Community Service	N	P
Parks and Open Space	P	P
Churches	P	P
Semi-public, Halls, Clubs, and Lodges	N	P
Business / Trade School	N	N
Adult or Child Day Care	P	P
Kindergarten, Elementary School	P	P
Middle School	N	N
High School	N	N
Colleges	N	N
Hospital	N	N
Elderly Housing	N	N
Medical Centers	N	N
Cemeteries	N	N
Mortuaries	N	N
WECS (Free-standing Monopole Support Structure)	L(41)	L(41)
WECS (Building-mounted)	L(42)	L(42)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

**35.5.1.3 General Regulations.**

General regulations within the Rural District are as follows:

Subdivision of less than 10 acres, and all lots that are adjacent to the perimeter of a subdivision:

General Regulations	RD-5	RC
Minimum lot area	5 acres	2 acres
Minimum lot width	200 feet	100 feet
Minimum lot depth	250 feet	200 feet
Minimum front yard	50 feet	50 feet
Minimum side yard	10 feet	10 feet
Minimum side yard adjacent to street	50 feet	50 feet
Minimum rear yard	10 feet, plus 1 foot for each foot of building height over 20 feet	

The following limits apply to subdivision of more than 10 acres in lieu of minimum lot size and dimension requirements:

General Regulations	RD-5	RC
Maximum density, dwelling units per acre	0.2	0.5
Minimum building separation	30 feet	30 feet

The following limits apply to all buildings:

General Regulations	RD-5	RC
Maximum lot coverage except for agricultural buildings	15%	35%
Minimum landscaped area	75%	65%
Maximum building height	65 feet	65 feet
Maximum WECS height	75 feet	75 feet
Maximum FAR except for single-family uses	None	0.25
Minimum yard when a use other than single family abuts a residential zone	None	10 feet, plus 1 foot for each foot of building height



## 35.5.2 Neighborhood Residential

### Sections:

- 35.5.2.1 Purpose.
- 35.5.2.2 Permitted Uses.
- 35.5.2.3 General Regulations.

### 35.5.2.1 Purpose.

The purpose of the Neighborhood Residential land use is to preserve and protect existing neighborhoods and to ensure that any new development is compatible with existing land uses, patterns, and design standards. Land Use categories within the Neighborhood Residential areas include:

NR-1	Neighborhood Residential 1
NR-2	Neighborhood Residential 2
NR-3	Neighborhood Residential 3
NR-4	Neighborhood Residential 4
NR-6	Neighborhood Residential 6
NRMU-12	Neighborhood Residential Mixed Use 12
NRMU	Neighborhood Residential Mixed Use

### 35.5.2.2 Permitted Uses.

The following uses and their accessory uses are permitted within the Neighborhood Residential districts:

Residential Land Use Categories	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Agriculture	P	P	P	P	P	P	P
Livestock	L(7)	L(7)	L(7)	L(7)	L(7)	L(7)	L(7)
Single Family Dwellings	P	P	P	P	P	P	N
Accessory Dwelling Units	SUP L(1)	SUP L(1)	SUP L(1)	SUP L(1)	SUP L(1)	L(1)	N
Attached Single Family Dwellings	N	N	SUP	SUP	P	P	L(40)
Dwellings Above Businesses	N	N	N	N	N	P	P
Live/Work Units	N	N	N	N	L(16)	P	P
Duplexes	N	N	N	L(3)	P	P	N
Community Homes For the Disabled	P	P	P	P	P	P	P
Group Homes	N	N	N	N	N	SUP	SUP
Multi-Family Dwellings	N	N	N	N	N	L(4)	SUP L(4)
Fraternity or Sorority House	N	N	N	N	N	SUP	SUP
Dormitory	N	N	N	N	N	SUP	SUP
Manufactured Housing Developments	N	SUP	N	N	SUP	N	N

P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8

Commercial Land Use Categories	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Home Occupation	P	P	P	P	P	P	P
Sale of Products Grown on Site	N	N	N	N	N	N	N
Hotels	N	N	N	N	N	N	P
Motels	N	N	N	N	N	N	N
Bed and Breakfast	N	N	N	N	N	L(10)	P
Retail Sales and Service	N	N	N	N	N	L(15)	L(17)
Movie Theaters	N	N	N	N	N	N	N
Restaurant	N	N	N	N	N	N	L(11)
Private Club	N	N	N	N	N	N	L(11)
Bar	N	N	N	N	N	N	L(11)
Drive-through Facility	N	N	N	N	N	N	SUP
Professional Services and Offices	N	N	N	N	N	L(14)	L(17)
Quick Vehicle Servicing	N	N	N	N	N	N	SUP
Vehicle Repair	N	N	N	N	N	N	N
Auto and RV Sales	N	N	N	N	N	N	N
Laundry Facilities	N	N	N	N	N	P	P
Equestrian Facilities	SUP	SUP	N	N	N	N	N
Outdoor Recreation	P	P	P	P	P	SUP	SUP
Indoor Recreation	N	N	N	N	N	N	N
Conference/Convention Centers	N	N	N	N	N	N	N
Major Event Entertainment	N	N	N	N	N	N	N
Commercial Parking Lots	N	N	N	N	N	N	N
Administrative or Research Facilities	N	N	N	N	N	N	L(14)
Broadcasting of Production Studio	N	N	N	N	N	N	L(14)
Sexually Oriented Business	N	N	N	N	N	N	N
Temporary Uses	L(38)	L(38)	L(38)	L(38)	L(38)	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8							



