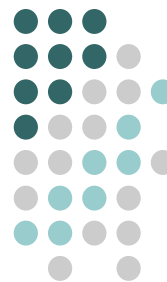


Chapter 14

Zoning Regulations

City of Lake Worth



Ordinance No. 1169

Date: 11/12/2019

Adopted by City of Lake Worth City Council

ORDINANCE NO. 1165

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, CHANGING THE ZONING DISTRICT AND USE CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (SF1) AND PLANNED COMMERCIAL (PC) TO MIXED USE PLANNED DEVELOPMENT (MU-PD) CLASSIFICATION, ON APPROXIMATELY 71 ACRES OF LAND, MORE COMMONLY KNOWN AS THE AREA LOCATED NORTH OF HIGHWAY 199, WEST OF THE CITY LIMIT LINE, SOUTH OF AZLE AVENUE, AND EAST OF INTERSTATE 820; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1169

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, REPEALING AND REPLACING THE CURRENT COMPREHENSIVE ZONING ORDINANCE AND ADOPTING A NEW COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO 1171

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, CHANGING THE ZONING DISTRICT AND USE CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (SF1), COMMERCIAL (C), PLANNED COMMERCIAL (PC) AND PLANNED INDUSTRIAL (PI) TO PUBLIC FACILITIES (PF) USE CLASSIFICATION, ON APPROXIMATELY 76 ACRES OF LAND, MORE COMMONLY KNOWN AS THE CITY OF LAKE WORTH MUNICIPAL FACILITIES, LIBRARY, FIRE STATION, PUBLIC PARKS, WELLSITES AND LIFT STATIONS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 1172

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, CHANGING THE ZONING DISTRICT AND USE CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (SF1) TO PUBLIC FACILITIES (PF) USE CLASSIFICATION, ON APPROXIMATELY 82 ACRES OF LAND, MORE COMMONLY KNOWN AS LAKE WORTH HIGH SCHOOL, EFFIE MORRIS ELEMENTARY SCHOOL, LAKE WORTH ADMINISTRATION BUILDING, N.A. HOWRY MIDDLE SCHOOL, AND LAKE WORTH AGRICULTURAL SITE; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.

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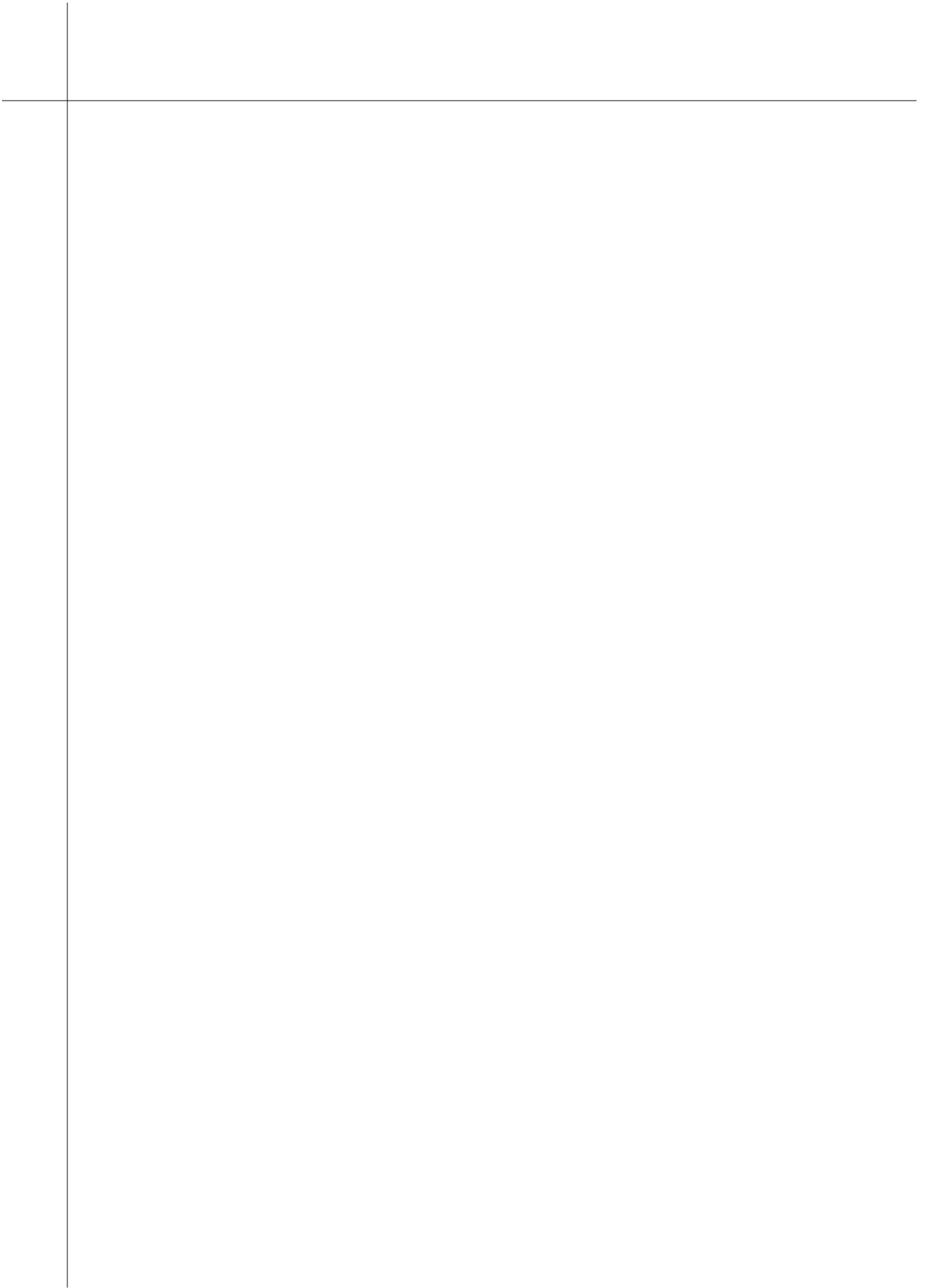
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ARTICLE 14.100, GENERAL PROVISIONS

Section 14.101 Title of Ordinance

This ordinance and the regulations herein shall be known and may be cited as the "Zoning Ordinance of the City of Lake Worth."

Section 14.102 Adopted

The comprehensive zoning ordinance, Ordinance No. 500 adopted by the City on February 16, 1996, as amended, is hereby repealed and replaced. Due to the nature of the zoning ordinance and the technicalities involved in adopting or amending it, such ordinance is printed herein as enacted, with only nonsubstantive formatting and style changes. Capitalization, punctuation and numbering of articles, sections and subsections have been retained as enacted. Amendments subsequent to this Ordinance No. 1169, will be inserted in their proper place and denoted by a history note following the amended provisions. The absence of a history note indicates the material is unchanged from the original. Obviously misspelled words have been corrected without notation. Any other material added for purposes of clarification is enclosed in brackets.

Section 14.103 Purpose

The zoning regulations and districts as herein established have been made in accordance with an adopted Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to insure adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of each district, and their peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City consistent with the Comprehensive Plan.

Section 14.104 Interpretation and Conflict

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirements for the promotion of safety, health, convenience, comfort, prosperity, or general welfare.

Section 14.105 Scope

It is not intended by these regulations to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where these regulations impose a greater restriction upon the use of buildings or premises or upon the height of buildings, or require larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of these regulations shall govern.

Section 14.106 Compliance Required

- A. All land, buildings, structures or appurtenances thereon located within the City of Lake Worth, Texas which are hereafter occupied, used, erected, altered, removed, placed, demolished, or converted shall be occupied, used, erected, altered, removed, placed, demolished or converted in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located as hereinafter provided.
- B. Except as hereinafter provided:
 - 1. Comprehensive Plan
Zoning shall conform to the adopted Comprehensive Plan.

2. Land Use

No building shall be erected, reconstructed, altered, enlarged, or maintained nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.

3. Height and Bulk of Buildings

No building shall be erected, reconstructed, altered, enlarged or maintained to exceed the height, size, or bulk limit herein established for the district in which such building is located.

4. Yards

- a. No lot area shall be so reduced or diminished that the yards or other spaces shall be smaller than prescribed by these regulations.
- b. No yard or other space provided about any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or space for any other building; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

5. Building Permit Requirements

a. Building Permit

- i. A building permit may be issued by the City for the construction or placing of a dwelling on a lot or tract of land composed of portions of two (2) or more lots as same appear upon the map thereof as recorded in the deed records of Tarrant County, Texas, only when such lot or tract has a street frontage of not less than the street frontage of any lot in the same block.
- ii. No building permit shall be issued by the City for the construction or placing of, and no person shall construct or place, any building on any lot, tract or parcel of land unless the lot, tract or parcel of land upon which each such structure is to be located, is a lot of record provided that these regulations shall not prohibit the issuance of a building permit for the construction or placing of any dwelling, located on any tract of land set apart, delineated or defined by a metes and bounds description and recorded in the plat records of Tarrant County, Texas, prior to the effective date of this article, and shown on a plat, giving an accurate location of such tract relative to any existing recorded addition or subdivision, when the only structure (with its permitted appurtenances) which is located, or to be located thereon, faces or fronts upon a public thoroughfare.

b. Plat Required

Development or construction shall only occur on a legal lot of record.

c. Building Permit Denial

- i. No building permit shall be issued by the City for the erection or placing of any dwelling on a lot, the width or street frontage of which has been decreased from the width or street frontage as originally platted or as replatted and recorded in the plat records of Tarrant County, Texas,

Article 14.100

- ii. Nor shall a building permit be issued for the erection or placing of any dwelling on the rear yard of any corner lot situated in a residential district or with a residential use.

6. Location

Every building hereafter erected shall be located on a lot of record and in no case shall there be more than one (1) building on one (1) lot, except as otherwise provided in this article.

Section 14.107 Enforcement

- A. The provisions of this Ordinance shall be administered by the City Manager or the duly authorized representatives as determined by the City Manager.
- B. The City Manager or any duly authorized person shall have the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the enforcement of this Ordinance.

Section 14.108 Pending Litigation and Violations

- A. It is further the intent and declared purpose of this Ordinance that no offense committed, and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the time the existing zoning ordinance was repealed and this Zoning Ordinance adopted, shall be discharged or affected by such repeal; but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures may be instituted or causes presently pending proceeded with in all respects as if such prior ordinance had not been repealed.
- B. The City shall have and retain the right to seek injunctive relief and/or civil penalties against any person, firm or corporation who is in the process of or about to violate any section, paragraph or part of this Ordinance. Such right for injunctive relief and/or civil penalties shall exist independent of the other penalty provisions of this Ordinance and not in lieu thereof.

Section 14.109 Penalties for Violation

- A. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this article shall be fined in accordance with the general penalty provision set forth in the City's Code of Ordinances for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other persons who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- C. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation, including but not limited to seeking injunctions and civil penalties.

Section 14.110 Limit of Reapplication

- A. When the City Council has denied a proposal with prejudice, no reapplication requesting the same zoning classification shall be accepted by the City or scheduled for consideration by the Planning and Zoning Commission within a period of 12 months.

B. Exception

1. An applicant may submit a request stating how circumstances surrounding the property have changed since the prior denial with prejudice.
2. The planning and zoning commission may waive the twelve (12) month waiting period upon a finding that the circumstances surrounding the property have changed sufficiently to warrant the acceptance of a new application for a zoning amendment or change prior to the end of the one-year waiting period. A majority of the planning and zoning commission quorum present and voting shall be required to grant any such request. If the request is granted, compliance with the procedures contained in this ordinance and other applicable rules and regulations of the City shall be required.
3. The applicant may appeal a denial by the planning and zoning commission to the city council by filing a request in writing with the City within ten days of the denial by the planning and zoning commission.
4. The decision of the city council regarding the request for a waiver shall be final.

Section 14.111 Publication

The caption of this Ordinance shall be published in accordance with the City Charter of the City of Lake Worth, Texas and applicable state law, and shall be effective immediately upon its passage and such publication.

Section 14.112 Fee Schedule

- A. The City Council shall, by ordinance, establish a schedule containing the fees and charges for permits, zoning change requests, site plans, Board of Adjustment proceedings and any other matters pertaining to this chapter. The schedule of fees and charges may be altered or amended only by action of the City Council.
- B. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 14.113 Separability Clause

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this article are severable, and if any phrase, clause, sentence, paragraph or section of this article shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this article, since the same would have been enacted by the City Council without the incorporation in this article of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 14.114 Repeal

This section shall be cumulative of all provisions of the Code of Ordinances of the City, except where the provisions of this article are in direct conflict with the provisions of such ordinances, they are hereby repealed. Ordinance No. 500, as amended, is hereby repealed in its entirety.

Section 14.115 Effective Date

This article shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

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Article 14.200

Section 14.201 General Administration

A. Authority to Amend

1. The City Council may from time to time amend, supplement, or change, by ordinance, the boundaries of the districts or the regulations herein established.
2. Request for Zoning Change or Amendment

Any person, corporation or group of persons having a proprietary interest in any property, upon proof of such interest, may petition the City Council for a change or amendment to the provisions of this chapter, or the Planning and Zoning Commission may, on its own motion, institute proposals for change and amendment in the public interest. All petitions for the amendment of this chapter shall bear the signature of the owners of all property within the area of request.

B. Public Hearing Process for Zoning Change

1. Planning and Zoning Commission

- a. Before taking action on any such proposed amendment, supplement, or change, the City Council shall submit the same to the Planning and Zoning Commission for its recommendation and report.
- b. Written notice of all public hearings before the Planning and Zoning Commission, on a proposed amendment, supplement or change shall be sent to all owners of real property lying within 200 feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing, by depositing a notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the current City tax roll.
- c. Notice of public hearing shall be posted in a publicly accessible place at City Hall a minimum of 72 hours prior to the hearing.
- d. Public notification signs stating that a zoning change is requested shall be placed on the subject property ten (10) days prior to the hearing.

2. City Council

- a. A public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change, notice of which hearing shall be given by publication one (1) time in the official paper of the City of Lake Worth, stating the time and place of such hearing, which time shall not be earlier than 15 days from the date of publication.
- b. Notice of public hearing shall be posted in a publicly accessible place at City Hall a minimum of 72 hours prior to the hearing.
- c. Public notification signs stating that a zoning change is requested shall be placed on the subject property ten (10) days prior to the hearing.
- d. The affirmative vote of at least three-fourths (3/4) of all members of the City Council is also required to overrule a recommendation of the

Planning and Zoning Commission that a proposed change to a regulation or boundary be denied.

3. Denial

If such proposed amendment, supplement, or change has been denied by the Planning and Zoning Commission, such amendment shall not become effective except by a three-fourths (3/4) vote of the members of the City Council.

4. Protest

- a. A protest must be written and signed by the owners of at least 20 percent of either the following:
 - i. The area of the lots or land covered by the proposed change, or
 - ii. The area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.
- b. In computing the percentage of land area, the area of streets and alleys shall be included.
- c. If a proposed change to a regulation or boundary is protested in accordance with this section, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the City Council.

C. Zoning Changes that do not apply to Specific Property

These changes are usually associated with textual changes.

When any proposed amendment, supplement, or change of zoning map or text of this zoning chapter does not affect the land use character or zoning classification of specific property, notice of public hearings of the Planning and Zoning Commission and City Council shall be given by publication in a newspaper of general circulation in the City without the necessity of notifying property owners by mail.

Such notice shall state the time and place of such hearings and the nature of the subject to be considered. Such notice shall be published not less than 15 days prior to the public hearings.

D. Newly Annexed Territory

All territory hereafter annexed into the City of Lake Worth, Texas, shall conform to the regulations as specified in Article I, Boundaries and Annexation, of the Home Rule Charter of the City of Lake Worth, until permanently zoned by the City Council of the City of Lake Worth.

The Planning and Zoning Commission may, after annexation of any territory into the City of Lake Worth, institute proceedings on its own motion to give newly annexed territory a permanent zoning, and the procedure to be followed shall be the same as is provided by law for the adoption of original zoning regulations.

Article 14.200

Section 14.202 Planning and Zoning Commission

A. Creation

A Planning and Zoning Commission (Commission) shall be established and have all the powers and authority in accordance with the Charter of the City of Lake Worth and applicable provisions of state law.

B. Statutory Authority

The Commission shall have all powers granted by and be organized and controlled by the provisions of Chapter 211, Local Government Code, the City Charter, and all applicable City ordinances. The Commission is hereby vested with power and authority, and in appropriate cases subject to appropriate conditions and safeguards, to recommend or approve zoning of real property in compliance with the terms of this Ordinance and in conformance with the adopted Comprehensive Plan.