Industrial Land Use Categories	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Printing / Publishing	N	N	N	N	N	N	N
Bakeries	N	N	N	N	N	N	L(21)
Manufacture of Non-odoriferous Foods	N	N	N	N	N	N	N
Feed Lots	N	N	N	N	N	N	N
Food Processing	N	N	N	N	N	N	N
Light Manufacturing	N	N	N	N	N	N	N
Heavy Manufacturing	N	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N	N
Wholesale Nurseries	N	N	N	N	N	N	N
Distribution Center/Warehouse, General	N	N	N	N	N	N	N
Warehouse, Retail	N	N	N	N	N	N	N
Self-service Storage	N	N	N	N	N	N	N
Construction Materials Sales	N	N	N	N	N	N	N
Junk Yards and Auto Wrecking	N	N	N	N	N	N	N
Wrecker Services and Impound Lots	N	N	N	N	N	N	N
Kennels	L(37)	L(37)	N	N	N	N	N
Veterinary Clinics	L(14)	L(14)	N	N	N	N	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N	N	N	N	N	N
Gas Wells	L(27)	L(27)	SUP L(27)	SUP L(27)	SUP L(27)	SUP L(27)	SUP L(27)

P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8

<b>Institutional Land Use Categories</b>	<b>NR-1</b>	<b>NR-2</b>	<b>NR-3</b>	<b>NR-4</b>	<b>NR-6</b>	<b>NRMU-12</b>	<b>NRMU</b>
Basic Utilities	L(25)	L(25)	L(25)	L(25)	L(25)	L(25)	L(25)
Community Service	N	N	N	N	N	P	P
Parks and Open Space	P	P	P	P	P	P	P
Churches	P	P	P	P	P	P	P
Semi-public, Halls, Clubs, and Lodges	SUP	SUP	SUP	SUP	SUP	L(15)	P
Business / Trade School	N	N	N	N	N	N	L(14)
Adult or Child Day Care	SUP	SUP	SUP	SUP	SUP	P	P
Kindergarten, Elementary School	SUP	SUP	SUP	SUP	SUP	P	P
Middle School	N	N	N	N	N	P	P
High School	N	N	N	N	N	N	SUP
Colleges	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N
Elderly Housing	N	N	N	N	SUP	L(13)	P
Medical Centers	N	N	N	N	N	N	P
Cemeteries	N	N	N	N	N	N	N
Mortuaries	N	N	N	N	N	N	N
WECS (Free-standing Monopole Support Structure)	L(41)	SUP	SUP	SUP	SUP	SUP	SUP
WECS (Building-mounted)	L(42)	SUP	SUP	SUP	SUP	SUP	SUP

P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8

### 35.5.2.3 General Regulations.

General regulations of the Residential Neighborhood land use zone are contained in the table below:  
The following limits apply to subdivision of 2 acres or less:

General Regulations	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Minimum lot area (square feet)	32,000	16,000	10,000	7,000	6,000	3,500	2,500
Minimum lot width	80 feet	80 feet	60 feet	50 feet	50 feet	30 feet	20 feet
Minimum lot depth	100 feet	100 feet	80 feet	80 feet	80 feet	80 feet	50 feet
Minimum front yard setback	20 feet	20 feet	15 feet L(2)	20 feet L(2)	10 feet	10 feet	None
Minimum side yard	6 feet	6 feet	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum side yard adjacent to a street	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	None
Minimum rear yard	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	None

The following limits apply to subdivision of more than 2 acres in lieu of minimum lot size and dimension requirements:

General Regulations	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Maximum density, dwelling units per acre	1	2	3.5	4	6	12	30
Minimum side yard for non-attached buildings	20 feet	10 feet	6 feet	5 feet	4 feet	10 feet	12 feet

The following limits apply to all buildings:

General Regulations	NR-1	NR-2	NR-3	NR-4	NR-6	NRMU-12	NRMU
Maximum lot coverage	30%	30%	50%	60%	60%	60%	80%
Minimum landscaped area	70%	70%	55%	40%	40%	40%	20%
Maximum building height	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	65 feet
Maximum WECS height	55 feet	55 feet	55 feet	55 feet	55 feet	55 feet	75 feet
Minimum yard when abutting a single-family use or district	10 feet plus 1 foot for each foot of building height above 20 feet	10 feet plus 1 foot for each foot of building height above 20 feet	10 feet plus 1 foot for each foot of building height above 20 feet	10 feet plus 1 foot for each foot of building height above 20 feet	10 feet plus 1 foot for each foot of building height above 20 feet	15 feet plus 1 foot for each foot of building height above 20 feet	20 feet plus 1 foot for each foot of building height above 20 feet

**35.5.2.4 Mixed Use Residential Protection Overlay:**

Where necessary to address the concerns of owners of existing adjacent residential uses that a proposed non-residential or multi-family mixed use allowed by this Subchapter is incompatible, the applicant may consent to the imposition of increased setback, landscaping, screening or buffer requirements along the borders of such existing residential uses, or to the imposition of additional use or performance-based restrictions upon the proposed use. Such additional modifications or restrictions shall, upon approval, amend the underlying zoning classification and use designation to add these supplemental requirements. The Mixed Use Residential Protection Overlay may be established through the Zoning Amendment Procedure, either as a separate zoning case, or in conjunction with an amendment of the underlying mixed use zoning classification.

### 35.5.3 **Downtown University Core.**

**Sections:**

- 35.5.3.1 Purpose.
- 35.5.3.2 Permitted Uses.
- 35.5.3.3 General Regulations.

#### 35.5.3.1 **Purpose.**

The purpose of the Downtown University Core District is to encourage mixed use developments within specified commercial areas of the district. This district is a pedestrian friendly district. Land Use categories within this district include:

- DR-1 Downtown Residential 1
- DR-2 Downtown Residential 2
- DC-N Downtown Commercial Neighborhood
- DC-G Downtown Commercial General

#### 35.5.3.2 **Permitted Uses.**

The following uses are permitted within the Downtown University Core District:

Residential Land Use Categories	DR-1	DR-2	DC-N	DC-G
Agriculture	P	P	P	P
Livestock	L(7)	L(7)	L(7)	L(7)
Single Family Dwellings	P	P	N	N
Accessory Dwelling Units	P	P	N	N
Attached Single Family Dwellings	N	P	P	P
Dwellings Above Businesses	N	P	P	P
Live/Work Units	P	P	P	P
Duplexes	P	P	P	N
Community Homes For the Disabled	P	P	P	P
Group Homes	N	N	N	SUP
Multi-Family Dwellings	N	L(5)	L(5)	L(5)
Fraternity or Sorority House	SUP	P	P	P
Dormitory	SUP	P	P	P
Manufactured Housing Developments	N	N	N	N
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

Commercial Land Use Categories	DR-1	DR-2	DC-N	DC-G
Home Occupation	P	P	P	P
Sale of Products Grown on Site	N	N	N	N
Hotels	N	N	N	P
Motels	N	N	N	N
Bed and Breakfast	L(8)	L(9)	P	P
Retail Sales and Service	N	L(15)	L(17)	P
Movie Theaters	N	N	SUP	SUP
Restaurant	N	N	L(11)	P
Private Club	N	N	L(11)	P
Bar	N	N	L(11)	P
Drive-through Facility	N	N	N	SUP
Professional Services and Offices	N	L(15)	L(17)	P
Quick Vehicle Servicing	N	N	N	SUP
Vehicle Repair	N	N	N	SUP
Auto and RV Sales	N	N	N	L(20)
Laundry Facilities	N	P	P	P
Equestrian Facilities	N	N	N	N
Outdoor Recreation	N	N	N	N
Indoor Recreation	N	N	N	P
Conference/Convention Centers	N	N	SUP	P
Major Event Entertainment	N	N	N	SUP
Commercial Parking Lots	N	N	L(28)	L(28)
Administrative or Research Facilities	N	SUP	L(14)	P
Broadcasting of Production Studio	N	SUP	P	P
Sexually Oriented Business	N	N	N	N
Temporary Uses	L(38)	L(38)	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

<b>Industrial Land Use Categories</b>	<b>DR-1</b>	<b>DR-2</b>	<b>DC-N</b>	<b>DC-G</b>
Printing / Publishing	N	N	N	P
Bakeries	N	N	L(21)	P
Manufacture of Non-odoriferous Foods	N	N	N	N
Feed Lots	N	N	N	N
Food Processing	N	N	N	N
Light Manufacturing	N	N	N	N
Heavy Manufacturing	N	N	N	N
Wholesale Sales	N	N	N	SUP/ L(36)
Wholesale Nurseries	N	N	N	SUP/ L(36)
Distribution Center/Warehouse, General	N	N	N	N
Warehouse, Retail	N	N	N	N
Self-service Storage	N	N	N	N
Construction Materials Sales	N	N	N	N
Junk Yards and Auto Wrecking	N	N	N	N
Wrecker Services and Impound Lots	N	N	N	N
Kennels	N	N	N	N
Veterinary Clinics	N	SUP	L(26)	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N	N	N
Gas Wells	SUP L(27)	SUP L(27)	SUP L(27)	SUP L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

<b>Institutional Land Use Categories</b>	<b>DR-1</b>	<b>DR-2</b>	<b>DC-N</b>	<b>DC-G</b>
Basic Utilities	SUP	SUP	SUP	SUP
Community Service	N	N	P	P
Parks and Open Space	P	P	P	P
Churches	P	P	P	P
Semi-public, Halls, Clubs, and Lodges	P	P	P	P
Business / Trade School	N	N	L(26)	P
Adult or Child Day Care	P	P	P	P
Kindergarten, Elementary School	P	P	P	N
Middle School	N	P	P	N
High School	N	N	N	N
Colleges	N	N	SUP	P
Hospital	N	N	P	P
Elderly Housing	N	N	L(13)	P
Medical Centers	N	SUP	P	P
Cemeteries	N	N	N	N
Mortuaries	N	N	P	P
WECS (Free-standing Monopole Support Structure)	SUP	SUP	SUP	SUP
WECS (Building-mounted)	SUP	SUP	SUP	SUP
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				



**35.5.3.3 General Regulations.**

General regulations of the Downtown University Core District are as follows:

General Regulations	DR-1	DR-2	DC-N	DC-G
Minimum lot area (square feet)	4,000	4,000	2,500	None
Minimum lot width	50 feet	40 feet	20 feet	None
Minimum lot depth	80 feet	80 feet	50 feet	None
Minimum front yard setback	10 feet	10 feet	None	None
Minimum side yard	6 feet	6 feet	None	None
Minimum side yard adjacent to a street	10 feet	10 feet	None	None
Minimum rear yard	10 feet	10 feet	None	None
Minimum yard abutting a single family use or district	10 feet plus 1 foot for each foot of building height over 30 feet	10 feet plus 1 foot for each foot of building height over 30 feet	15 feet plus 1 foot for each foot of building height over 30 feet	20 feet plus 1 foot for each foot of building height over 30 feet
Minimum residential unit size	700 SF	500 SF	500 SF	500 SF
Maximum FAR	0.50	0.75	1.5	3.0
Maximum density, dwelling units per acre	8	30	72	150
Maximum lot coverage	60%	75%	80%	85%
Minimum landscaped area	40%	25%	20%	15%
Maximum building height	40 feet	45 feet	100 feet/ L(33)	100 feet/ L(33)
Maximum WECS height	55 feet	55 feet	110 feet/ L(33)	110 feet/ L(33)



### 35.5.4 Community Mixed Use Centers.

**Sections:**

- 35.5.4.1 Purpose.
- 35.5.4.2 Permitted Uses.
- 35.5.4.3 General Regulations.