C. Purpose

A Planning and Zoning Commission is hereby created in order to accomplish the following purposes:

1. To identify community needs and to advise the City Council of the short-range effect of these needs on the total development of the City;
2. To recommend achievable community goals for long-range planning and development of the City;
3. To recommend achievable plans, programs and policies that will aid the entire community in achieving defined goals; and
4. To help the public understand the plans, programs and policies adopted by the City Council so that concerned citizens can conduct private activities in harmony with these plans, programs and policies.

D. Membership and Terms of Office

The Planning and Zoning Commission shall be composed of five (5) members and two (2) alternate members who shall be residents and qualified voters of the City of Lake Worth and shall serve without compensation.

E. Organization

Commission members shall be appointed in accordance with the following:

1. All Commissioners will be appointed by a majority vote of the City Council.
 - a. It is the intent of the City Council that members shall, by reason of diversity of their individual occupation, constitute a Commission which is broadly representative of the community.
 - b. Members may be removed by a majority vote of the members of the City Council.
 - c. Commission members may be appointed to succeed themselves.
2. A member of the Commission shall not serve simultaneously as a member of the Board of Adjustment.
3. The members shall serve for a period of two (2) years or until their successors are duly appointed and qualified.
4. The regular members of the Commission shall be identified by place numbers 1 through 5.
 - a. Places 1, 3 and 5 shall be appointed to serve for two-year terms beginning on January 1 of odd numbered years.

- b. Places 2 and 4 shall be appointed to serve for two-year terms beginning on January 1 of even numbered years.
 5. Vacancies shall be filled for the unexpired terms, as follows:
 - a. Newly appointed members shall serve at the first regular Commission meeting after their appointment.
 - b. Any member of the Commission who misses three (3) consecutive meetings without Commission Chair approval shall be deemed to have vacated his Commission membership.
 - i. The City Council, upon receiving certification of three (3) consecutive absences from the Commission Chair, shall fill the vacancy for the expired term.
 - ii. Six (6) disapproved absences in any 12-month period shall be deemed as grounds for removal from said Commission by the City Council.
 - iii. The Commission shall enter into its minutes a statement either approving or disapproving a given members' absence.
 6. The Commission elect a chairperson and vice-chairperson from among its members.
 7. The Commission shall meet regularly and shall designate the time and place of its meetings.
 8. The members of the Commission shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.
 9. The Commission shall keep a record of its proceedings consistent with the provisions of this article and the requirements of law.
- F. Authority of the Commission

General Duties. The Planning and Zoning Commission is hereby charged with the duty and invested with the authority to:

 1. Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and the City.
 2. Formulate and recommend to the City Council for its adoption a Comprehensive Plan for the orderly growth and development of the City and environs, and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the City.
 3. Formulate a zoning plan as may be deemed best to carry out the goals of the City plan and hold public hearings and make recommendations to the City Council relating to the creation, implementation and amendment of zoning regulations and districts as provided in Chapter 211 of the Texas Local Government Code and the City Charter.
 4. Exercise all the powers of a Commission as to approval or disapproval of plans, plats or replats and the vacation of plans, plats and replats as set out in Chapter 212 of the Texas Local Government Code and the City charter.
 5. Study and recommend the location, extension and planning of public rights-of-way, parks or other public places, and the vacating or closing of same.
 6. Study and recommend the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances.

7. Study and recommend the design, alteration, location or relocation of works of art which are, or may become, property of the City.
8. Initiate, in the name of the City, for consideration at public hearings, all proposals:
 - a. For the opening, vacating or closing of public rights-of-way, parks or other public places;
 - b. For the original zoning of annexed areas; and
 - c. For the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the City.
9. Formulate and recommend to the City Council for its adoption policies and regulations consistent with the adopted City plan governing the location and/or operation of utilities, public facilities and services owned or under the control of the City.
10. At the direction of the City Council, study, hold public hearings and submit reports on any topics pertaining to planning, zoning and development that the council deems appropriate.
11. Conduct an ongoing assessment program pertaining to the planning, zoning and development regulations of the City, recommending to the City Council all necessary changes and updates to said ordinance.

G. Conditional Use Permit

1. Purpose

The purpose of the Conditional Use procedure is to allow for review of uses which would not be appropriate generally or without certain restriction throughout a zoning district, but which, if controlled as to the number, area, location or relation to the neighborhood would promote the health, safety, and welfare of the community. The procedure is intended to allow broad public review and evaluation of the proposed development and to ensure adequate mitigation of potentially unfavorable impacts.

2. Review and Evaluation Criteria

The Conditional Uses application shall be reviewed and evaluated using the following criteria:

- a. Conformance with applicable regulations and standards established by this Zoning Ordinance.
- b. Compatibility with existing or permitted uses on abutting, adjacent, or adjoining sites in terms of building height, bulk, scale, setbacks, open spaces, landscaping and site development, and access and circulation features.
- c. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.
- d. Location, lighting, and type of signs and relation of signs to traffic control; external illumination; and adverse effect on adjacent properties.
- e. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses anticipated in the area considering existing zoning and land uses.

3. Modifications

- a. Minor modifications of a Conditional Use Permit may be made if the City Manager and/or designee determines that such modifications will not change the intent and effect of the approval by the City Council.
- b. The City Manager and/or designee may require consideration by the Planning and Zoning Commission for modifications that change the intent and effect of the approval.

H. General Procedures

1. Application and Fee

An application for consideration of a zoning change, a conditional use permit and/or amendment to the Future Land Use Plan by the Planning and Zoning Commission for recommendation to the City Council, shall be in writing using forms provided by the City and shall be accompanied by a fee.

2. Notice of Public Hearing

a. Publication

Notice of a public hearing shall be published not less than 15 days prior to the public hearing in the official local newspaper.

b. Notice

Notice of a public hearing shall be mailed not less than ten (10) days prior to the public hearing to the petitioner and the owners of the property lying within 200 feet of any point of the lot or portion thereof, on an appeal, variance, exception or other action is proposed. Such owners and persons shall be determined according to the current tax rolls of the City and substantial compliance therewith shall be deemed sufficient, provided, however, that the depositing of such written notice in the mail shall be deemed sufficient compliance with the purpose of this matter.

c. Signs

Public notification signs stating that a zoning change is requested shall be placed on the subject property ten (10) days prior to the hearing.

3. Meetings

- a. A quorum for the conduct of business shall consist of three (3) members of the Commission.
- b. The Commission may adopt rules to govern its proceedings, providing, however, that such rules are not inconsistent with the terms of this Ordinance.
- c. All meetings of the Commission shall be open to the public and shall be held at the call of the Chairman.,
- e. The Commission shall keep minutes of its proceedings, showing the vote upon each question, or, if absent or failing to vote, indicate such fact and shall keep records of its examinations and other official actions, all of which shall be filed in the offices of the City Secretary and kept as public record.
- f. Any party may appear in person or by attorney or agent.

Article 14.200

Section 14.203 Board of Adjustment

A. Creation

A Board of Adjustment (Board or BOA) shall be established and have all the powers and authority in accordance with the Charter of the City of Lake Worth and Section 211.008, Local Government Code, as amended.

B. Statutory Authority

The Board of Adjustment shall have all powers granted by and be organized and controlled by the provisions of Section 211.009, Local Government Code. The Board of Adjustment is hereby vested with power and authority, and in appropriate cases and subject to appropriate conditions and safeguards, to make such exemptions and exceptions to the terms of this Ordinance in harmony with its general purposes and intent in accordance with general or special rules herein contained for the purpose of rendering full justice and equity to the general public.

C. Members and Terms of Office

The Board of Adjustment shall be composed of five (5) members and two (2) alternate members who shall be residents and qualified voters of the City of Lake Worth and shall serve without compensation.

D. Organization

Board members shall be appointed and organized in accordance with the following:

1. All members will be appointed by a majority vote of the City Council. Members may be removed by a majority vote of the members of the City Council, for cause on a written charge after a public hearing. Board members may be appointed to succeed themselves.
2. A member of the Board shall not serve simultaneously as a member of the Planning and Zoning Commission.
3. The members shall serve for a period of two (2) years and until their successors are duly appointed and qualified.
4. The regular members of the Board shall be identified by place numbers 1 through 5.
 - a. Places 1, 3 and 5 and the second alternate member shall be appointed to serve for two-year terms beginning on January 1 of odd numbered years.
 - b. Places 2, 4 and the first alternate member shall be appointed to serve for two-year terms beginning on January 1 of even numbered years.
5. The Board shall elect a chairperson and vice-chairperson from its members.
6. Vacancies shall be filled by an alternate member for the unexpired term of a member whose term becomes vacant.
 - a. Any member absent for two (2) regular consecutive meetings shall be deemed to have vacated such office unless such absences were:
 - i. Due to sickness of the member or the member's family; or
 - ii. With leave being first obtained from the Chairman.

- b. Vacancies of an alternate member shall be filled by appointment of the City Council by majority vote.

E. Authority of the Board

The Board of Adjustment shall have the authority, subject to the standards established in Section 211.009 of the Texas Local Government Code, as amended, and those established herein, to exercise the following powers and perform the following duties:

1. Variance

- a. The Board of Adjustment may authorize a variance from the regulations herein when, in its opinion, undue hardship will result from requiring strict compliance.
- b. Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
- c. Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship.
- d. In granting a variance, the Board shall prescribe only conditions that it deems necessary or desirable to protect the public interest and shall take into account the following:
 - i. The nature of the proposed use of the land involved,
 - ii. Existing uses of land in the vicinity, and
 - iii. The probable effect such variance will have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
- e. Findings. No variance shall be granted unless the Board finds:
 - i. That there were special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance deprive the applicant of reasonable use of his land; and
 - ii. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
 - iii. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
 - iv. That the granting of a variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this Ordinance.

f. Official Minutes

Such findings of the Board, together with the specific facts upon which it is based, shall be incorporated into the official minutes of the Board of Adjustment meeting at which such variance is granted.

2. Waiver of Mandatory Yard and Setback Requirements.

- a. The Board of Adjustment may approve a waiver of up to 15 percent of any required yard area or setback without following the notice and hearing requirements specified herein.

- b. The Board of Adjustment may in its discretion delegate to the zoning administrator its authority under this provision for all or a portion of the 15 percent area or setback waiver when such a waiver is necessary due to a surveying or construction error in the placement of the original foundation or site improvement.
 - c. The zoning administrator shall not be authorized to approve a waiver under this section until the Board of Adjustment shall have issued a written decision outlining the terms and conditions under which these waivers may be granted.
 - 3. Appeals of Decisions of Administrative Officers
 - a. The Board may hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the development regulations herein.
 - b. In exercising its power, the Board may, in conformity with the provisions of Chapter 211, Local Government Code, as amended:
 - i. Reverse, or
 - ii. Affirm, wholly or partly, or
 - iii. Modify the order, requirement, decision or determination as sought to be made.
 - c. In exercising its power, the Board shall have all the powers of the officer from whom the appeal is taken and may require such conditions and safeguards as the Board finds necessary to preserve the spirit and intent of the regulations herein.
 - 4. Nonconformity
 - a. The Board of Adjustment may permit the reconstruction, extension or enlargement of a building occupied by a pre-existing non-conforming use on the lot occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use.
 - b. The Board of Adjustment may require the discontinuance of non-conforming uses under any plan whereby the full value of the structure or use can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this Ordinance.
- F. Limitations on Authority of the Board
 - 1. The Board may not grant a variance authorizing a use other than those permitted in the district for which the variance is sought.
 - 2. Although action may be effected by the Board, a variance for any parcel of property or portion thereof upon which a Site Plan, Preliminary Plat, Final Plat, or Zoning Amendment, where required, has not been finally acted upon by both the Planning and Zoning Commission and, where required, by the City Council, will not be deemed to be granted until said final action has been completed. All administrative remedies available to the applicant shall have been exhausted prior to a hearing by the Board of Adjustment. The Board shall have no power to grant a zoning amendment.

3. The listed conditions required to exist on any matter on which the Board of Adjustment is authorized to consider under this article shall be construed as limitations on the powers of the Board to act. Nothing herein shall be construed to empower the Board of Adjustment to effect changes in the zoning districts established by this article or the uses permitted therein.

G. General Procedures

1. Variance

a. Application and Fee

An application for granting a variance, other than an appeal, shall be in writing using forms provided by the City and shall be accompanied by a fee. The application for shall be the same as for a zoning variance.

b. Public Hearing

The Board of Adjustment shall hold a public hearing no later than 45 days after the date the completed application for action is filed.

c. Notice of Public Hearing

- i. Publication of the notice of a public hearing shall be published not less than ten (10) days prior to the public hearing in the official newspaper of general circulation.
- ii. Notice of a public hearing shall be mailed not less than ten (10) days prior to the public hearing to the petitioner and the owners of the property lying within 200 feet of any point of the lot or portion thereof, on an appeal, variance, exception or other action is proposed, and to all persons deemed by the Board of Adjustment to be affected. Such owners and persons shall be determined according to the current tax rolls of the City and substantial compliance therewith shall be deemed sufficient, provided, however, that the depositing of such written notice in the mail by the Board of Adjustment shall be deemed sufficient compliance with the purpose of this matter.

d. Termination of Approval

Any variance shall terminate automatically when the specified period of the variance has expired, or the use has been abandoned.

2. Appeals

a. Application and Fee

- i. An appeal may be taken from the decision of an administrative officer by a person who filed the application that is the subject of the decision, a person who is the owner or representative of the owner of the property that is the subject of the decision, a person who is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision, or by any officer, department, board or bureau of the municipality affected by the decision.
- ii. The appeal must be in writing and shall be submitted within 20 days after the decision has been rendered by the adminis-

trative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

b. Notice and Public Hearing

The Board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. The board shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.

c. Stay of Action

An appeal shall stay all proceeding of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed, otherwise, than by restraining order which may be granted by the Board of Adjustment or by a court of record on application, after notice to the officer from whom the appeal is taken on due case shown.

d. Limitation

The same appeal to the Board of Adjustment shall not be allowed on the same piece of property prior to the expiration of one (1) year from a ruling of the Board of Adjustment on any appeal to such body unless other property in the same zoned areas shall have, within such one (1) year period, been altered or changed by ruling of the Board of Adjustment, in which case such change of circumstance shall permit the allowance of an appeal but shall in no way have force in law to compel the Board of Adjustment after a hearing to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

3. Nonconforming Uses

After a public hearing, the Board of Adjustment may require the discontinuance of nonconforming uses under any plan whereby the full value of the structure or use can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this article.

4. Hearing

a. The Board of Adjustment may adopt rules to govern its proceedings with the approval of the City Council, providing, however, that such rules are not inconsistent with the terms of this Ordinance.

b. All meetings of the Board of Adjustment shall be open to the public.

- c. Meetings of the Board of Adjustment shall be held at the call of the Chairman, who may compel the attendance of witnesses.
 - d. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicate such fact and shall keep records of its examinations and other official actions, all of which shall be filed in the offices of the Board of Adjustment and kept as public record.
 - e. Any party may appear in person or by attorney or agent.
5. Concurring Vote
- The concurring vote of four (4) members of the Board is necessary to:
- a. Reverse an order, requirement, decision, or determination of an administrative official;
 - b. Decide in favor of an applicant on a matter on which the Board is required to pass under a zoning ordinance; or
 - c. Authorize a variation from the terms of this ordinance.
6. Judicial Review
- Any person or persons, jointly or separately, aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the City may present to a court of record, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of such illegality. Such petition shall be presented to the district court, county court, or county court at law within ten (10) days of the questioned decision of the Board of Adjustment, and not thereafter, and shall comply in all respects with the requirements set forth in Section 211.011 of the Local Government Code, as amended.

Article 14.200

Section 14.204 Certificate of Occupancy

A. General

No building hereafter erected, converted or structurally altered shall be used or occupied and no land or nonresidential building may be changed in use of a different classification unless or until a certificate of occupancy shall have been issued by the building official of the City stating that the building or proposed use of land or building complies with the provisions of this Ordinance and other building and health laws of the town.

B. Certificate of Occupancy

Certificates of Occupancy shall be applied for coincident with the application for building permit and shall be issued within ten (10) days after the erection or structural alteration of such building shall have been completed in conformity with the provisions of this ordinance and any other ordinance of the City and approval of all required inspections. Approval of the final building inspection by the Building Development Services department shall serve as a Certificate of Occupancy for all one family and two family residential dwelling units.

C. Certificate of Occupancy for a Legal Nonconforming Use

1. Certificates of Occupancy shall be required for all legal non-conforming uses. Application for Certificate of Occupancy for such non-conforming uses shall be filed within 12 months from the effective date of this Ordinance, accompanied by affidavits of proof that such non-conforming uses were not established in violation of this ordinance, or any previous zoning ordinance. Failure to make such application within 12 months after the nonconformity arises shall be presumptive evidence that the nonconformity is illegal and in violation of this Ordinance.
2. Certificate of Occupancy shall state that the building or proposed use of a building or land, complies with all building and health laws and ordinances and with the provisions of this ordinance. A record of all certificates shall be kept on file in the Building Development Services department, and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. (No fee shall be charged for a Certificate of Occupancy for a legal non-conforming use.)