#### 35.5.4.1 Purpose.

The purpose of the Community Mixed Use Centers is to provide the necessary shopping, services, recreation, employment and institutional facilities that are required and supported by the surrounding community. Land Use categories within the Community Mixed Use Centers include:

- CM-G Community Mixed Use General
- CM-E Community Mixed Use Employment

#### 35.5.4.2 Permitted Uses.

The following uses are permitted within Community Mixed Use Centers:

Residential Land Use Categories	CM-G	CM-E
Agriculture	P	P
Livestock	L(7)	L(7)
Single Family Dwellings	N	N
Accessory Dwelling Units	N	N
Attached Single Family Dwellings	N	N
Dwellings Above Businesses	P	N
Live/Work Units	P	N
Duplexes	N	N
Community Homes For the Disabled	P	P
Group Homes	N	N
Multi-Family Dwellings	L(6) &L(4)	L(6) &L(4)
Fraternity or Sorority House	N	N
Dormitory	N	N
Manufactured Housing Developments	N	N
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Commercial Land Use Categories	CM-G	CM-E
Home Occupation	N	N
Sale of Products Grown on Site	N	N
Hotels	P	P
Motels	P	P
Bed and Breakfast	P	N
Retail Sales and Service	P	L(14)
Movie Theaters	SUP	N
Restaurant	P	L(14)
Private Club	P	L(14)
Bar	P	L(14)
Drive-through Facility	P	P
Professional Services and Offices	P	P
Quick Vehicle Servicing	P	P
Vehicle Repair	P	P
Auto and RV Sales	P	P
Laundry Facilities	P	P
Equestrian Facilities	N	N
Outdoor Recreation	P	N
Indoor Recreation	P	P
Conference/Convention Centers	P	P
Major Event Entertainment	SUP	N
Commercial Parking Lots	P	P
Administrative or Research Facilities	P	P
Broadcasting of Production Studio	P	P
Sexually Oriented Business	N	N
Temporary Uses	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Industrial Land Use Categories	CM-G	CM-E
Printing / Publishing	P	L(25)
Bakeries	P	L(25)
Manufacture of Non-odoriferous Foods	N	L(25)
Feed Lots	N	N
Food Processing	N	N
Light Manufacturing	N	N
Heavy Manufacturing	N	N
Wholesale Sales	N	N
Wholesale Nurseries	N	N
Distribution Center/Warehouse, General	N	N
Warehouse, Retail	N	N
Self-service Storage	N	N
Construction Materials Sales	N	N
Junk Yards and Auto Wrecking	N	N
Wrecker Services and Impound Lots	N	N
Kennels	N	N
Veterinary Clinics	P	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N
Gas Wells	SUP L(27)	SUP L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Institutional Land Use Categories	CM-G	CM-E
Basic Utilities	SUP	SUP
Community Service	P	P
Parks and Open Space	P	P
Churches	P	P
Semi-public, Halls, Clubs, and Lodges	P	P
Business / Trade School	P	P
Adult or Child Day Care	P	N
Kindergarten, Elementary School	P	P
Middle School	P	P
High School	P	P
Colleges	P	P
Hospital	N	N
Elderly Housing	N	N
Medical Centers	P	P
Cemeteries	N	N
Mortuaries	P	P
WECS (Free-standing Monopole Support Structure)	SUP	SUP
WECS (Building-mounted)	SUP	SUP
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

**35.5.4.3 General Regulations.**

General regulations of the Community Mixed Use Centers are in the table below:

General Regulations	CM-G	CM-E
Minimum lot area (square feet)	2,500	2,500
Minimum lot width	50 feet	50 feet
Minimum lot depth	50 feet	50 feet
Minimum front yard setback	None	10 feet
Minimum side yard	None	None
Minimum side yard adjacent to a street	None	10 feet
Minimum yard abutting a residential use or district	20 feet	20 feet, plus 1 foot for each foot of building height above 30 feet
Maximum FAR	1.5	0.75
Minimum residential unit size	500 SF	None
Maximum lot coverage	80%	85%
Minimum landscaped area	20%	15%
Maximum building height	65 feet	65 feet
Maximum WECS height	75 feet	75 feet





## 35.5.5 Regional Mixed Use Centers

### Sections:

- 35.5.5.1 Purpose.
- 35.5.5.2 Permitted Uses.
- 35.5.5.3 General Regulations.

### 35.5.5.1 Purpose.

The purpose of Regional Mixed Use Centers is to create centers of activity including shopping, services, recreation, employment and institutional facilities supported by and serving an entire region. Land Use categories within Regional Mixed Use Centers include:

RCR-1	Regional Center Residential 1
RCR-2	Regional Center Residential 2
RCC-N	Regional Center Commercial Neighborhood
RCC-D	Regional Center Commercial Downtown

### 35.5.5.2 Permitted Uses.

The following uses are permitted within Regional Mixed Use Centers:

Residential Land Use Categories	RCR-1	RCR-2	RCC-N	RCC-D
Agriculture	P	P	P	P
Livestock	L(7)	L(7)	L(7)	L(7)
Single Family Dwellings	N	N	N	N
Accessory Dwelling Units	N	N	N	N
Attached Single Family Dwellings	P	P	P	P
Dwellings Above Businesses	P	P	P	P
Live/Work Units	P	P	P	P
Duplexes	N	N	N	N
Community Homes For the Disabled	P	P	P	P
Group Homes	SUP	SUP	SUP	SUP
Multi-Family Dwellings	L(4)	L(4)	L(6) & L(4)	L(6) & L(4)
Fraternity or Sorority House	N	N	N	N
Dormitory	N	N	N	N
Manufactured Housing Developments	N	N	N	N
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

Commercial Land Use Categories	RCR-1	RCR-2	RCC-N	RCC-D
Home Occupation	P	P	P	P
Sale of Products Grown on Site	N	N	N	N
Hotels	N	N	P	P
Motels	N	N	P	N
Bed and Breakfast	L(8)	L(9)	L(9)	P
Retail Sales and Service	L(17)	L(17)	L(13)	P
Movie Theaters	SUP	SUP	P	P
Restaurant	L(11)	L(11)	P	P
Private Club	L(11)	L(11)	P	P
Bar	L(11)	L(11)	P	P
Drive-through Facility	N	N	P	P
Professional Services and Offices	L(15)	L(14)	P	P
Quick Vehicle Servicing	N	N	P	P
Vehicle Repair	N	N	N	P
Auto and RV Sales	N	N	N	P
Laundry Facilities	P	P	P	P
Equestrian Facilities	N	N	N	N
Outdoor Recreation	SUP	SUP	N	N
Indoor Recreation	N	N	P	P
Conference/Convention Centers	N	N	P	P
Major Event Entertainment	N	N	SUP	SUP
Commercial Parking Lots	N	N	P	P
Administrative or Research Facilities	SUP	SUP	L(14)	P
Broadcasting of Production Studio	SUP	SUP	P	P
Sexually Oriented Business	N	N	N	N
Temporary Uses	L(38)	L(38)	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

<b>Industrial Land Use Categories</b>	<b>RCR-1</b>	<b>RCR-2</b>	<b>RCC-N</b>	<b>RCC-D</b>
Printing / Publishing	N	N	N	N
Bakeries	N	N	L(21)	P
Manufacture of Non-odoriferous Foods	N	N	N	N
Feed Lots	N	N	N	N
Food Processing	N	N	N	N
Light Manufacturing	N	N	N	L(23)
Heavy Manufacturing	N	N	N	N
Wholesale Sales	N	N	N	N
Wholesale Nurseries	N	N	N	N
Distribution Center/Warehouse, General	N	N	N	N
Warehouse, Retail	N	N	L(13)	L(13)
Self-service Storage	N	N	N	N
Construction Materials Sales	N	N	N	N
Junk Yards and Auto Wrecking	N	N	N	N
Wrecker Services and Impound Lots	N	N	N	N
Kennels	N	N	N	N
Veterinary Clinics	SUP	SUP	L(14)	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N	N	N
Gas Wells	SUP L(27)	SUP L(27)	L(27)	L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

Institutional Land Use Categories	RCR-1	RCR-2	RCC-N	RCC-D
Basic Utilities	SUP	SUP	SUP	SUP
Community Service	P	P	P	P
Parks and Open Space	P	P	P	P
Churches	P	P	P	P
Semi-public, Halls, Clubs, and Lodges	P	P	P	P
Business / Trade School	N	N	L(14)	P
Adult or Child Day Care	P	P	P	P
Kindergarten, Elementary School	P	P	P	N
Middle School	P	P	P	P
High School	SUP	SUP	P	P
Colleges	N	N	P	P
Hospital	N	N	P	P
Elderly Housing	P	P	P	P
Medical Centers	SUP	SUP	P	P
Cemeteries	N	N	N	N
Mortuaries	N	N	P	P
WECS (Free-standing Monopole Support Structure)	SUP	SUP	SUP	SUP
WECS (Building-mounted)	SUP	SUP	SUP	SUP
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8				

### 35.5.5.3 General Regulations.

General regulations of the Regional Mixed Use Centers are contained in the table below:

General Regulations	RCR-1	RCR-2	RCC-N	RCC-D
Minimum lot area (square feet)	None	None	None	None
Minimum lot width	50 feet	20 feet	20 feet	None
Minimum lot depth	80 feet	60 feet	50 feet	None
Minimum front yard setback	10 feet	10 feet	10 feet	None
Minimum side yard	6 feet	6 feet	6 feet	None
Minimum side yard adjacent to a street	10 feet	10 feet	6 feet	None
Minimum rear yard	10 feet plus 1 foot for each foot of building height above 30 feet	10 feet plus 1 foot for each foot of building height above 30 feet	None	None
Minimum yard abutting a single family use or district	30 feet plus 1 foot for each foot of building height above 30 feet	30 feet plus 1 foot for each foot of building height above 30 feet	30 feet plus 1 foot for each foot of building height above 30 feet	30 feet plus 1 foot for each foot of building height above 30 feet
Minimum residential unit size	600 SF	500 SF	500 SF	500 SF
Maximum FAR	0.50	0.75	1.5	3.0
Maximum Density, dwelling units per acre	30	40	80	100
Maximum Lot Coverage	55%	75%	85%	90%
Minimum Landscaped Area	45%	25%	15%	10%
Maximum building height	40 feet	50 feet	65 feet	100 feet
Maximum WECS height	55 feet	60 feet	75 feet	110 feet



## 35.5.6 *Employment Centers*

**Sections:**

- 35.5.6.1 Purpose.
- 35.5.6.2 Permitted Uses.
- 35.5.6.3 General Regulations.

### 35.5.6.1 Purpose.

The purpose of the Employment Centers is to provide locations for a variety of workplaces and complimentary uses. Land Use categories within Employment Centers include:

- EC-C            Employment Center Commercial
- EC-I            Employment Center Industrial

### 35.5.6.2 Permitted Uses.

The following uses and their accessory uses are permitted within the Employment Centers:

Residential Land Use Categories	EC-C	EC-I
Agriculture	P	P
Livestock	L(7)	L(7)
Single Family Dwellings	N	N
Accessory Dwelling Units	N	N
Attached Single Family Dwellings	N	N
Dwellings Above Businesses	N	N
Live/Work Units	N	N
Duplexes	N	N
Community Homes For the Disabled	N	N
Group Homes	N	N
Multi-Family Dwellings	N	N
Fraternity or Sorority House	N	N
Dormitory	N	N
Manufactured Housing Developments	N	N
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Commercial Land Use Categories	EC-C	EC-I
Home Occupation	N	N
Sale of Products Grown on Site	N	N
Hotels	P	P
Motels	P	N
Bed and Breakfast	N	N
Retail Sales and Service	P	L(18)
Movie Theaters	N	N
Restaurant	P	P
Private Club	P	P
Bar	P	P
Drive-through Facility	P	P
Professional Services and Offices	P	P
Quick Vehicle Servicing	P	P
Vehicle Repair	P	P
Auto and RV Sales	P	P
Laundry Facilities	P	P
Equestrian Facilities	N	N
Outdoor Recreation	P	N
Indoor Recreation	P	P
Conference/Convention Centers	P	SUP
Major Event Entertainment	P	P
Commercial Parking Lots	P	P
Administrative or Research Facilities	P	P
Broadcasting of Production Studio	P	P
Sexually Oriented Business	N	N
Temporary Uses	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		