D. Procedure for New or Altered Buildings

1. Written application for a Certificate of Occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the Building Permit for such building.
2. Said Certificate shall be issued after the City Manager and/or designee orders the building or structure inspected and finds no violations of the provisions of this ordinance or other regulations.
3. Said Certificate shall be issued by the City Manager and/or designee after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this Ordinance.

E. Procedure for Vacant Land or a Change in Building Use

1. Written application for a Certificate of Occupancy for the use of vacant land, a change in the use of land or a change in the use of a building, or for a change from a nonconforming use to a conforming use, shall be made to said City Manager /or designee.
2. If the proposed use is a conforming use, as herein provided, written application shall be made to said City Manager or designee.
3. If the proposed use is found to be in conformity with the provisions of this Ordinance, the Certificate of Occupancy shall be issued after the application for same has been made and all required inspections are completed and approved by the City Manager or designee.

F. Application Required

Every Certificate of Occupancy shall contain the following:

1. Building permit number;
2. The address of the building;
3. The name and address of the owner;
4. A description of that portion of the building for which the Certificate is issued;
5. A statement that the described portion of the building has been inspected for compliance with the requirements of the International Building Code, group and division of occupancy; and
6. The name of the City Manager or designee.

G. Posting

The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the City Manager or designee or his authorized agent.

H. Revocation

The City Manager and/or designee may, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this ordinance whenever the Certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this ordinance or the most current adopted ordinances.

I. Additional Types of Certificate of Occupancies and Compliance

1. Certificate of Occupancy – Temporary

If the City Manager or designee find that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary Certificate of Occupancy may be issued for a period not to exceed six (6) months, for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. Such temporary Certificate shall not be construed as in any way altering the respective rights, du-

ties, or other obligations of the owners/tenants relating to the use or occupancy of the premises or any other provision of this Ordinance.

2. Certificate of Occupancy – Nonconforming

For land, structures, or uses which become nonconforming by action taken by the City Council after the adoption of this ordinance, the owner or occupant of the nonconformity shall register the nonconformity with the City Manager and/or designee within three (3) months after the time it becomes nonconforming. Registration shall be confirmed by the issuance of a "Certificate of Occupancy - Nonconforming," which shall state specifically how the nonconformity was created and how it does not comply with the provisions of this Ordinance or other applicable ordinances. Failure to make such application within three months after the nonconformity arises shall be presumptive evidence that the nonconformity is illegal and in violation of this Ordinance.

3. Certificate of Occupancy – Re-Occupancy

a. A Certificate of Occupancy—Re-Occupancy is required when a there is change in party or parties occupying a building or a lease space, a change of use or intensification of use is not occurring, and a Certificate of Occupancy is not required under Section 14.205.A. A re-occupancy of the land or building shall not take place until a 'Certificate of Occupancy - Re-Occupancy' has been issued by the City Manager or designees with the approval of the Tarrant County Health Official, as applicable. Certificates of Occupancy - Re-Occupancy shall be required for any of the following:

- i. Change in tenant;
- ii. Change in lessee/management;
- iii. Change in business;
- iv. Change in party or entity occupying a building or portion of a building;
- v. Change in interior building layout whereby plumbing, mechanical, electrical or food related apparatuses are modified or relocated.

b. The Building Official shall determine if a Certificate of Occupancy – Re-Occupancy is required based on the proposed change. If a change occurred to warrant a Certificate of Occupancy – Re-Occupancy, the existing Certificate of Occupancy shall be deemed revoked until such time as necessary improvements or inspections have been made and a Certificate of Occupancy – Re-Occupancy has been issued.

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Section 14.301 General

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure," the word "shall" is mandatory, and not permissive. The words "used" or "occupied" include the words "intended," "designed," or "arranged to be used or occupied." The word "lot" includes the words "plot" or "parcel."

Section 14.302 Definitions

The following words, terms and phrases, when used in these zoning regulations, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

ABUTTING, ADJACENT, ADJOINING – Contiguous or sharing a common border or boundary with other property. Abutting, adjacent and adjoining shall include property immediately across an alley but shall not include property across a street.

ACCESSORY BUILDING/STRUCTURE – Generally, a subordinate building, located on the same lot as the primary building, and having a use customarily incidental to the primary use of the main building. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building or is under an extension of the roof of the primary structure and is designed as an integral part of the main building. Refer to Section 14.607, Accessory Uses and Buildings.

ACCESSORY USE – An area within the primary building used for a purpose other than the primary use of the principle building on the lot. Also, may be an incidental use in an accessory building on the same lot. Refer to Section 14.607, Accessory Uses and Buildings.

ADMINISTRATIVE OFFICERS - Any office referred to in these zoning regulations shall be the person so retained in this position by the City, or his duly authorized representative. This definition shall also include engineering, planning and other consultants retained by the City to supplement or support existing City staff, as deemed appropriate.

1. Building Official

The officer or designated authority charged with the administration and enforcement of the building codes.

2. City Attorney

The attorney, or firm of attorney, that has been specifically employed by the City to assist in legal matters. This term shall also apply if the City retains a person to perform the functions of City attorney as an official City employee.

3. City Engineer

The registered professional engineer or firm of registered professional consulting engineers that has been specifically employed by the City to perform engineering review, design and related activities. The City Engineer is also the designated Floodplain Administrator.

4. City Manager

The person or authorized representative/designee holding the position of the chief executive officer, as appointed by the City council, under the terms of the City Charter.

5. Planning and Zoning Administrator

The person designated by the City Manager to oversee zoning and subdivision review procedures, gather all staff comments and recommendations, and convey said recommendations to the Commission, Council and other departments.

6. City Secretary

The person or authorized representative holding the office of City Secretary under the terms of the City Charter.

7. Director of Building and Development Services

The person designated by the City Manager to oversee permitting and inspections, planning and zoning, code compliance, and environmental services, gather all staff comments and recommendations, and convey said recommendations to the Commission, Council and other departments.

8. Director of Public Works

The person designated by the City Manager to oversee compliance with the City Master Thoroughfare Plan and designate an individual to be part of the DRC; may also be City Engineer.

AMUSEMENT ARCADE (INDOORS) – A building or part of a building in which pinball machines, video games, amusement machines, or other similar player-operated amusement devices are present and maintained as the primary use. For the purposes of this definition, “primary use” means 51 percent or more of the gross floor area (including player space and aisle space) of the portion of the structure being used (not to include any area of a structure being used as storage).

AMUSEMENT MACHINE – Any machine or device of any kind or character, that is operated by or with coins, metal slugs, tokens, or checks, when such machine dispenses or is used or is capable of being used or operated for amusement or pleasure or when such machine is operated for the purpose of dispensing or affording skill or pleasure, or for any other purpose other than the dispensing or vending of “merchandise or music” or “service” exclusively, as those terms are defined in the Texas Revised Civil Statutes, Title 132, Chapter 8 (section 8801 et seq.), as amended. (An “amusement machine” pursuant to this definition is the same as a “skill or pleasure coin-operated machine” pursuant to the Texas Revised Civil Statutes, Title 132, Chapter 8, Section 8801(5), as amended.) An “amusement machine” shall also include any billiard tables operated for profit, whether operated by or with coins, metal slugs, tokens, or checks inserted into the machine or paid to an attendant. See also, GAMBLING DEVICE.

ANTENNA – Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

ANTIQUE STORE – An establishment offering for sale, within a building articles such as glass, china, furniture or similar furnishings and decorations which have values and significance as a result of age, design, or sentiment.

APARTMENT -- A room or suite of rooms in an apartment house arranged, designed or occupied as a dwelling unit or residence by a single family, individual, or group of individuals. Different types of Apartment uses are defined below:

1. Apartment, Efficiency or Studio

An apartment having a combination living and bedroom, including independent cooking facility (no separate bedroom).

2. Apartment Hotel

An apartment house which furnishes for the use of its tenants services ordinarily furnished by hotels, but the privileges of which are not primarily available to the public.

3. Apartment House – Refer to, DWELLING, MULTIFAMILY

A

ASSISTED LIVING FACILITY - A facility providing responsible adult supervision of or assistance with routine living functions of an individual in instances where the individual's condition necessitates that supervision or assistance.

AUTO-RELATED SALES AND SERVICE - An establishment that provides retail sales and services related to automobiles including, but not limited to, cars, tires, batteries, and gasoline.

AUTOMOBILE SALES AREA - An open area or lot used for the display or sale of automobiles, where no repair work is done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars or sale or keeping of used car parts or junk on the premises.

BASEMENT - A building story located below the first story and which is partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story in computing building height. Refer to, STORY

BICYCLE PARKING SPACE - A four feet wide by six feet long (4 ft wide x 6 ft long) space provided for securing two (2) bicycles to a City approved Bicycle Rack.

BICYCLE RACK - A framework which permits the locking of the bicycle frame and one (1) wheel to the rack and supports the bicycle in a stable position without damage to wheels, frame or components. Bicycle rack design shall adhere to requirements set forth in this Ordinance.

BLOCK - An area enclosed by streets and occupied by or intended for buildings; or if said word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two (2) intersecting streets. In cases where platting is incomplete or disconnected, the City Manager and/or designee shall determine the outline of the block.

BOARD - The Board of Adjustment (BOA) as established in Chapter 2, Administration of the regulations herein.

BOARDING HOUSE - A building other than a hotel, where lodging and meals for five (5) or more persons are served for compensation and conforms to Chapter 260 of the Texas Health and Safety Code and Chapters 508 and 509 of the Texas Government Code, as amended.

BUFFERYARD - A bufferyard is an area of land typically between adjacent properties with different zoning and/or land uses. Additional plantings and/or structures, such as walls or fences, may be required between land uses to eliminate or minimize conflicts between them.

BUILDING - Any structure built for the support, shelter, and/or enclosure of persons, animals, goods/personal items or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire each portion so subdivided may be deemed a separate building.

BUILDABLE AREA - The portion of a lot or site, excluding required yard areas, setbacks or open space within which a structure may be built.

BUILDING FACADE LINE - The vertical plane along a lot where the portion of the front facade of the building closest to the street is actually located.

BUILDING FOOTPRINT - The area of the building in contact with the ground.

BUILDING, HEIGHT OF - Refer to HEIGHT OF BUILDING.

BUILDING LINE – A line parallel or approximately parallel to the street right-of-way line at a specific distance marking the minimum distance from the street right-of-way line that a building may be erected.

BUILDING STORY – The height of a single floor of a multi-level building. Refer to, STORY

BUSINESS – Includes retail, commercial, industrial, and manufacturing uses and districts as herein defined.

CALIPER – Diameter of the trunk of a tree measured one foot (1 ft) above ground level. This method of measurement is used for trees that are planted as a requirement of the Zoning and Subdivision Ordinances.

CANOPY TREES - A perennial woody plant (single trunk or multiple trunks) contributing to the uppermost spreading branch layer of a forest and may be commonly referred to as shade trees.

CARPORT – An accessory building which is open-sided shelter for automobiles which may be formed by the extension of a roof from the side of the principle building and which has no more than one (1) of its sides enclosed.

CERTIFICATE OF OCCUPANCY (OR PERMIT) - An official certificate issued by the City through the administrative officer which indicates conformance with or approved conditional waiver from the Building Codes and Zoning Ordinance and authorized legal use and occupancy of the premises for which it is issued.

CITY COUNCIL – The governing body of the City of Lake Worth, Texas.

CLINIC – Medical office(s) for one (1) or more physicians, surgeons, dentists, optometrists, or chiropractors engaged in treating the sick or injured, but not including rooms for the abiding of patients.

COLIVING – An umbrella term for different types of co-housing arrangements; can be loosely defined as a home/dwelling unit where two (2) or more unrelated people live together whereby each person signs their own lease for a private bedroom, and often bathroom, within a residence, and the residents share common facilities, such as a kitchen.

COMMERCIAL AMUSEMENT CENTER, INDOOR OPERATIONS ONLY – A facility providing for entertainment and amusement. Games contained in the facility may include skilled games or activities such as, but not limited to, shuffle boards, darts, bowling facilities, roller/ice skating rinks or dominoes. Any combination of these games may be used in the facility. Not included in this definition is an AMUSEMENT ARCADE (INDOORS).

COMMERCIAL OR MIXED-USE BUILDING - A building in which the ground floor is built to commercial ready standards and any of the floors are occupied by non-residential or residential uses.

COMMERCIAL READY - A space constructed to the specified standard for the minimum height of the ground floor which may be used for noncommercial uses and/or converted into retail/commercial use. The intent of Commercial-Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

C

COMMUNITY CENTER – A building dedicated to social or recreational activities, serving the City or a neighborhood and owned and operated by the City or by a non-profit organization, and dedicated to promoting the health, safety, morals or general welfare of the City.

COMMUNITY GARDEN - A small to medium size garden (approximately one acre or smaller) cultivated by members of an area for small scale agricultural uses for the benefit of the same people. It may consist of individually tended plots on a shared parcel or may be communal (everyone shares a single plot).

COMMUNITY HOME - A community-based residential home as defined by and which qualifies as a community home pursuant to the Community Homes for Disabled Persons Location Act, Texas Human Resources Code, Chapter 123, as amended.

COMPREHENSIVE PLAN – The Comprehensive Plan of the City of Lake Worth, Texas, as adopted and amended by the City Council of the City of Lake Worth.

CONDITIONAL USE - A use which would not be appropriate generally or without certain restrictions throughout a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood would promote the health, safety, and welfare of the community.

CONDOMINIUM - A multi-family dwelling facility within which designated units or apartments are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roofs, parking space, and the land.

CONVALESCENT HOME – Any structure used for or occupied by persons recovering from illness or suffering from the infirmities of old age.

COTTAGE MANUFACTURING - Small scale assembly and light manufacturing of commodities fully enclosed within the building without producing any noise, noxious odors, gas, or other pollutants. This category may include workshops and studios, electronics, pottery, glass-blowing, metal working, screen printing, sculpture, painting, and weaving.

COURT – An open, unoccupied space, bounded on three (3) or more sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one (1) side open to a street, alley, yard or other permanent space.

COURTYARD - A landscaped open space in the center of the block with no street frontage, surrounded by walls or buildings on all sides. It shall be large enough to allow for public activities and have sunlight during midday. It should be designed to connect to adjacent buildings or to the public sidewalk through a pedestrian passage(s).

DAY CARE CENTER - A facility that provides non-medical care and supervision for more than six (6) children, elderly persons or persons with physical and/or mental disabilities. This definition does not include those uses defined as a community home.

DAY CARE NURSERY – A place where twelve (12) or more children are left for care a part of the twenty-four (24) hours of the day.

DAY CARE HOME, FAMILY – A place meeting the requirements and registered as a Registered Family Home with the Texas Department of Human Services and Chapter 42 of the Human Resource Code where twelve (12) or less children are left for care for less than twenty-four (24) hours a day.

dB(A) - The sound pressure level in decibels. Refers to the “a” weighted scale defined by American National Standards Institute (ANSI). A method for weighting the frequency spectrum to mimic the human ear.

DBH or dbh - Diameter at breast height; the average diameter (outside the bark) of a tree four and one-half feet (4 ½ ft) above mean ground level. This method of measurement is used for measuring existing trees.

DECIBEL - The unit of measure used to express the magnitude of sound pressure and sound intensity. Refer also to SOUND PRESSURE and SOUND PRESSURE LEVEL.

DISTRICT (ZONING) - A section of the City of Lake Worth, Texas, for which the regulations governing the area, height, or use of the land and buildings are uniform.

DRIVE-IN RESTAURANT OR REFRESHMENT STAND – Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

DWELLING, SINGLE FAMILY – A detached residential dwelling unit other than a mobile home, designed for and occupied by one (1) family only.

DWELLING, SINGLE FAMILY ATTACHED - Single-family attached structures include semi-detached (semi-attached, side-by-side), row houses, duplexes and townhouses. In order for attached units to be classified as single-family structures, each unit must:

- Be separated by a ground-to roof wall,
- Have a separate heating system,
- Have individual meters for public utilities, and
- Have no units located above or below.

A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

DWELLING, MANUFACTURED HOME (HUD) – A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which, in the traveling mode is eight body feet or more in width or forty body feet or more in length (greater than 8 ft by 40 ft), or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, including the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g), as amended.

DWELLING, MOBILE HOME – A structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the traveling abode, is eight body feet or more in width or forty body feet or more in length (greater than 8 ft by 40 ft), or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and including the plumbing, heating, air-conditioning, and electrical systems.

D

DWELLING, MODULAR – A residential structure that is designed for the use and occupancy of one (1) or more families, that is constructed in one (1) or more modules or constructed using one (1) or more modular components built at a location other than the permanent residential site, and that is designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site, and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include any residential structures that are in excess of three (3) stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof. The term shall not mean or apply to: (1) housing constructed of sectional or panelized systems not utilizing modular components; or (2) and any ready-built home which is constructed so the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

DWELLING, MULTIFAMILY - Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three (3) or more apartments or dwelling units or which is occupied as the home or residence of three (3) or more families living independently of each other and maintaining separate cooking facilities.

DWELLING UNIT – One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for occupancy by one (1) family, owner or renter occupancy, physically separated from other dwelling units which may be in the same structure, and containing independent cooking, living, and sleeping facilities.

EARLY EDUCATION - A facility, public or private, with purpose of providing activities and/or experiences that are intended to effect developmental changes in children prior to their entry into elementary school.

ENCROACHMENT - Any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public right-of-way, or above a height limit.

ENHANCED PAVEMENT – Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Enhanced pavement includes brick or stone pavers, grass pavers and stamped or stained concrete.

FAMILY – An individual, or two (2) or more persons related by blood or marriage, including adopted children, or a group of not to exceed five (5) unrelated persons, not all related by blood, marriage, or adoption occupying a premises and living as a single nonprofit housekeeping unit; as distinguished from a group occupying a boarding house or a hotel. unit with single kitchen facilities, on a non-profit cost-sharing basis.

FENCE – A mesh, solid, or systematically spaced and adjoined barrier so positioned as to confine, separate or enclose, regardless of the material of which same is made, constructed or grown, which is not a part of or enclosed within any building. Refer to Chapter 3, Article 3.900, Fences.

FLOODPLAIN – An area identified by the Federal Emergency Management Agency (FEMA) as possibly being flood prone or within the Special Flood Hazard Area (SFHA) or below the base flood, also known as the flood having a 1 percent chance of being equaled or exceeded in any given year or the 100-year flood. The issuance of building permits for construction of

any structure within such floodplain is regulated by a separate ordinance (Article 3.1600, Flood Damage Prevention, of the Lake Worth Code of Ordinances, as amended) governing the safeguards, preventive actions against flooding, types of uses permitted in flood prone areas, etc.

FLOOR AREA - The total (gross) square feet of floor space within the outside dimensions of a building including each floor level, but excluding cellars, attics, porches, carports or garages that are not designed for residential or business occupancy.

FLOOR AREA RATIO (FAR) - An indicated ratio between the number of square feet of total floor area in the main building(s) on a lot and the total square footage of land in the lot; it is the number resulting from dividing the main building(s) floor area by the lot area.

FOOD TRUCK - A vehicle establishment that is designed to be readily moveable and from which merchandise is sold or food is sold or served. The term includes, but is not limited to, a commercially manufactured vehicle. Often also called a mobile food establishment.

FOOD TRUCK PARK - A location at which more than one (1) food truck operates on a regular basis.

FORECOURT - Similar to a courtyard, it is located in the front of a building such that the forecourt is surrounded on two (2) or three (3) sides by a building(s).

FRONTAGE - All the property abutting on one (1) side of the street between two (2) intersecting streets, measured along the street line.

GAMBLING DEVICE - Any electronic, electro- mechanical or mechanical contrivance that for a consideration affords the player an opportunity to obtain anything of value, the award of which is determined solely or partially by chance, even though accompanied by some skill, whether or not the prize is automatically paid by the contrivance. The term includes, but is not limited to, gambling device versions of bingo, keno, blackjack, lottery, roulette, video poker or similar electronic, electromechanical or mechanical games, or facsimiles thereof, that operate by chance or partially so, that as a result of the play or operation of the game award credits or free games, and that record the number of free games or credits so awarded and the cancellation or removal of the free games or credits. See also, AMUSEMENT MACHINE.

GAME ROOM - A building, facility or other place where one (1) or more amusement redemption machines are present.

GALLERY - A roofed walkway or promenade, it is an extension of the main facade of a building that is at or near the front property line. The gallery may overlap the public sidewalk.

GARAGE, PRIVATE - An enclosed accessory building for storage only of motor vehicles, boats, travel trailers, and household goods owned and used by the owners or tenants of the premises.

GARAGE, PUBLIC - A building or portion thereof designed or used for the storage, which is operated for commercial purposes.

GARAGE, STORAGE (PARKING) - A building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except facilities for washing.

G

GARAGE SALE – An occasional sale at retail open to the public and conducted on a residential premise for the purpose of disposing personal property by a person who does not hold himself out as engaging in, or does habitually engage in, the business of selling such property at retail. The term includes but is not limited to all sales entitled “estate”, “lawn”, “yard”, “room”, “backyard”, “patio”, or “rummage” sale. The term does not include situations where no more than three (3) specific items are offered for sale and all advertisements of such sale specifically name those products to be sold.

GRADE – The measure of vertical elevation relative to some reference point usually mean sea level (msl). Grade is measured as follows:

1. For buildings having walls adjoining one (1) street only, it is the elevation of the sidewalk at the center of the wall adjoining the street;
2. For buildings having walls adjoining more than one (1) street, it is the average of the elevation of the sidewalk at the center of all walls adjoining the street;
3. For buildings having no wall adjoining the street, it is the average level of the finished surface of the ground adjacent to the exterior wall of the building.

Any wall approximately parallel to and not more than five feet (5 ft) from a street line is to be considered as adjoining the street. Where no sidewalk has been constructed, the City Manager and/or designee (s) shall establish such sidewalk level or its equivalent for the purpose of these regulations.

GROUND COVER – Low growing, dense spreading plants typically planted from containers.

GROUP HOME – A community-based residential home as defined by and which qualifies as a community home pursuant to the Community Homes for Disabled Persons Location Act, Texas Human Resources Code, Chapter 123, as amended.

HALFWAY HOUSE - A facility providing for the housing and rehabilitation or training of adults on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal institution, including without limitation community residential facilities established in accordance with Tex. Code of Criminal Procedure Ann. Art. 42.18, as amended from time to time. A halfway house includes facilities which provide in-patient treatment for chemical dependency to persons on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal institution if such persons are ordered to obtain such treatment for chemical dependency as a condition of release. For purposes of this definition, an adult is a person age eighteen years (18) or older.

HEIGHT OF BUILDING – The vertical distance of a building or structure measured from the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Height shall exclude chimneys, cooling towers, ventilators, elevator bulkheads, penthouses, tanks, water towers, radio antennae, ornamental cupolas, domes or spires, belfries, parapet walls or other appurtenances not exceeding ten feet (10 ft) in height above the top of the roof and not intended for human occupancy.

HEIGHT OF YARD OR COURT – The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

HIGH INTENSITY LIGHTING – Light, which when measured at 10 feet from the source exceeds eleven thousand (11,000) lumens.

HOME OCCUPATION – An occupation conducted in a dwelling unit in accordance with applicable supplemental regulations. Any occupation which is customarily incidental to the main use of the premises as a dwelling and is conducted by a member of a family residing in the dwelling.

HOTEL – One (1) or more buildings containing individual living or sleeping units specially designed as temporary quarters for transient guests, including provisions for meals and personal services. A hotel includes a tourist hotel, a motor hotel, and a motel, but does not include an apartment hotel.

IMPERVIOUS COVERAGE – The total area of development that creates impervious or partially impervious surfaces, including buildings, pavement, gravel roads, and recreation facilities. Measurements of impervious coverage shall be based upon net project area excluding land within existing street rights-of-way. Impervious means development that is highly resistant to water infiltration.

INDUSTRIAL – Industrial property is a broad category encompassing many different types of buildings, each with different characteristics designed to support different business operations, such as the following major types:

1. **Warehouse/Distribution Buildings**

Warehouse/Distribution buildings are very large, single-story structures used primarily for warehousing and the distribution of business inventory. These buildings range from 50,000 to hundreds of thousands of square feet under roof and have up to 60-foot ceiling heights to accommodate extensive racking and storage systems. These buildings may have a small amount of office space as numerous loading docks, truck doors and large surface parking lots to semi-trailers.

2. **Manufacturing Buildings**

Manufacturing facilities (also called heavy industrial buildings) are designed to house specialized equipment used to produce goods or materials. In addition to providing three-phase high capacity, electric power, these industrial properties may include heavy ductwork, pressurized air or water lines, buss ducts, high capacity ventilation and exhaust systems, floor drains, storage tanks and cranes.

3. **Refrigeration/Cold Storage Buildings**

Refrigeration/Cold Storage are specialized industrial buildings that offer large capacity cold storage and/or freezer space. They are often used as a distribution center for food products that require refrigeration/freezing.

4. **Telecom / Data Hosting Centers**

These are highly specialized industrial buildings located in close proximity to major communications trunk lines with access to an extremely large and redundant power supply capable of powering extensive computer servers and telecom switching equipment. These buildings have reinforced floor slabs capable of supporting the weight of the electrical and computer equipment as well as backup generators, and specialized HVAC. They may also include raised flooring to handle cooling and extensive cabling.

J

These buildings may also be called Switching Centers, Cyber Centers, Web Hosting Facilities and Telecom Centers.

5. **Flex Buildings**

This versatile building type (short for "Flexible") covers a broad range of uses and often is used to combine one (1) or more uses in a single facility, including office space, research and development, showroom retail sales, light manufacturing research and development (R&D) and even small warehouse and distribution uses. Because of this versatility, flex buildings are sometimes listed as separate category. Flex buildings typically have ceiling heights under 18 feet and have a higher percentage of office space than larger industrial buildings.

6. **Light Manufacturing Buildings**

Flex buildings can be used for light manufacturing that do not require extensive physical plant and space requirements that heavy industrial buildings provide; such as light assembly.

7. **R&D Buildings**

Flex buildings are popular in high technology industries such as computers, electronics and biotechnology because they effectively support a hybrid of office, manufacturing and warehouse space housed in a single location. Often these types of space users prefer locating in campus-like business parks featuring extensive landscaping, shared architecture design, and lots of surface parking and open space.

8. **Showroom Buildings**

Similar to flex/office buildings in basic construction and layout, showroom buildings combine retail display space with extensive onsite storage and distribution. Typically, up to 50 percent of the interior space in showroom buildings is dedicated to sales.

9. **Biotech (Wet Lab) Buildings**

Biotech buildings are highly specialized flex buildings that support a range of laboratory space where chemicals, drugs or other material or biological matter are tested and analyzed. This type of building requires extensive plumbing and water distribution, direct ventilation and specialized piped utilities. In addition, some may offer accurate temperature and humidity controls, dust control, and heavy power. Often these types of buildings are located together in campus-like fashion with extensive landscaping, extensive surface parking and open space.

JUNK – The term "junk" is defined to mean and shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton, or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used automobiles or airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition; subject to being dismantled for junk.

JUNKED VEHICLE – Refer to definitions in Chapter 8, Offenses and Nuisances, Article 8.500, Abandoned and Junked Vehicles of Lake Worth Code of Ordinances, as amended.

KENNEL – Refer to definition in Chapter 2, Animal Care and Control of Lake Worth Code of Ordinances, as amended.

LANDSCAPE ARCHITECT – A person registered as a Landscape Architect in the State of Texas pursuant to state law.

LANDSCAPE CONTRACTOR AND/OR DESIGNER – A person knowledgeable in plant materials and landscape design.

LANDSCAPE AREA – An area which is covered by natural grass, ground cover, or other natural plant materials.

LANDSCAPING - Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees and palms, and non-living durable material commonly used in landscaping, such as but not limited to, rocks, pebbles, sand, but excluding paving.

LAWN GRASS – Areas of land planted with grasses, which are maintained at a short height and used for aesthetic and/or recreational purposes. Often used for erosion control. Areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales, berms or other areas subject to erosion.

LEGAL NON-CONFORMING USE, BUILDING OR YARD – A use, building or yard existing legally at the time of the passage of this Ordinance which does not by reason of design, use, or dimensions conform to the regulations of the district in which it is situated. Also, a use, building or yard established after the passage of this Ordinance which does not conform to regulations of the district in which it is situated shall be illegal, unless otherwise registered.

LICENSED IRRIGATOR – A person duly licensed by the State of Texas to design and install irrigation systems.

LIVESTOCK – Animals typical of those that may be kept or raised on a farm or ranch, including but not limited to hoofed animals (horses, cows, sheep, goats, etc.), ratites (ostriches, emus, etc.), poultry (chickens, ducks, geese), and fur-bearers (rabbits, minks, etc.) and as regulated by Chapter 2, Animal Care and Control of the Lake Worth Code of Ordinances, as amended.

LIVE-WORK UNIT - A mixed use building type with a dwelling unit that is also used for work purposes. The following standards apply to the work component of the unit:

- Located on the ground floor and at street level;
- Restricted to the uses of professional office, artist's workshop, studio, or other similar uses;
- Constructed to commercial ready standards; and
- Constructed as separate units under a condominium regime or as a single unit.

The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

LODGE - An association of persons meeting regularly for their mutual benefit or for the promotion of some common purpose, supported jointly through payment of membership dues, all members having the right to vote on club policies and business.

L

LOADING SPACE, OFF-STREET – Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

LOT – An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed or recorded. Refer to LOT OF RECORD.

LOT COVERAGE – The percentage of the total area of a lot occupied by the base (first story or floor) of buildings located on the lot.

LOT FRONTAGE – The length of street frontage between property lines.

LOT LINES – The lines bounding a lot as defined:

1. **Front Lot Line**
The boundary between a lot and the street on which it fronts.
2. **Rear Lot Line**
The boundary line which is opposite and most distant from the front street line; except that in the case of uncertainty the City Manager and/or designee shall determine the rear line.
3. **Side Lot Line**
Any lot boundary line not a front or rear line thereof. A side line may be a party lot line, a line bordering on any alley or place or side street line.

LOT MEASUREMENTS

1. **Area**
The area of the lot shall be the area of the lot within the lot lines, expressed in square feet or acreage, including easements, and shall not include portions of any public street or alley.
2. **Depth**
The depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rear-most points of the side lot line in the rear (the mean horizontal distance between the front and rear lot line).
3. **Interior Area**
The interior area is the area of the lot remaining after subtracting out the area included in the bufferyards.
4. **Width**
The width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lot lines at their fore-

most points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80 percent requirement shall not apply.

LOT OF RECORD – A lot which is part of a subdivision recorded in the office of the County Clerk of Tarrant County.

LOT TYPES:

1. Corner Lot

A lot abutting upon two (2) or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the City Manager and/or designee.

2. Interior Lot

A lot other than a corner lot with only one (1) street frontage and whose side lot lines do not abut upon any street.

3. Through Lot

A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as "double frontage" lots. Such through lot shall provide a front yard on each street.

4. Cul-de-Sac Lot

A lot whose frontage is along the turnaround portion of a street that has only one (1) opening and terminates with a turnaround at the closed end.

MAIN (PRINCIPAL) BUILDING – The building on a lot which is occupied by the primary use.

MANUFACTURED HOUSING - Manufactured housing shall contain both mobile homes and HUD-code manufactured homes as defined herein.

MASONRY MATERIALS – Exterior materials as specified by use below:

1. Residential:

- a. Masonry construction in single family and duplex zoning districts shall be considered as being kiln-fired brick veneer, stone veneer or stucco. Cementitious fiber board and exterior insulating finish system (EIFS) may be used according to the applicable architectural requirements of the zoning district.
- b. Masonry construction in multifamily zoning districts may include the materials listed in paragraph a. above and split-face concrete masonry units (CMU).
- c. Concrete or cinder block (except split-faced CMU), exposed or painted cement, or concrete tilt wall systems shall not be considered masonry construction for residential uses.

2. Commercial: Masonry materials in commercial and industrial zoning districts shall comply with the supplemental regulations and/or zoning district regulations.

MASSAGE - Any method by which a person utilizes his or her hands, feet or an instrument for treating the superficial parts of a customer's body for medical, hygienic, exercise, entertainment, or relaxation purposes.

M

MASSAGE PARLOR/THERAPY/SPA - Any commercial, medical or therapeutic practice unrelated to a sexually oriented business operation operated by or employing licensed masseuse, psychologist, physicians, physical therapists, registered nurses, chiropractors, licensed practitioners or athletic trainers engaged in the practice of healing arts and the treatment of disease, ailments and disorders of the body.

MOBILE HOME – Refer to DWELLING, MOBILE HOME.

MOBILE HOME PARK OR SUBDIVISION – A parcel of land upon which mobile homes are placed or located for purposes of occupancy.

MOTEL - A building or group of buildings, not more than two (2) stories in height, containing individual sleeping or living units, specially designed for the convenience of transient motorists, and arranged so that the autos are parked adjacent to the individual rooms by the guests themselves.

MOTOR VEHICLE COLLECTOR - A person who owns one (1) or more antique or special interest vehicles; and acquires, collects or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve as an antique or special interest vehicle for historic interest.