<b>Industrial Land Use Categories</b>	<b>EC-C</b>	<b>EC-I</b>
Printing / Publishing	P	P
Bakeries	P	P
Manufacture of Non-odoriferous Foods	P	P
Feed Lots	N	N
Food Processing	N	N
Light Manufacturing	P	P
Heavy Manufacturing	N	N
Wholesale Sales	P	P
Wholesale Nurseries	N	L(32)
Distribution Center/Warehouse, General	N	L(34)
Warehouse, Retail	L(34)	L(34)
Self-service Storage	P	P
Construction Materials Sales	N	P
Junk Yards and Auto Wrecking	N	N
Wrecker Services and Impound Lots	SUP L(29)	SUP L(29)
Kennels	P	P
Veterinary Clinics	P	P
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	N
Gas Wells	L(27)	L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

<b>Institutional Land Use Categories</b>	<b>EC-C</b>	<b>EC-I</b>
Basic Utilities	P	P
Community Service	P	P
Parks and Open Space	P	P
Churches	P	P
Semi-public, Halls, Clubs, and Lodges	P	P
Business / Trade School	P	P
Adult or Child Day Care	P	P
Kindergarten, Elementary School	N	N
Middle School	N	N
High School	N	N
Colleges	P	P
Hospital	P	N
Elderly Housing	P	N
Medical Centers	P	N
Cemeteries	N	N
Mortuaries	P	P
WECS (Free-standing Monopole Support Structure)	SUP	SUP
WECS (Building-mounted)	SUP	SUP
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

**35.5.6.3 General Regulations.**

General regulations of the Employment Center are as follows:

General Regulations	EC-C	EC-I
Minimum lot area (square feet)	2,900	2,500
Minimum lot width	20 feet	50 feet
Minimum lot depth	50 feet	50 feet
Minimum front yard setback	None	10 feet
Minimum side yard	None	None
Minimum side yard adjacent to a street	None	10 feet
Minimum yard abutting a single family use or district	30 feet, plus 1 foot for each foot of building height above 30 feet	30 feet, plus 1 foot for each foot of building height above 30 feet
Maximum FAR	1.50	0.75
Maximum lot coverage	80%	85%
Minimum landscaped area	20%	15%
Maximum building height	100 feet	65 feet
Maximum WECS height	110 feet	75 feet



## 35.5.7 Industrial Centers

### Sections:

- 35.5.7.1 Purpose.
- 35.5.7.2 Permitted Uses.
- 35.5.7.3 General Regulations.

### 35.5.7.1 Purpose.

The purpose of Industrial Centers is to provide locations for a variety of work processes and employment such as manufacturing, warehousing and distributing, indoor and outdoor storage, and a wide range of commercial and industrial operations. Land Use categories within Industrial Centers include:

- IC-E Industrial Center Employment
- IC-G Industrial Center General

### 35.5.7.2 Permitted Uses.

The following uses are permitted within Industrial Centers:

Residential Land Use Categories	IC-E	IC-G
Agriculture	P	P
Livestock	L(7)	L(7)
Single Family Dwellings	N	N
Accessory Dwelling Units	N	N
Attached Single Family Dwellings	N	N
Dwellings Above Businesses	N	N
Live/Work Units	N	N
Duplexes	N	N
Community Homes For the Disabled	N	N
Group Homes	N	N
Multi-Family Dwellings	N	N
Fraternity or Sorority House	N	N
Dormitory	N	N
Manufactured Housing Developments	N	N
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Commercial Land Use Categories	IC-E	IC-G
Home Occupation	N	N
Sale of Products Grown on Site	N	N
Hotels	P	N
Motels	P	N
Bed and Breakfast	N	N
Retail Sales and Service	L(18)	L(18)
Movie Theaters	N	N
Restaurant	L(14)	L(22)
Private Club	L(14)	L(22)
Bar	L(14)	L(22)
Drive-through Facility	L(14)	L(14)
Professional Services and Offices	P	P
Quick Vehicle Servicing	P	P
Vehicle Repair	P	P
Auto and RV Sales	P	P
Laundry Facilities	P	P
Equestrian Facilities	N	N
Outdoor Recreation	N	N
Indoor Recreation	P	N
Conference/Convention Centers	SUP	N
Major Event Entertainment	P	N
Commercial Parking Lots	P	P
Administrative or Research Facilities	P	P
Broadcasting of Production Studio	P	P
Sexually Oriented Business	N	SUP / L(32)
Temporary Uses	L(38)	L(38)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Industrial Land Use Categories	IC-E	IC-G
Printing / Publishing	L(25)	L(25)
Bakeries	L(25)	P
Manufacture of Non-odoriferous Foods	L(25)	P
Feed Lots	N	N
Food Processing	N	P
Light Manufacturing	P	P
Heavy Manufacturing	N	SUP
Wholesale Sales	P	P
Wholesale Nurseries	P	P
Distribution Center/Warehouse, General	P	P
Warehouse, Retail	SUP	SUP
Self-service Storage	P	P
Construction Materials Sales	P	P
Junk Yards and Auto Wrecking	N	SUP
Wrecker Services and Impound Lots	L(29)	L(29)
Kennels	N	N
Veterinary Clinics	N	N
Sanitary Landfills, Commercial Incinerators, Transfer Stations	N	SUP
Gas Wells	L(27)	L(27)
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		

Institutional Land Use Categories	IC-E	IC-G
Basic Utilities	P	P
Community Service	P	P
Parks and Open Space	P	P
Churches	P	P
Semi-public, Halls, Clubs, and Lodges	P	P
Business / Trade School	P	P
Adult or Child Day Care	L(19)	N
Kindergarten, Elementary School	N	N
Middle School	N	N
High School	N	N
Colleges	P	N
Hospital	N	N
Elderly Housing	N	N
Medical Centers	P	N
Cemeteries	N	N
Mortuaries	P	N
WECS (Free-standing Monopole Support Structure)	SUP	SUP
WECS (Building-mounted)	SUP	SUP
P= Permitted, N=not permitted, SUP= Specific Use Permit Required, L(X) = Limited as defined in Section 35.5.8		