NATIVE LANDSCAPE – Cultivated land that is characterized by the use of native plants, including trees, shrubs, groundcover and grasses which are indigenous, or adapted, to the geographic area of land.

NATURAL AREA – Uncultivated land that is undisturbed and allowed to grow in its natural state without direct human intervention. Natural areas are set aside for conservation purposes, as examples of typical and unique plant and/or animal communities, or as examples of natural interest and beauty.

NAVAL AIR STATION FORT WORTH JOINT RESERVE BASE (NAS FW JRB) -

1. **Approach/Departure Clearance Surface (Slope)**

An inclined plane that extends outward from the end of the runway of NAS Fort Worth for a distance of 25,000 feet and rises at a rate of one foot (1 ft) above the runway for every 50 feet from the end of the runway (runway elevation 650 feet msl). The horizontal extent is defined in the latest adopted edition of the Air Installations Compatible Use Zones (AICUZ) report for NAS Fort Worth JRB (2004, or later).

2. **Conical Surface**

An inclined plane that extends outward from the periphery of NAS Fort Worth for a distance of 7,000 feet and rises at a rate of one foot (1 ft) above the runway for every 20 feet from the end of the runway (runway elevation 650 feet msl). The horizontal extent is defined in the latest adopted edition of the Air Installations Compatible Use Zones (AICUZ) report for NAS Fort Worth JRB (2004 or later.)

3. **Transitional Surface**

inclined planes that connect the Approach/Departure Clearance Surface (Slope), the Conical Surface, and the Horizontal Surface (a horizontal plane at 1,150 feet mean sea level). The horizontal extent is defined in the latest adopted edition of the Air Installations Compatible Use Zones (AICUZ) report for NAS Fort Worth JRB (2004 or later.)

NON-CONFORMING USE – A building, structure or use of land lawfully occupied at the time of the effective date of this Ordinance or amendments thereto, and which does not conform to the use regulations of the zoning district in which it is situated.

NURSING AND CARE HOME - An institution considered a commercial use, providing meals and resident care and services for persons who are generally admitted for periods of time exceeding thirty (30) days. Such service includes custodial or attendant care but may or may not provide for routine and regular medical and nursing services. Nursing and care home include homes for the aged, and convalescent and rest homes.

OCCUPANCY – The use or intended use of the land or buildings by proprietors or tenants.

OFF-STREET – Out of the right-of-way of a public street or place.

OPEN SPACE – Area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves or porches.

OVERLAY DISTRICT – A set of zoning requirements that are described in the text, are mapped, and are imposed in addition to those of the underlying zoning district. Development within the overlay zone must conform to the requirements of both the underlying district and the overlay zone, or the more restrictive of the two. The zoning classification will typically be shown as a suffix to the underlying district (e.g. "NAS," Single Family – Naval Air Station Overlay District.)

PARKWAY – That area within the public right-of-way (ROW) between the back of curb or edge of pavement and the right-of-way line.

PARKING SPACE, OFF-STREET – For the purposes of this Ordinance, an off-street parking space shall consist of an indoor or outdoor space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

PERMEABLE PAVEMENT – A paving material that permits water penetration.

PERMITTED USES – Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PERSON – "Person" means an individual, proprietorship, partnership, corporation, association, or other legal entity.

PLANNED DEVELOPMENT - Development of land which is under unified control and is planned and developed as a whole single development operation or programmed series of development and is developed with special zoning standards that are unique to a particular site and which usually vary from those standards required by this article for other zoning districts.

PLANNING AND ZONING COMMISSION – The agency appointed by the City Council as an advisory body to it and which is authorized to recommend changes in the Zoning Ordinance and fulfill the functions authorized by the City Council and State Law.

PLAYGROUNDS - Open spaces designed and equipped for the recreation of children.

P

PLAT – A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Lake Worth and subject to consideration by the Planning and Zoning Commission and approval by the City Council. Reference to a plat in this Ordinance means an official plat of record that has been approved by City Council and filed in the plat records of Tarrant County.

PREMISES – Land together with any buildings or structures occupying it.

PRIMARY ENTRANCE - The principal entrance to a building expressly utilized for daily pedestrian ingress and egress, typically easily identified due to special architectural treatment.

PRIVATE DRIVE (STREET OR PLACE) – An open, unoccupied space, other than a street or alley, permanently established or reserved or dedicated in private ownership as the principal means of vehicular access to property abutting thereon.

PRIVATE CLUB – An association of persons meeting regularly for their mutual benefit or for the promotion of some common purpose, supported jointly through payment of membership dues, all members having the right to vote on policies and business.

PROHIBITED USES – Any use prohibited in a zoning district and subject to the restrictions applicable to that zoning district.

RECREATIONAL EQUIPMENT, MAJOR – Major recreational equipment is defined to include boats, trailers and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, horse trailers, utility trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

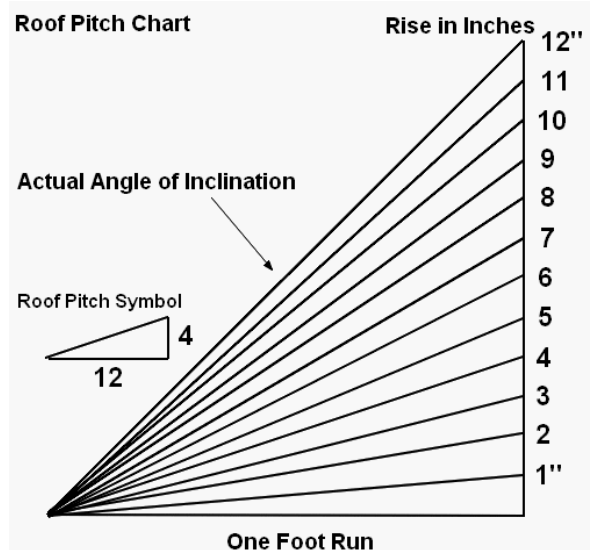
RELIGIOUS INSTITUTION – A building used for public worship by a congregation, excluding buildings used exclusively for residential, educational, recreational or other uses not normally associated with worship. Includes churches, chapels, cathedrals, temples and similar designations.

RESIDENCE – When used with the word “district,” an area of residential regulations. Refer to DWELLING.

RESIDENTIAL BUILDING - A building that is built to accommodate only residential uses on all floors of the building such as townhomes, apartment buildings, duplexes, etc.

ROOF PITCH – The slope of the roof referring to the rise in inches for every 12 inches in depth; typically denoted as a ratio (i.e. 6:12)

ROOM – A building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters, but not including toilet or cooking facilities.



ROOMING HOUSE – A building other than a hotel where lodging for three (3) but not more than twelve (12) persons is provided for definite periods for compensation pursuant to previous arrangements.

SCREENING SHRUBS – Evergreen shrubs that maintain their foliage year-round, and of sufficient mass and spacing to be opaque or that shall become opaque after 12) months and which shall be maintained in an opaque condition.

SETBACK – The distance from the property line to the nearest part of the building, structure or sign, measured perpendicularly to the property line. See also BUILDING LINE.

SEXUALLY ORIENTED BUSINESS – An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, or nude model studio.

SHELTER - A facility providing temporary housing primarily to indigent, needy, homeless or transient persons and which may also provide ancillary services such as counseling and/or vocational training, bathing, dining and food preparation.

SHOWROOM WAREHOUSE – A sales and office facility for a product that by nature of the bulk dimensions of the product requires a larger than normal storage area ratio to sales and office area to maintain a normal operating product inventory. A showroom warehouse is specifically not intended to be a wholesale distribution center.

SHRUBS - Plants which grow vertically in a multi-branched growth pattern.

SITE PLAN - A detailed line drawing clearly describing a project and showing sufficient information to determine the nature of the proposed development and providing adequate information to determine compliance with applicable codes and ordinances.

SOUND PRESSURE - The average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.

SOUND PRESSURE LEVEL - The sound pressure mapped to a logarithmic scale and reported in A-weighted decibels (dB(a)).

SPECIAL INTEREST VEHICLE – A motor vehicle of any age that has not changed from original manufacturers' specifications, and because of its historic interest, is being preserved by a hobbyist.

STABLE OR BARN (COMMERCIAL) – A structure or building used for the boarding and quartering of horses, cows or other domestic livestock for a fee or other remuneration basis.

STABLE OR BARN (PRIVATE) – A structure or building used for quartering horses, cows or other domestic livestock of the property owner and not kept for remuneration, hire or sale.

STOREFRONT - A store or other establishment that has frontage on a street or thoroughfare; usually containing display windows.

STORY – That part of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. A top story attic is a half story when the main line of the eaves is not above the middle of the interior height of such story. The first story is the highest story having its interior floor surface not more than four feet (4 ft) above the curb level, or the average elevation of the finished grade along the front of the building where it is set back from the street.

S

STREET – A public way between two (2) right-of-way lines, other than an alley or private drive, which has been dedicated or deeded to the public and accepted by the City for public use and affords a principal means of access (vehicular or otherwise) to property abutting thereon, as well as for utilities and sidewalks.

1. Private Street

A private thoroughfare which affords principal means of access to abutting property.

2. Public Street

A public thoroughfare which affords principal means of access to abutting property.

STREET FRONTAGE – The distance for which a lot adjoins a public street, from one (1) lot line intersecting said street to the furthest distant lot line intersecting the same street.

STREET LINE – The right-of-way of a street.

STRUCTURE – Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, billboards, and poster panels.

STRUCTURAL ALTERATIONS – Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roofs or exterior walls, excepting such repair or replacement as may be required for the safety of the building, but not including openings in bearing walls as permitted by the City Building Code.

STUCCO – Stucco shall be considered a masonry material when composed of cementitious ingredients, aggregate and water to create an exterior surface and moisture barrier with the aesthetics consistent with other masonry material of block, brick and/or stone. Stucco shall be applied using a three-step process over galvanized metal lath mesh to a minimum of three-fourths inch (3/4 in.) thickness or by other processes producing comparable cement stucco finish with equal or greater strength and durability. It must meet the requirements of the American Concrete Institute ACI 524, Guide to Portland Cement Plastering and the Portland Cement Association Stucco Manual, and the American Society for Testing and Materials (ASTM) specifications for Stucco and Plaster.

TERMINAL, MOTOR FREIGHT - The use of property or buildings for the temporary parking of motor freight vehicles or trucks of common carriers, during loading and unloading and between trips, including necessary warehouse space for storage of transitory freight.

THOROUGHFARE – As defined in the City's latest approved Comprehensive Plan.

TOWER – Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennae, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, personal telecommunications towers and similar structures.

TOWNHOUSE – A single family dwelling facility constructed in a series, or group of units having common walls, each on a separate lot of record.

TRAVEL TRAILER – A mobile vehicle built on a chassis and designed and used as a temporary place of dwelling and of such size and design as to be subject to licensing for towing on the highway by a passenger motor vehicle or other prime mover and not requiring a special permit for moving on the highway as contrasted to a mobile home.

UNDERSTORY/ACCENT TREES – Small evergreen or deciduous perennial woody plants which would grow below the top layer of the forest and typically have unique branching, textural or seasonal color characteristics.

UTILITY FACILITIES – Any water supply, water treatment, water pumping, water storage or other water facility; any sewerage treatment or pumping facility; any electrical generating facility, electrical transmission, switching facility, or electrical substation; any telephone exchange or other similar telephone communication facility; any natural gas pumping or storage facility; or any cable television receiving or transmission facility, or any utility or communications concern operating under a franchise approved by the City Council.

VARIANCE – A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. Except as specifically authorized in Chapter 2, Administration, a variance is authorized only for height, area, size of structure or size of yards, and open spaces. The establishment or expansion of a use otherwise prohibited shall not be allowed by variance except as provided in Chapter 2, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

WAREHOUSE AND/OR STORAGE:

1. Mini-Warehouse

A totally enclosed facility involving one (1) or more buildings and multiple individual units the purpose of which is exclusively for the storage of goods. Retail or wholesale, offices, manufacturing, fabrication, service, repair, or any other type of commercial or business enterprise is expressly prohibited from this type facility. Storage of hazardous and flammable materials as designated by the Fire Marshal is expressly prohibited from this type facility.

2. Mini Warehouse Storage Facility (Indoor Storage Only)

A commercial facility consisting of a building or group of buildings in a controlled access and fenced compound that contains varying **sizes** of individual, compartmentalized, and controlled access stalls or lockers for the dead storage of a customer's goods or wares. The rented space shall be for private use only.

3. Mini Warehouse Storage Facility (with outdoor storage)

An industrial facility consisting of a building or group of buildings and outdoor paved parking surfaces for outdoor storage in a controlled access and fenced compound. The buildings may contain varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. The outdoor paved parking surfaces may be utilized for the storage of recreational vehicles, cars, boats and other items typically stored outdoors. The rented space shall be for private use only.

4. Portable Storage Container

A portable and temporary weather-resistant receptacle designed and used for the storage or shipment of household goods, wares, building materials or merchandise.

Y

This term shall not include roll-off containers/dumpsters or storage containers having storage capacity of less than 150 cubic feet.

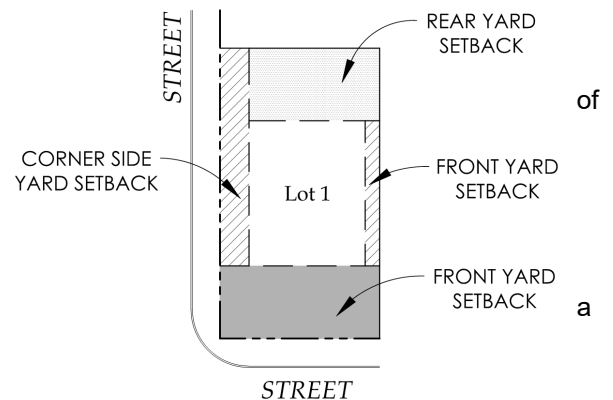
5. Warehouse

A large building where raw materials or manufactured goods may be stored in bulk before their export or distribution for sale. A showroom or store may be associated with the warehouse use.

YARD – A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, furniture, and roof overhangs not exceeding 30 inches, may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

1. Front Yard

A yard extending between side lot lines across the front of a lot adjoining a public street. In the case through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one (1) of the front yards that would normally be required on through lot is not in keeping with the prevailing yard pattern, the City Manager and/or designee may waive the requirement for the normal front yard and substitute a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.



In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of the depths required for second front yards in the district shall be provided on the other frontage.

In the case of corner lots with more than two (2) frontages, the City Manager and/or designee shall determine the front yard requirements, subject to the following limitations:

- a. At least one (1) front yard shall be provided having the full depth required generally in the district;
- b. No other front yard on such lot shall have less than the minimum required second front yard for corner lots.

Depth of required front yards shall be measured at right angles to the front lot line.

2. Side Yard

A yard extending from the rear line of the required front yard to the front of the required rear yard, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

3. Rear Yard

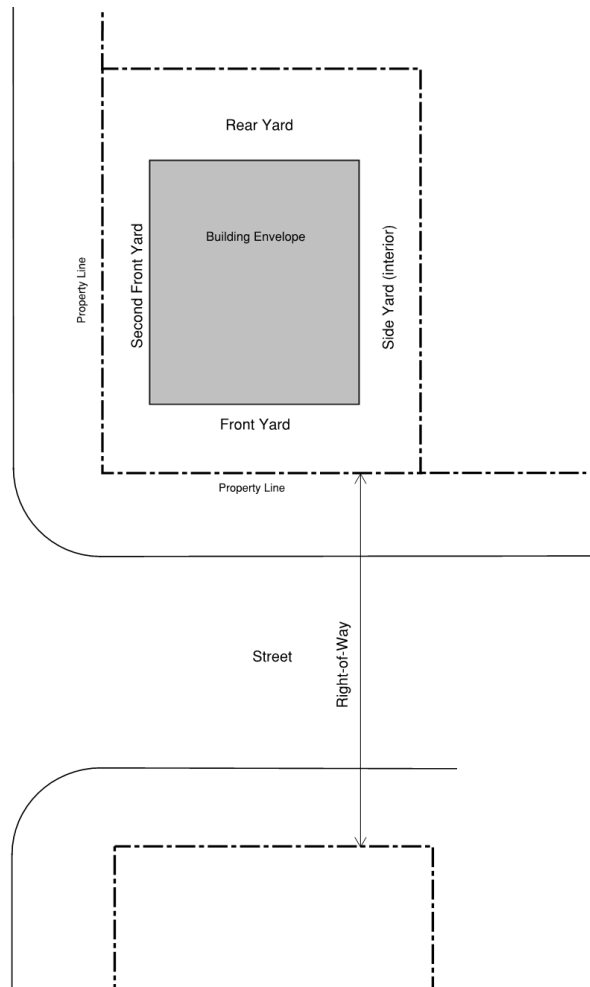
A yard extending across the rear of the lot between lot lines. In the case of through lots there will be no rear yards, but only front and side yards. All other lots will have rear yard.

Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

In cases where a rear lot line is not evident, or if evident but not parallel to the front building line, the minimum rear yard requirement shall be the distance from the rear-most point of the lot along a line from that point drawn perpendicular to a line drawn from the foremost points of the two side lot lines, providing that the rear yard is parallel to at least one lot line along the rear of the lot.

4. Special Yard

A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the City Manager and/or designee shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.



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ARTICLE 14.400 DISTRICTS, LAND USES and NONCONFORMING USES

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Section 14.401 Zoning Districts, Generally

- A. In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and limit the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged, to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Lake Worth is hereby divided into 11 zoning districts to be known as follows:

PF	Public Facilities District
SF-7.5	Single-Family 7.5 District
SF-0	Single Family Zero Lot Line District
MH	Manufactured Housing District
MF	Multifamily District
C	Commercial District
HC	Highway Corridor District
LI	Light Industrial District
I	Industrial District
MU-PD	Mixed Use Planned Development
NAS	Naval Air Station Overlay District

B. **Obsolete Zoning Districts**

Obsolete districts have been mapped on the official zoning map of the city but are no longer part of the zoning district hierarchy applied to the city. These districts have been retained from the previous version of the land use ordinance and land that is zoned with any of the obsolete district designations will continue to be developable under those use and dimensional regulations applicable to the districts immediately prior to the effective date of this ordinance. Obsolete districts may have a city Planned Development (PD) designation associated with it. If such is the case, the land shall be developed according to the provisions of the approved PD Ordinance(s).

Applications for rezoning to these obsolete districts shall not be accepted.

SF-1	Single-Family District
MD	Moderate Density District
P-MF	Planned Multiple-Family District
P-C	Planned Commercial District
P-I	Planned Industrial District
M-PD	Mixed Planned Development District

C. Comparable Zoning District Classifications

Zoning districts established by the immediate prior zoning ordinance have been either replaced with or amended as the noted in the table above.

As listed, the new districts shall be considered as being comparable to the immediate prior district. The purpose, designation, and area requirements shall be deemed to be unchanged unless otherwise revised by this article.

<u>New Zoning District</u>	<u>Prior Zoning District</u>
PF Public Facilities District	None
SF-7.5 Single-Family 7.5 District	"SF-1," Single-Family District
SF-0 Single Family District	"MD", Moderate Density District
MH Manufactured Housing District	"MH" Manufactured Housing District
C Commercial District	"C," Commercial District
HC Highway Corridor District	None
LI Light Industrial District	None
I Industrial District	"I," Industrial District
MF Multifamily District	"P-MF," Planned Multi-Family District
None	"P-C," Planned Commercial District
None	"P-I," Planned Industrial District
MU-PD Mixed Use Planned Development District	"M-PD," Mixed Planned Development District
NAS Naval Air Station Overlay District	None

Article 14.400

D. Terms Defined

The term "more restricted district" means one with fewer permitted uses and the term "less restricted district" means one with more permitted uses.

E. Zoning Map

The districts aforesaid, and the boundaries of such districts, shall be as hereinafter described, and as shown upon the map attached hereto and made a part of this Ordinance, said map being designated "City of Lake Worth, Texas Official Zoning Map", and said map and all notations, references, and other information shown thereon shall be a part of this Ordinance the same as if all such matters and information were fully described herein. The original of said map shall bear the date with the passing of this Ordinance and shall be signed by the Mayor and attested by the City Secretary, under the seal of the City of Lake Worth, Texas; said original map shall be kept in the office of the City Secretary in the Lake Worth City Hall, and a replica thereof shall be produced upon paper in such reduced scale as will permit its being attached to this Ordinance.

It shall be the duty of the City Manager and/or designee to keep the official maps and current copies up to date, by entering on such maps any changes that the City Council may from time to time order by amendments to the Zoning Ordinance and Map.

Original, official, and identical copies of the official zoning map are hereby adopted bearing the signature of the Mayor and the attestation of the City Secretary or designee and shall be filed and maintained as follows:

1. One (1) copy shall be filed with the City Manager and/or designee and retained as the original record and shall not be changed in any manner.
2. One (1) reproducible copy shall be filed with the City Manager and/or designee and shall be the official zoning map and shall be maintained by posting thereon all changes and subsequent amendments hereafter made by the City Council.
3. Other sectional maps for interpretation purposes may be made as shall be approved by resolution by the city council.
4. Reproductions for information purposes may from time to time be made of the official zoning map.
5. The official zoning map is subject to public inspection in the office of the City Secretary.

F. Boundaries of Districts

Where uncertainty exists with respect to the boundaries of the various districts, as shown on the map accompanying and made a part of this Ordinance, the following rules shall apply:

1. The district boundaries are either streets, alleys, creeks, pipe lines, electric transmission lines, railroads, or other natural or manmade features not likely to change, unless otherwise shown, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by street or alley lines, said street or alley shall be construed to be the boundary of such district.
2. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries

3. On property that is still a survey tract or has not been subdivided with a recorded final plat, the district boundary lines on the map accompanying and made a part of this Ordinance shall be determined by use of the scale contained on such map, unless dimensions are shown.
- G. Newly Annexed Territory
- All territory hereafter annexed into the City of Lake Worth, Texas, shall conform to the regulations as specified in Article I, Boundaries and Annexation, of the Home Rule Charter of the City of Lake Worth, until permanently zoned by the City Council of the City of Lake Worth. The Planning and Zoning Commission may, after annexation of any territory into the City of Lake Worth, institute proceedings on its own motion to give newly annexed territory a permanent zoning, and the procedure to be followed shall be the same as is provided by law for the adoption of original zoning regulations.

Section 14.402 Land Uses

It is recognized that new types of land use will develop, and forms of land use not anticipated may seek to locate in the City of Lake Worth. In order to provide for such changes and contingencies, the City Manager or designee may make a preliminary determination of the acceptability of a new use within a certain district. At the next appropriate time, the City Manager or designee shall make recommendations to the Planning and Zoning Commission and City Council for changes to the Zoning Regulations to accommodate new uses.

Section 14.403 Table of Uses

The uses allowable in each District are summarized in table herein and described in detail in the narrative discussion of each district in the chapters herein. In the event of a conflict between the table and the narrative description, the narrative prevails.

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
AGRICULTURAL USES As designated by Tarrant Appraisal District											
Agricultural or vacant land	P	P	P	P	P	P	P	P	P	P	P
RECREATION AND ENTERTAINMENT USES											
Amusement/ Event center (indoor)				X		CUP	P	P	P	P	
Amusement center Game room	X	X	X	X	X	X	X	X	X	CUP	
Entertainment venue (outdoor)						P	P	P	CUP	CUP	CA APZ II
Auditorium, theater, cinema	P					P	P	P	P	P	CA APZ II
Bar, tavern, private club						P	P	P	P	P	X
Golf courses, driving range, miniature golf	CUP					CUP	CUP			CUP	CA APZ II
Restaurant, café, cafeteria	CUP					P	P	P	P	P	X
Sexually- oriented business	X	X	X	X	X	X	X	X	X	P	X
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NA S
PUBLIC FACILITIES, EDUCATIONAL AND INSTITUTIONAL USES											
Business / trade school	P					P		P	P	P	X
Colleges and universities	P					P		P	P	P	X
Early education, elementary and secondary schools	P					P		P	P	P	X
Day care center (child or adult)	X	CUP	CUP	CUP	X	P	P	P	CUP	X	X
Day care center, religious institution	P					P	P	P	P	P	X
Government offices – local, state or federal	P					P	CUP	P	P	P	X
Independent school district offices/ buildings	P					P		P	P	P	X
Medical care facilities, clinics, hospitals	CUP			X		P		P	P	P	X
Museums, libraries, community centers, private or non-profit organizations	X				X	P	P	P	P	P	X
Public safety facilities, civil defense centers,	P					P		P	P	P	X
Religious institutions, churches	P	P	P	P	P	P	P	P	P	P	X
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
RESIDENTIAL USES — HOUSEHOLD											
Single Family dwellings		P	P	P	P			P			X
Single Family attached			P	P				P			X
Multifamily dwellings				P				P			X
Manufactured/ Mobile home					P			X			X
Modular Home					P			X			X
RESIDENTIAL USES — GROUP											
Assisted living; nursing home	CUP	CUP	CUP	CUP	CUP	P	P	P	X	X	X
Boarding Home/ Coliving		CUP	CUP	P			CUP				X
Community Home	CUP	P*	P*	P		P*					X
Group Home		P	P	CUP		P*					X
Halfway House	CUP	X	X	CUP						CUP	X
Shelter	X	X		X					CUP	CUP	X
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
ACCESSORY BUILDINGS or STRUCTURES											
Accessory bldg; Non-residential	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P*
Accessory bldg; Residential	CUP	P*	P*			CUP	CUP	P	CUP	CUP	X
Antennae and towers, ≤ to max. height in district	P	P	P	P	P	P	P	P	P	P	CA
Antennae and towers > max. height in district	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CA
Carport	X	P*		P*	P*						P*
Temporary bldg for construction/ office trailer	P	P	P	P	P	P	P	P	P	P	P*
ACCESSORY USES											
ADO - Accessory dwelling unit	P	P	P		P	P*	P*	P	P*	P*	X
Home Occupa- tions	X	P	P	CUP	P						X
Outdoor sales/ display (Temporary)	CUP					P*	P*		P*	P*	
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Table of Uses

	ZONING DISTRICT										
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
COMMERCIAL, RETAIL AND SERVICE USES											
Antique shop						P	P	P	P	P	X
Appliance store, supply, repair						P	P	P	P	P	X
Bank / financial institutions						P	P	P	P	P	X
Barber / beauty shops salon						P	P	P	P	P	X
Bicycle shop, repair						P	P	P	P	P	X
Book store, stationary						P	P	P	P	P	X
Caterer or wedding service		CUP	CUP	CUP	CUP	P	P	P	CUP	CUP	X
Cigar, tobacco or vape stores						P	P	P	P	P	X
Contract construction services						P	P	P	P	P	P
Convenience store, no fuel						P	P	P	P	P	X
Convenience store and fuel station						P	P		CUP	CUP	X
Copy store and services; no off-set printing						P	P	P	P	P	X
Drug stores/ pharmacy						P	P	P	P	P	X
Farm implement sales/ service						CUP	CUP		CUP	CUP	X
Food truck; Food truck park	P*					P*	P*	P	P*	P*	X
Furniture and furnishings						P	P	P	P	P	X
Grocery stores, specialty market						P	P	P	P	P	X
Hardware/home improvement						CUP	CUP		CUP	CUP	X
Health / fitness facility						P	P	P	P	P	X
Hotel, motel, inn				CUP		P	P	P	P	P	
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
COMMERCIAL, RETAIL AND SERVICE USES (continued)											
Ice storage / dispensing						P	P	P		P	P
Laundry service, dry cleaner						P	P	P	P	P	X
Liquor/package store						P	P	P	P		X
Merchandise, general						P	P	P	P		X
Merchandise, specialty						P	P	P	P		X
Mini-warehouse; no outside storage						CUP	CUP	P	P	P	P
Mini-warehouse; outside storage						CUP	CUP	P	X	P	P
Mortuaries, funeral homes						P	P	X	P		X
Music instruments and/or lessons						P	P	P			X
Nursery for retail sales						P	P	X			X
Nondepository financial institution	X	X	X	X	X	X	X	X	X	CUP	
Office, health services						P	P	P			X
Offices, professional						P	P	P			X
Office, real estate sales; leasing						P	P	P			X
Pet boarding kennel, day camp						P	P	P			X
Photofinishing, offset printing, lithography						P	P	P			X
Private club, fraternity, lodge						P	P	P			X
Restaurant, café, cafeteria with drive-through	CUP					P	P	P	P	P	X

P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited,
CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
COMMERCIAL, RETAIL AND SERVICE USES (continued)											
Restaurant, café, cafeteria	CUP					P	P	P	P	P	X
Spa – beauty, health, massage						P	P	P			X
Sporting goods; gun sales/service						P	P	P			X
Tailor and cobbler						P	P	P			X
Temp. outdoor seasonal sales						P*	P*				P*
Veterinarian, outdoor kennels						CUP	CUP				X
Veterinarian, no outdoor kennels						P	P	P			X
AUTOMOBILE AND MISCELLANEOUS VEHICULAR USES											
Automobile, Bicycles, Motorcycles, Boats, Trailers											
Auto parts, retail store						P	P	P	P	P	X
Vehicle sales and rentals						P	P				X
Vehicle repair, paint/body shop						CUP	CUP				P
Car wash						P	CUP				P
Parking garage or lot (private)						P	P	P			P
Parking garage or lot (commercial)						P	P	P			P
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
INDUSTRIAL, MANUFACTURING AND WAREHOUSING USES — Light Industrial											
Carpet cleaning							P		P	P	P
Food processing							P		P	P	X
Flex building							P		P	P	P
Furniture repair							P		P	P	P
Light manufacturing									P	P	P
Outdoor sales and storage						CUP	CUP		P	P	P
Research and development									P	P	X
Showroom warehouse						CUP	CUP	X	P	P	P
Warehouse store (e.g. Costco)							CUP	X	P	P	X
INDUSTRIAL, MANUFACTURING AND WAREHOUSING USES — Industrial											
Biotech buildings								X	CUP	P	X
Heavy industrial equipment sales/ auction yard								X		P	P
Manufacturing buildings								X		P	P
Refrigeration / cold storage building								X	CUP	P	X
Packing plant								X		P	P
Telecom/data hosting center								X	CUP	P	X
Terminal, truck, freight, or water								X		P	P
Warehouse / distribution								X		P	P
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Table of Uses

ZONING DISTRICT											
	PF	SF 7.5	SF 0	MF	MH	C	HC	MU PD	LI	I	NAS
UTILITY AND SERVICE USES											
Utility installations owned by City, County, State or Public Utility	P	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	CA & CUP
Geothermal heat pump systems (Closed-Loop)	P	P	P	CUP		P	P	P	P	P	P
Ground-mounted solar system and solar water heater (less than 1,000 sq ft)	P	P	CUP			X	X				CA & CUP
Ground-mounted solar system and solar water heater (greater than 1,000 sq ft) ¹	CUP	CUP	CUP			X	CUP	CUP	CUP	CUP	X
Roof-mounted solar system and solar water heater (less than 1,000 sq ft)	P	P	P	CUP	CUP	P	P	P			CA & CUP
Roof-mounted solar system and solar water heater (greater than 1,000 sq ft) ¹	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	X
Wind energy systems ²	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	X
1 - Any Solar Energy System over 1,000 square feet in area requires an approved Conditional Use Permit and a letter of no objection from the Commanding Officer of the Naval Air Station prior to building permit approval.											
2 - Any Wind Energy System requires an approved Conditional Use Permit prior to installation and a letter of no objection from the Commanding Office of the Naval Air Station prior to building permit approval.											
P=Permitted use, Blank=Not Permitted, CUP=Conditional Use Permit required, X=Prohibited, CA = NAS review required; P* = Refer to Section 14.600, Supplemental Regulations)											

Section 14.404 Nonconforming Use(s), Generally

A. Purpose and Intent

Within the districts established by this article, there may exist buildings or uses of land and buildings which were lawful before this article was passed or amended, but which would be prohibited, regulated or restricted under the terms of this section or future amendments. Such nonconforming buildings or uses of land and buildings may be continued although they do not conform with the provisions of this section, subject to the limitations and conditions set forth in this section. Such nonconforming uses are declared by this section to be incompatible with permitted uses in the districts involved.

B. Amendment to Zoning Regulations

The provisions of this section shall also apply to uses, yards, or buildings made non-conforming by subsequent amendments to zoning regulations.

C. Certificate of Occupancy

All legal non-conforming uses must apply for a certificate of occupancy.

D. Continuation of Nonconforming Use

1. The lawful use of land existing at the time of the passing of this Ordinance, although such does not conform to the provisions hereof, may be continued, but if such non-conforming use is discontinued or abandoned, any future use of said premises shall be in conformity with the provisions of the regulations herein.
2. The lawful use of a building or fence existing at the time of this Ordinance may be continued, although such use does not conform with the provisions hereof, and such use may be extended throughout the building provided no structural alterations, except those required by law or ordinance, are made therein.
3. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification.
4. If such non-conforming building is removed, every future use of such premises shall be in conformity with the provisions of the regulations herein.

E. Repairs and Alterations

1. Repairs and alterations may be made to a legal non-conforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is changed to a conforming use and provided that no additional dwelling units shall be added where the non-conforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located.
2. The Board of Adjustment shall have the authority after a public hearing to grant extension of a building non-conforming as to uses not to exceed 25 percent of the ground area of the same in case of evident hardship, subject to the yard restrictions herein provided.

F. Change of Use

1. A legal non-conforming use, if changed to conforming use, may not thereafter be changed back to a non-conforming use.
2. A legal non-conforming use may not be changed unless to an equal or to a more restricted use.