**35.5.7.3 General Regulations.**

General regulations of the Industrial Centers are contained in the table below:

General Regulations	IC-E	IC-G
Minimum lot area (square feet)	2,500	5,000
Minimum lot width	50 feet	50 feet
Minimum lot depth	50 feet	50 feet
Minimum front yard setback	10 feet	10 feet
Minimum side yard	6 feet	6 feet
Minimum side yard adjacent to a street	10 feet	10 feet
Minimum yard when abutting a residential use or district	30 feet, plus 1 foot for each foot of building height above 30 feet	30 feet, plus 1 foot for each foot of building height above 30 feet
Maximum FAR	0.75	2.0
Maximum lot coverage	80%	90%
Minimum landscaped area	20%	10%
Maximum building height	100 feet	140 feet
Maximum WECS height	110 feet	150 feet

### **35.5.8 Limitations**

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The following define the limitations to zoning uses when the zoning matrix identify a use as permitted, but limited

**L(1)** = Accessory dwelling units are permitted, subject to the following additional criteria:

1. The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.
2. The maximum number of accessory dwelling units shall not exceed 1 per lot.
3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1000 sq. ft. GHFA unless the lot meets the requirements of L(1).5.
4. One additional parking space shall be provided that conforms to the off-street parking provisions of this Chapter.
5. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, where the lot size is equal to or greater than ten acres in size. An SUP is not required for such an accessory residential structure where the lot size is equal to or greater than ten acres.

**L(2)** = For infill lots, the front setback shall be an average of the adjacent lots.

**L(3)** = In part of a subdivision of 2 acres or more, up to 2 units may be attached by a common wall if the lots which contain the attached structures do not abut the perimeter lot lines of a subdivision, the individual common wall units are on separate lots designed to be sold individually, and they comply with the Subchapter 13. Additionally, units must have the appearance of a single family residence from the street.

**L(4)** = Multi-family is permitted only:

1. With a Specific Use Permit; or
2. As part of a Mixed-Use Development; or
3. As part of a Master Plan Development, Existing; or
4. If the development received zoning approval allowing multi-family use within one year prior to the effective date of Ordinance No. \_2005-224; or
5. If allowed by a City Council approved neighborhood (small area) plan.

**L(5)** = Within this district the density of apartments will be calculated as one bedroom equating to .5 units.

**L(6)** = Permitted only on 2<sup>nd</sup> story and above, when an office, retail, or other permitted commercial use is on the ground floor along any avenue, collector, or arterial street, otherwise office or retail uses are not required.

**L(7)** = Limited to two (2) animals on parcels one (1) to three (3) acres in size. Additional animals may be added at a rate of one per each acre over three.

**L(8)** = Travelers' accommodations, are permitted, provided that:

1. The business-owner or manager shall be required to reside on the property occupied by the accommodation, or adjacent property.
2. That each accommodation unit shall have 1 off-street parking space, and the owners shall have 2 parking spaces. All spaces shall be in conformance with the requirements of the Off-Street Parking section of this Chapter.
3. That only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 4 sq. ft. maximum size be allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the travelers' accommodation.

4. That the number of accommodation units allowed shall be proportional to the permitted density of the zone. Each traveler's accommodation unit shall be counted as 0.6 units for the purpose of calculating the permitted number of traveler's accommodations.
5. All traveler's accommodations shall be within 200 feet of a collector or arterial. Street designations shall be as determined by the City Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the arterial.
6. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.
7. Traveler's accommodations are limited to no more than 8 guest units.

**L(9)** = All restrictions of L(8), but limited to no more than 15 guest units.

**L(10)** = All restrictions of L(8), but limited to no more than 5 guest units.

**L(11)** = Limited to sit down only, and no drive up service permitted. Limited to no more than 100 seats and no more than 4,000 square feet of restaurant area.

**L(12)** =

**L(13)** = Uses are limited to no more than 55,000 square feet of gross floor area per lot.

**L(14)** = Uses are limited to no more than 10,000 square feet of gross floor area.

**L(15)** = Uses are limited to no more than 5,000 square feet of gross floor area per lot. An SUP is required for additional square footage for Semi-Public Halls, Clubs and Lodges.

**L(16)** = Uses are limited to no more than 1,500 square feet of gross floor area per lot.

**L(17)** = Uses that exceed twenty-five thousand (25,000) square feet of gross floor area per use require approval of a SUP.

**L(18)** = Uses are permitted only in association with Gas Stations and are limited to no more than 5,000 square feet of gross floor area except adjacent to I-35 then uses are limited to 10,000 square feet of gross floor area.

**L(19)** = Allowed as an accessory use to the primary business(es) within the same structure. The accessory use is limited to those employees or owners of the business or businesses within the same structure.

**L(20)** = Permitted, but outdoor storage of autos prohibited.

**L(21)** = Bakery and bottling areas not to exceed 2,500 square feet. Sales on premises of products produced required in this zone.

**L(22)** = Uses are permitted only in association with Gas Stations and are limited to no more than 25 seats except adjacent to I-35 then the number of seats is limited to 50.

**L(23)** = Light manufacturing of products sold on site permitted, area of manufacture not to exceed 5,000 square feet.

**L(24)** = Light manufacturing of products sold on site permitted, area of manufacture not to exceed 1,500 square feet.

**L(25)** = If proposed use is within 200 feet of a residential zone, approval is subject to a Specific Use Permit.

**L(26)** = Uses are limited to no more than 2,500 square feet of gross floor area per lot.

**L(27)** = Must comply with the provisions of Subchapter 89, Gas Well Drilling and Production.

**L(28)** = Use allowed as part of consolidated parking plan.

**L(29)** = Wrecker Services and Impound Lots must comply with the following provisions:

1. The subject lot shall comply with the provisions of the Texas Administrative Code, regarding Vehicle Storage Facilities.
2. Lot Screening: All stored vehicles shall be opaquely screened from all rights-of-way and residential uses and zoning districts.