Article 14.400

G. Discontinued or Abandoned

1. A legal non-conforming use, when discontinued or abandoned, shall not be resumed, except that the existing yards for all single-family residences existing at the time of the passage of this Ordinance shall be deemed to be conforming.
2. Discontinuance or abandonment shall be defined as follows:
 - a. When land used for a legal non-conforming use shall cease to be used in a bona fide manner for 60 consecutive calendar days.
 - b. When a building designed or arranged for a non-conforming use shall cease to be used in a bona fide manner as a legal non-conforming use for a continuous period of six (6) consecutive calendar months.
 - c. When a building designed or arranged for a conforming use shall cease to be used in a bona fide manner as a legal non-conforming use for a period of three (3) consecutive calendar months.
 - d. When land or a building used only on a seasonal basis is not used in a bona fide manner as a nonconforming use during such season.
3. Extension

Upon evidence of hardship, the Board of Adjustment shall have the power to extend the time limits in the above not to exceed six (6) months.

H. Destruction of Nonconforming Building

1. If a nonconforming building or a building occupied by a nonconforming use is destroyed by fire, the elements or otherwise, it may not be reconstructed or rebuilt except to conform with the provisions of this article unless the destruction amount is less than 50 percent of its fair market value at the time of destruction.
2. If the destruction is greater than 50 percent and less than total, the Board of Adjustment may, after a public hearing, authorize repair, taking into consideration the property owner's circumstances and the effect on surrounding properties.
3. Upon submission by the owner of sufficient evidence to prove that the destruction amounts to less than 50 percent of the total value of the entire nonconforming use and that the destroyed building or structure constituted an integral part of the nonconforming use without which the nonconforming use cannot be profitably operated, the board of adjustment may permit the reconstruction of such destroyed building or buildings under conditions which reasonably allow the owner to recoup his original investment.
4. Notwithstanding anything herein to the contrary, a single-family residence which is destroyed shall be permitted to be reconstructed without Board of Adjustment approval regardless of the extent of destruction, provided that the construction complies with all current building codes and is commenced within six (6) months of the date of destruction. The failure of the owner to start such reconstruction within six (6) months shall forfeit the owner's right to restore or reconstruct the dwelling except in conformance with this article.
5. If the owner of a nonconforming use fails to begin reconstruction of the destroyed building (when permitted to do so by the terms of this article) within six (6) months of the date of destruction or approval by the Board of Adjustment, the nonconforming building or use shall be deemed to be discontinued or abandoned as provided in subsection above.

6. Notwithstanding anything herein to the contrary, the owner of a manufactured home that has been destroyed by fire or natural disaster, may replace the manufactured home, provided that the installation complies with all applicable state or local regulations and the owner applies for a permit and commences installation within six (6) months of the date of destruction. The failure of the owner to start such installation within six (6) months shall forfeit the owner's right to replace the manufactured home except in conformance with this article. In this subsection, the terms "fire" and "natural disaster" shall have the same meanings as the identical terms in Section 1201.008(f) of the Texas Occupations Code.

I. Signs

1. The lawful location and maintenance of commercial signboards and billboards existing at the time of the passage of this Ordinance may be continued, although such use does not conform with the provisions hereof, provided, however, that no alterations are made thereto and provided, however, any sign installed and in use prior to the enactment of this Ordinance will not be restricted by the Ordinance so long as its location, height, basic construction, message and other significant characteristics remain unchanged.
2. Any sign in any zoning district which is rebuilt, relocated, modified, enlarged, extended, altered other than by normal maintenance to the configuration existing at the time of enactment of this Ordinance shall be regulated by this Ordinance.

J. Regulations for Buildings Under Construction

1. Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a legal building permit has been heretofore issued.
2. Nothing herein contained shall require any change in the plans, construction, or designated use of a building actually under construction at the time of passage of this Ordinance.
3. If any amendment to this Ordinance is hereafter adopted changing the boundaries or districts, the provisions of this Ordinance with regard to buildings or premises existing or building under construction or building permits issued in the area affected by such amendment at the time of the passage of such amendment shall not be affected.

K. Acquisition of Public Right-of-Way or Easement

If a building is rendered non-conforming solely because of the acquisition of a public right-of-way or easement, and that building is destroyed by fire or the elements, then the owner may be granted a permit to reconstruct the building provided that the setback and size of the building are identical to the previous non-conforming building, and otherwise conform with all other provisions of this Ordinance.

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ARTICLE 14.500, ZONING DISTRICTS

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Section 14.501 PF, Public Facilities**A. Purpose**

The PF, Public Facilities District is for those institutions, health care facilities and related uses that are established in response to the health, safety, educational and welfare needs of the community. These uses are separated from others in the community due to their unique service and often very special area requirements in the community in relation to the whole. Their replacement should not be arbitrary but should be located to respond to the needs of the community.

B. Use Regulations

In the PF, Public Facilities District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, except as specified in [Article 14.400, Land Use Table](#).

C. Height and Area Regulations (refer to next page for regulations)

Typical lot diagram for development within this district is provided.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.

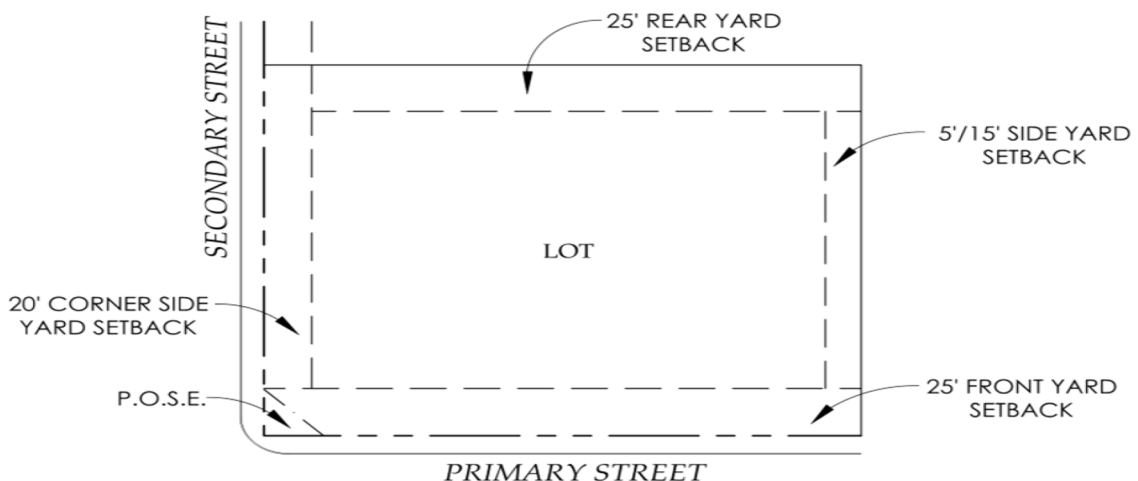
2. Parking

The parking requirements of Section 14.600, Supplemental Regulations, shall apply to all uses established in the PF, Public Facilities District.

3. Site Plan Required

a. New development within the PF, Public Facilities District requires a site plan in accordance with Section 14.606, Site Plan Requirements.

b. A request for a change of use may be approved by the City Manager and/or designee if the new use preserves the approved site plan and conforms to the regulations herein.



Height and Area Regulations

It is intended by these regulations that development in the PF, Public Facilities District shall be compatible with development regulations in the district(s) which it adjoins.

1. Height

- a. No building hereafter erected, reconstructed, altered, or enlarged shall exceed two (2) stories, nor shall it exceed 35 feet within 100 feet of a property zoned or used for residential purposes, measured at the property line.
- b. Any building in excess of 100 feet from these property lines shall not exceed three (3) stories or 45 feet, provided that the required side and rear setbacks are increased by one (1) foot for each foot of height in excess of 35 feet.
- c. Towers and structures owned and operated by the City and/or franchise utilities are exempt from height requirements.

Refer to Article 14.600, Supplemental Regulations, for additional height regulations.

2. Front Yard

- a. There shall be a front yard of not less than 25 feet, or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
- b. Corner lots shall have a minimum side yard of 20 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
- c. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 20 feet, then the platted building line shall be required on the second front yard.

3. Rear Yard

There shall be a rear yard of not less than 25 feet.

4. Side Yard

There shall be a minimum side yard of five (5) feet. Where a lot abuts upon the side of a residentially-zoned lot, there shall be a side yard of not less than 15 feet.

PF, PUBLIC FACILITIES**Site Development**

Lot Density	Not Applicable
-------------	----------------

Lot Coverage	Not Applicable
--------------	----------------

Lot Dimensions

Lot size (min)	Not Applicable
----------------	----------------

Lot width (min)	Not Applicable
-----------------	----------------

Lot depth (min)	Not Applicable
-----------------	----------------

Building Placement**Minimum Setbacks**

Front Yard (min)	25 feet
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Side Yard (Interior)	5 feet
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Side Yard (Adjacent to residential)	15 feet
-------------------------------------	---------

Side Yard (Corner)	20 feet
--------------------	---------

Rear Yard (min)	25 feet
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Building Standards

Floor area (min)	Not Applicable
------------------	----------------

Height (max):	35ft, 2 stories max. adj. to residential
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	45ft, 3 stories max. greater than 100 ft from adj. residential
--	--

Masonry	75 percent all sides
---------	----------------------

A. Purpose

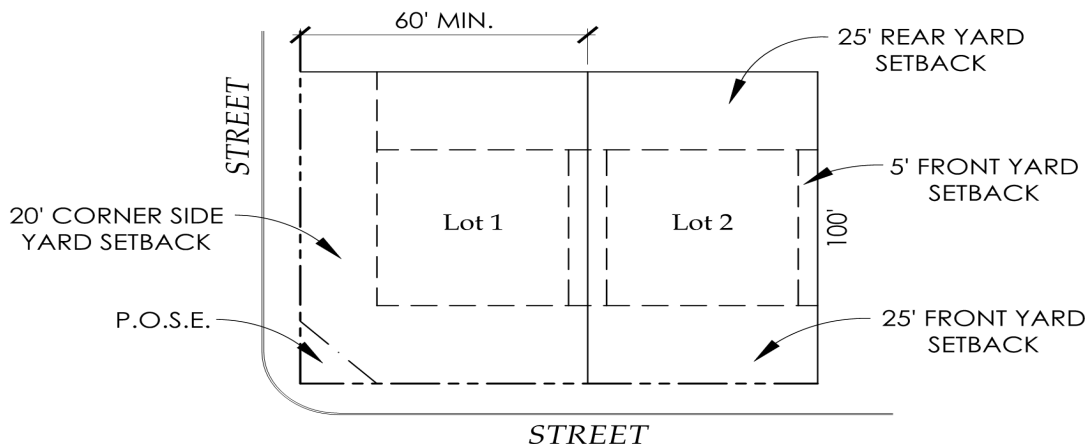
This zoning classification should be applied in areas of the City to conserve the traditional neighborhood character typical in Lake Worth. It is not intended that this zoning district be the subject of major alterations except for a possible re-classification in minor areas for a less restrictive residential use for reasonable adjustments necessary for orderly development of vacant lots or the gradual transition from other districts.

B. Use Regulations

In the SF 7.5, Single Family 7.5 District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this Ordinance, except as specified in the [Section 14.400, Land Use Table](#).

C. Height and Area Regulations (refer to next page for regulations)**D. Additional Design Requirements**

1. Site and building design shall be provided in accordance with Section 14.600, Supplemental Regulations.
2. Parking. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
3. Landscaping. Provide lawn grass and one (1) 3-inch caliper tree in the front yard.
4. Architectural design. The main residential structure, including additions and attached garages, shall comply with the following:
 - a. Exterior building materials shall comply with Section 14.615, Architectural Standards.
 - b. The minimum roof pitch shall be in 6:12 for the roof of the principal and accessory structures, including attached garages.
 - c. Garage doors shall be located no closer than 25 feet from the right-of-way.
 - d. The City Manager and/or designee may authorize encroachments into the required yard of up to 20 square feet for fire places and/or bay windows that do not restrict access for public safety and/or adjacent property.
 - e. Exemptions. Prefabricated sunrooms, porch and patio roofs, dormers, bay windows, chimney caps, carports, and similar architectural features, unconditioned additions, and accessory buildings are exempt from the exterior material requirements, as regulated in Section 14.600, Supplemental Regulations.



Height and Area Regulations

1. Lot Area
The minimum lot area shall be 7,500 square feet.
2. Lot Dimensions
The width of a lot shall be a minimum of 60 feet and the depth shall be a minimum of 100 feet.
3. Floor Area
The main residence shall contain a minimum of 1,500 square feet of livable floor space, exclusive of garage, porches and breezeways, and incidental storage areas.
4. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed two (2) stories nor shall it exceed 35 feet.
5. Front Yard
 - a. There shall be a front yard of not less than 25 feet, or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 20 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. If a second front yard building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 20 feet, then the platted building line shall be required on the second front yard.
 - d. Garage doors shall be located no closer than 25 feet from the right-of-way.
6. Rear Yard
There shall be a rear yard having a depth of not less than 10 feet. (Ordinance No. 1178 adopted Feb. 11, 2020)
7. Side Yard
There shall be a minimum side yard of five (5) feet on side yards adjacent to interior lots.
8. Maximum Lot Coverage
The maximum portion of the lot area which may be covered by the main building and all accessory buildings shall not exceed 60 percent.

SF 7.5 - SINGLE FAMILY 7.5

Site Development

Lot Density	6 dwelling units/acre
-------------	-----------------------

Lot Coverage	60 percent
--------------	------------

Lot Dimensions

Lot size (min)	7,500 square feet
----------------	-------------------

Lot width (min)	60 feet
-----------------	---------

Lot depth (min)	100 feet
-----------------	----------

Building Placement

Minimum Setbacks

Front Yard	25 feet
------------	---------

Side Yard (Interior)	5 feet
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Side Yard (Corner)	20 feet
-----------------------	---------

Rear Yard	10 feet
-----------	---------

Building Standards

Floor area (min)	1,500 square feet
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Height (max)	35 ft, 2 stories max.
--------------	-----------------------

Roof pitch (min)	6:12
---------------------	------

Masonry	75 percent all sides
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A. Purpose

This district is the most restrictive of the single-family districts and is intended for higher density single-family detached, two-family (duplex) and townhome uses, but not apartment home communities. This district is also a suitable zone as a transition between traditional single-family residential uses and multifamily and commercial districts.

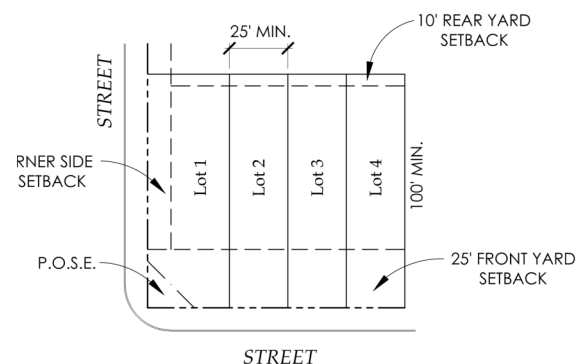
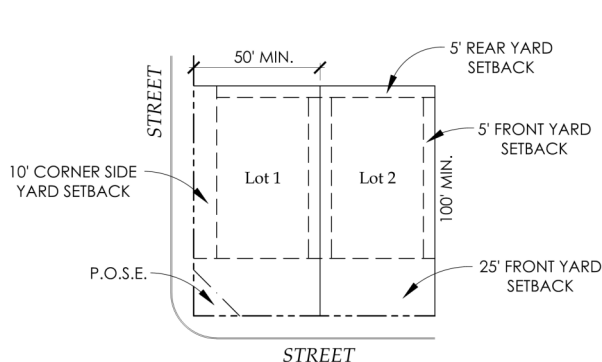
B. Use Regulations

In the SF-0, Single Family Zero District, no building or land shall be used, and no building shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in the Section 14.400, Land Use Table.

C. Height and Area Regulations (refer to next page for regulations)

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Site Plan Required. New development within the SF-0, Single Family Zero District requires a site plan in accordance with Section 14.606, Site Plan Requirements.
3. Landscaping. Provide lawn grass and one (1) 3-inch caliper tree in the front yard.
4. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
5. Architectural design: The main residential structure, including additions and attached garages, shall comply with the following:
 - a. Exterior building materials shall comply with Section 14.615, Architectural Standards.
 - b. The minimum roof pitch shall be in 6:12 for the roof of the principal and accessory structures, including attached garages.
 - c. Garage doors shall be located no closer than 25 feet from the right-of-way.
 - d. The City Manager and/or designee may authorize encroachments into the required yard of up to 20 square feet for fire places and/or bay windows that do not restrict access for public safety and/or adjacent property.
 - e. Exemptions. Prefabricated sunrooms, porch and patio roofs, dormers, bay windows, chimney caps, carports, and similar architectural features, unconditioned additions, and accessory buildings are exempt from the exterior material requirements, as regulated in Section 14.600, Supplemental Regulations.