3. Parking and vehicle storage areas associated with wrecker services and impound lots activities are not allowed within undeveloped floodplain, water-related habitat, and riparian buffer environmentally sensitive areas (ESA).
4. Best management practices addressing storm water quality must be implemented and maintained on site. Management practices must attain the pollutant removal capabilities recommended for parking areas in the Integrated Storm Water Management (iSWM) manual, as published by the North Central Texas Council of Governments, or similar practices consistent with low impact development (LID) approaches.

**L(30)** = Permitted as part of a mixed use building and only in conjunction with office, retail, or other permitted commercial, or institutional uses, equal to at least 15% of the floor space of the residential use along any avenue, collector, or arterial street, otherwise these uses are not required.

**L (31)** = Permitted as part of a mixed use building and only in conjunction with office, retail, or other permitted commercial, or institutional uses, equal to at least 25% of the floor space of the residential use along any avenue, collector, or arterial street, otherwise these uses are not required.

**L (32)** = Not allowed to locate adjacent to an arterial and within 1,000 feet as measured from the nearest property line of a sexually oriented business to the nearest property line of any other sexually oriented business, adult or child daycare, any elderly housing facility, hospital, any residential use, public open space.

**L (33)** = Additional height may be allowed with an SUP and a viewshed study, which illustrates that any views of the Historic Courthouse are not blocked by the new structure(s) additional height.

**L (34)** = Permitted with no more than 150,000 gross square feet and 8 truck docks. All docks or loading bays shall be to the rear or side of the structure and not viewable from the street. The buffering standards for outdoor storage shall apply, both to any outdoor storage activity and to the loading docks.

**L (35)** =

**L (36)** = Permitted when combined with retail sales.

**L (37)** = 5-acre minimum land area required and no more than 25 kennels per acre allowed, including indoor and outdoor runs. A natural buffer strip is required adjacent to any residential use.

**L (38)** = Must meet the requirements of Section 35.12.9.

**L (39)** =

**L (40)** = Limited to a maximum 12 units per acre.

**L (41)** = Lots where the proposed WECS will be located shall have a minimum lot area of two (2) acres. A maximum of one (1) WECS is permitted by right. Multiple WECS are permitted only with approval of a SUP.

**L (42)** = Building-mounted WECS may not extend higher than ten (10) feet above where the WECS is mounted on the building. The height shall be measured from the base of the WECS where it is mounted on the building to the highest point of the arc of the blades' elevation. If the WECS does not use blades, then height is measured from the base of the WECS where is mounted on the building to the highest point of the WECS.

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### **35.5.9 Additional Mixed Use Restrictions:**

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- A. All multi-family proposed as part of a Mixed Use Development in the NRMU-12, NRMU, CM-G, CM-E, RCR-1, RCR-2, RCC-N and RCC-D zoning districts shall:
1. Be subject to a development agreement (the “Development Agreement”) between the property owner and the City which shall be entered into prior to final plat approval for any portion of the development. The Development Agreement shall contain Assurances, other covenants, and a Phasing Plan stipulating that non-residential development will be constructed first and multi-family residential constructed last or only after 50% or more of the non-residential component has been developed. The Development Agreement shall be in recordable form and be recorded in the Real Property Records of Denton County, Texas and shall constitute covenants running with the land and will be binding on all owners and future owners of the property. Phasing Plan is defined as a graphic and narrative document that indicates the sequence and/or timing of construction and shall provide a description of the phasing order (1, 2, 3,) or by time period (2005, 2006, 2007,) and includes infrastructure requirements for each phase.
  2. If a phased project proposes all or a majority of the common amenities for future phases, (including, but not limited to, open space, landscaping and/or recreational facilities) then “Assurances” are required. The Assurances will address amenities not constructed in the early phases so that in the event that the future phases are not developed, sufficient common amenities will be provided for the phases actually developed. The Assurances will be a cash amount equal to the estimated cost to develop the amenities as determined by the applicant’s professionals and sealed by an architect or engineer. The Assurances will be in the form of a cash deposit with the City or other form of security approved by the City Attorney and the City Manager. The city will use the security to construct the amenities if the developer fails to perform in accordance with the “Assurances”.
  3. Before building permits may be issued for any portion of the project, a preliminary site plan for the entire project must be approved. Diversification of ownership will not be considered a valid basis or justification for a variance or an amendment to a previously approved site plan.

B. Exemptions

Master Planned Developments. Existing shall be exempt from the additional mixed-use restrictions.

C. Appeals

Any applicant may request deviations from the additional mixed-use restrictions and the multi-family residential design standards that are consistent with the spirit and intent of this chapter, by appealing to the Planning and Zoning Commission and City Council through the Alternative Development Plan procedure under Section 35.13.5 of this Code.

(Amended Ord. No. 2002-347, 10/15/2002)

(Amended Ord. No. 2002-348, 10/15/2002)

(Amended Ord. No. 2003-090, 03/25/2003)

(Amended Ord. No. 2003-376, 11/18/2003)

(Amended Ord. No. 2004-009, 01/06/2004)

(Amended Ord. No. 2005-100, 03/22/2005)

(Amended Ord. No. 2005-224, 08/16/2005)

(Amended Ord. No. 2006-085, 03/21/2006)

(Amended Ord. No. 2008-318, 12/09/2008)

(Amended Ord. No. 2009-115, 05/05/2009)

(Amended Ord. No. 2010-195, 08/18/2010)

(Amended Ord. No. 2011-088, 05/17/2011)

(Amended Ord. No. 2012-155, 07/17/2012)

(Amended Ord. No. 2013-183, 07/16/2013)

(Amended Ord. No. 2014-139, 05/6/2014)

(Amended Ord. No. 2015-010, 01/6/2015)