Height and Area Regulations

1. Lot Area
 - a. Single-family detached and duplexes: The minimum area of shall be 5,000 square feet.
 - b. Townhomes/Attached: The minimum area shall be 2,500 square feet for buildings with more than three (3) attached units.
2. Lot Dimensions
 - a. Single-family detached and duplexes: The width of a lot shall be a minimum of 50 feet at the building line and the depth shall be a minimum of 100 feet.
 - b. Townhomes/Attached: The width of each lot shall be a minimum of 25 feet at the building line and the depth shall be a minimum of 100 feet .
3. Floor Area
The main residence shall contain a minimum of 1,200 square feet of livable floor space, exclusive of areas for the garage, porch, breezeway, and/or storage.
4. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed two (2) stories nor shall it exceed 35 feet.
5. Front Yard
 - a. There shall be a front yard of not less than 25 feet, or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 10 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. If a second front yard building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 10 feet, then the platted building line shall be required on the second front yard.
6. Rear Yard
There shall be a rear yard having a depth of not less than 5 feet.
7. Side Yard
 - a. Single-family detached and duplexes: There shall be a side yard having a width of not less than 10 feet between detached units, the other parallel side of the lot may be zero (0) feet .
 - b. Townhomes/Attached: Zero (0) lot line is permitted between attached units. Ten (10) feet is required between buildings.
8. Maximum Lot Coverage
The maximum portion of the lot area which may be covered by the main building and all accessory buildings shall not exceed 65 percent.

SF-0 - SINGLE FAMILY ZERO**Site Development**

Lot Density	8 dwelling units/acre
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Lot Coverage	65 percent
--------------	------------

Lot Dimensions

Lot size (min)	5,000 square feet (SF detached and duplex)
	2,500 square feet (townhome)

Lot width (min)	50 feet (SF detached and duplex)
	25 feet (townhome)

Lot depth (min)	100 feet
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Building Placement**Minimum Setbacks**

Front Yard	25 feet
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Side Yard (Interior)	10 feet (SF detached and duplex)
	0 feet (townhome)

Side Yard (Corner)	10 feet
-----------------------	---------

Rear Yard	5 feet
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Building Standards

Floor area (min)	1,200 square feet
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Height (max)	35 ft, 2 stories max.
--------------	-----------------------

Roof pitch (min)	6:12
---------------------	------

Masonry	75 percent all sides
---------	----------------------

A. Purpose

The purpose of the “MH”- Manufactured Housing district is to provide adequate space and restrictions for the placement of HUD-Code manufactured homes and industrialized housing in the city within designated subdivisions. (This does not include mobile homes as defined in this article). The “MH” District is also established to provide housing densities compatible with existing and proposed neighborhoods by providing alternative housing types both in construction and economy within the “MH” District. No HUD-Code Manufactured Home shall be allowed on any parcel or lot except on parcels or lots within the “MH” District.

B. HUD-Code Manufactured Home/Industrialized Housing Subdivision

Land within the “MH” District shall be developed as a HUD-Code manufactured home or industrialized housing subdivision. Lots within the “MH” District will be sold to private individuals in strict conformance with the terms and conditions under which the manufactured home or industrialized housing subdivision was approved by the city council. All roadways within a HUD-Code manufactured home or industrialized housing subdivision shall be dedicated to the public. Private interior drives must be approved by the city council. Land zoned “MH” which is not developed as a HUD-Code manufactured home or industrialized housing Subdivision may be developed as “SF-7.5,” so long as it is developed in accordance with the regulations of the “SF-7.5” district. In such case HUD-Code manufactured homes will not be permitted.

C. Use Regulations

In the MH, Manufactured Housing District, no building or land shall be used, and no building shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in the Section 14.400, Land Use Table.

D. Height and Area Regulations (refer to next page for regulations)

E. Development and Installation Standards

1. Site Plan Requirements

All properties within this district shall be contiguous and shall be totally developed under a unified site plan. No application for a building permit for the construction of a building shall be approved unless a site plan has been approved meeting the conditions provided in Section 14.602.

2. Landscaping Requirements. No requirements.

3. HUD-Code manufactured homes and industrialized homes shall have the axles, wheels, and tow bar or tongue removed and shall be secured to a permanent foundation or footing and piers, all in accordance with manufacturer specifications.

4. HUD-Code manufactured homes must have a minimum of an 18-inch crawl space left under all homes.

5. A concrete, or asphalt surface with good drainage shall cover the area where a home is to be sited.

6. Each HUD-Code Manufactured home site shall have a slab or patio not less than twenty feet in length and six feet in width, comprised of concrete, flagstone, or similar substance installed adjacent to each site.

7. HUD-Code manufactured homes shall have permanent steps installed at all exits.

(Development and Installation Standards continue on page 69)

Height and Area Regulations

1. Development Area

Three (3) acres is the minimum land area for new multifamily development.

2. Floor Area

Each dwelling shall contain a minimum of 900 square feet of area of livable floor space, exclusive of garage, porches, and breezeways, and incidental storage.

3. Height

No building hereafter erected, reconstructed, altered, or enlarged shall exceed one (1) stories nor shall it exceed 25 feet.

4. Front Yard

- a. There shall be a front yard of not less than 25 feet (or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater).
- b. Corner lots shall have a minimum side yard of 10 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
- c. If a second front yard building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 10 feet, then the platted building line shall be required on the second front yard.

5. Rear Yard

There are no required rear yard setbacks.

6. Side Yard

- a. There shall be a side yard having a width of not less than five (5) feet on the interior side of corner lots and on both sides of interior lots.
- b. When more than one (1) main building is erected on a lot of record, there shall be a separation of at least ten (10) feet between buildings.
- c. A minimum of 15 feet is required along the boundary of the development.

7. Maximum Lot Coverage

The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 70 percent.

MH, MANUFACTURED HOUSING**Site Development**

Lot Density	12 dwelling units/acre
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Lot Coverage	70 percent
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Lot Dimensions

Development / Lot size (min)	3 acres
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Lot area per unit (min)	3 times the area of the unit; minimum 2,700 square feet
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Lot width (min)	NA
-----------------	----

Lot depth (min)	NA
-----------------	----

Building Placement**Minimum Setbacks**

Front Yard	25 feet
------------	---------

Side Yard (Interior)	5 feet 10 feet (between bldgs)
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Side Yard (District Boundary)	15 feet
-------------------------------	---------

Side Yard (Corner)	10 feet
--------------------	---------

Rear Yard	NA feet
-----------	---------

Building Standards

Floor area (min)	900 square feet
------------------	-----------------

Height (max)	25 feet, 1 story max.
--------------	-----------------------

E. Development and Installation Standards (continued)

8. Skirting shall be securely attached between the HUD-Code Manufactured home and the ground on all sides within thirty (30) days of home installation. Skirting materials shall consist of materials which are compatible with design of the home and enhance its appearance. Unpainted or untreated corrugated metal, screen or wire, or lattice type skirting is prohibited.
9. Construction, siting, and installation of the homes shall be in conformance with applicable federal, state, and local codes and standards, and each HUD-Code Manufactured Home shall have affixed a seal of the appropriate federal or state department.
10. Sanitation, fire protection and underground utility services shall be provided to each lot in accordance with the city ordinances and regulations.
11. Ingress and egress to the property shall be provided in accordance with the requirements of the city ordinance standards and regulations.
12. When private drives are provided, drainage and garbage collection right-of-way, fire lanes and utility easements shall be provided as required by the city. Such can be accomplished by designating all private interior drives within the project as easements for vehicular access and service.
13. Soil conditions, groundwater level, drainage, flooding, and topography shall not create hazards to the developed portion of the property or the health and safety of the residents.
14. Any structural alteration or modification of a HUD-Code manufactured home or industrialized home after it is placed on the site must be approved by the building official of the city. All structural additions shall comply with city building codes and ordinances.

F. Interior Streets and Walkways

Internal streets, no-parking signs, and streets name signs shall be privately owned, built, and maintained, unless dedicated to and accepted by the city. Streets shall be designed for safety and convenient access to all manufactured home spaces and in accordance with the general design standards of city development regulations.

G. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of Section 14.603, and all other applicable ordinances of the city.

H. Screening

A solid, opaque screening wall or fence of not less than six (6) feet in height, shall be provided along all perimeter property lines of a HUD-Code manufactured home and industrialized housing subdivision which do not abut a dedicated street, as indicated on the site plan. Said screening wall or fence shall be of a decorative masonry construction. This requirement can be waived or modified if natural or man-made physical features create an adequate separation or buffer from adjacent uses, as determined by the city council. However, any request to waive this requirement shall be presented as an element of the site plan and shall be subject to approval at that time only.

I. Water and Sewer

Each HUD-Code manufactured home or industrialized home space or lot shall be served by water and sanitary sewer. Engineering plans for water and sanitary sewer shall be submitted for review by the city council, at the time of site plan approval. Water and Sewer must be in compliance with the City building regulations.

J. Drainage

Engineering plans for drainage shall be submitted for review by the city council at the time of site plan approval. Compliance with all applicable requirements of the city is required.

K. HUD-Code Manufactured Home or Industrialized Housing Sales

HUD-Code manufactured home or industrialized housing subdivisions shall be for residential purposes only. Sales of these homes shall be limited to those which become available on the market on an individual basis.

L. Replacement of Manufactured Home by Owner

1. Notwithstanding anything herein to the contrary, the owner of a manufactured home that occupies a lot within the city may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home, and provided that the installation complies with all applicable state or local regulations and the owner applies for a permit.
2. Other than in the case of a fire or natural disaster, replacement of a manufactured home in accordance with the regulations herein is limited to a single replacement.

A. Purpose

This district allows medium to high density multifamily development of the land and is intended to comprise larger tracts of land designed to provide total residential amenities of open space, recreation space and areas of protected off-street parking. This district is intended to be located near high volume thoroughfares due to the traffic generating probability of medium to high-density dwelling units within this district.

B. Use Regulations

In the MF, Multifamily District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in Section 14.400, Land Use Table.

C. Height and Area Regulations (refer to next page for regulations)

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.

2. Site Plan Required

New development within the MF, Multifamily District requires a site plan in accordance with Section 14.606, Site Plan Requirements.

3. Off-street Parking

Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.

4. Architectural design

The main residential structure, including additions and attached garages, shall comply with the following:

- a. Exterior building materials shall comply with Section 14.615, Architectural Standards.
- b. The minimum roof pitch shall be in 6:12 for the roof of the principal and accessory structures, including attached garages.
- c. Garage doors shall be located no closer than 25 feet from the right-of-way.
- d. The City Manager and/or designee may authorize encroachments of up to 20 square feet for fire places and/or bay windows that do not restrict access for public safety and/or adjacent property.
- e. Exemptions

Prefabricated sunrooms, porch and patio roofs, dormers, bay windows, chimney caps, carports, and similar architectural features, unconditioned additions, and accessory buildings are exempt from the minimum roof pitch and exterior material requirements, as regulated in Section 14.600, Supplemental Regulations.

5. Open Space

A minimum of 150 square feet shall be provided and maintained for each dwelling unit.

For the purpose of the regulations herein, open space must be accessible to all residents and may be fulfilled with such areas, as follows:

OPEN SPACE	
Qualified Open Space	Not Open Space
Outdoor living area	Private balcony
Pool area	Private courtyard
Dog Park	Required landscaping
Fitness Center	Parking areas
Business Center	Service areas
Community Room	Maintenance areas

Height and Area Regulations

1. **Development Area**
Five (5) acres is the minimum land area for new multifamily development.
2. **Floor Area**
Each dwelling shall contain a minimum of area of livable floor space, exclusive of garage, porches, and breezeways, and incidental storage, as follows:
 - a. Studio apt: 500 square feet
 - b. 1 bedroom: 750 square feet
 - c. 2 bedroom: 900 square feet
 - d. 3 bedroom: 1,250 square feet
3. **Height**
No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories nor shall it exceed 45 feet.
4. **Front Yard**
 - a. There shall be a front yard of not less than 25 feet (or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater).
 - b. Corner lots shall have a minimum side yard of 20 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. If a second front yard building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 20 feet, then the platted building line shall be required on the second front yard.
5. **Rear Yard**
There shall be a rear yard having a depth of not less than 20 feet.
6. **Side Yard**
 - a. There shall be a side yard having a width of not less than ten feet (10 ft) on the interior side of corner lots and on both sides of interior lots.
 - b. When more than one main building is erected on a lot of record, there shall be a separation of at least ten (10) feet between buildings.
7. **Maximum Lot Coverage**
The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 65 percent.

MF, MULTIFAMILY**Site Development**

Lot Density	24 dwelling units/acre
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Lot Coverage	65 percent
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Lot Dimensions

Development / Lot size (min)	5 acres
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Lot width (min)	NA
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Lot depth (min)	NA
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Building Placement**Minimum Setbacks**

Front Yard	25 feet
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Side Yard (Interior)	10 feet
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Side Yard (Corner)	20 feet
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Rear Yard	20 feet
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Building Standards

Floor area (min)	Studio: 500 square feet 1 bdrm: 750 square feet 2 bdrm: 900 square feet 3 bdrm: 1,250 square feet
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Height (max)	45 ft, 3 stories
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Roof pitch (min)	6:12
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Masonry	75 percent all sides
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A. Purpose

This district is a commercial category providing a uniform set of standards for small retail and local businesses, including office and general commercial activities. It is intended that this zoning district be served by minor arterials or collectors and accommodate all parking and traffic maneuvering on the commercial site. The principal business activity of any permitted use in this district shall be conducted wholly within an enclosed building with the specific exception of certain outdoor activities that are customary and typically appropriate to the permitted uses listed. It is expressly intended that no residential dwelling be erected in this commercial district and existing dwellings will remain as legal non-conforming dwellings. Permitted uses in this district are intended for use by residents of nearby neighborhood areas to supply daily needs and personal services. This district can be used as a transition district between more intense uses and residential uses. Permitted uses should be compatible with adjacent residential areas.

B. Use Regulations

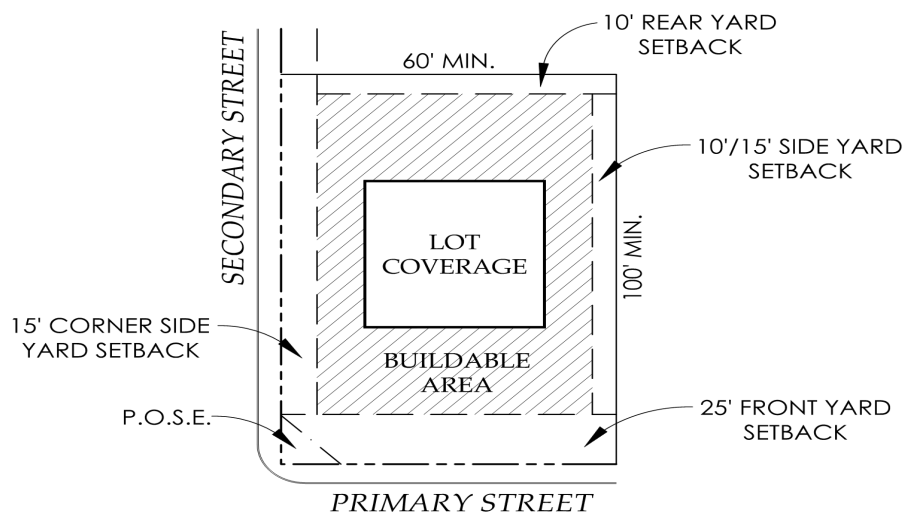
In the C, Commercial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this Ordinance, except as specified in Section 14.400, Land Use Table.

C. Height and Area Regulations (refer to next page for regulations)

Typical lot diagram for development within this district is provided.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Site Plan Required. New development within the C, Commercial District requires a site plan in accordance with Section 14.606, Site Plan Requirements.
3. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
4. Exterior building materials shall comply with Section 14.615, Architectural Standards.



Height and Area Regulations

1. Lot Area
Minimum lot area shall be 7,500 square feet.
2. Lot Width
The width of a lot shall be a minimum of 60 feet at the building line, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance has less width than herein required, this Ordinance shall not prohibit its use for commercial purposes.
3. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories or 45 feet.
4. Front Yard
 - a. There shall be a front yard of not less than 25 feet, or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 15 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 25 feet, then the platted building line shall also be required on the second front yard.
5. Rear Yard
There shall be a rear yard of not less than ten (10) feet except where the C, Commercial District abuts a residential district there shall be a rear yard of not less than 15 feet.
6. Side Yard
 - a. There shall be a minimum side yard of not less than ten (10) feet.
 - b. Where a lot abuts upon the side of a residential district, there shall be a side yard of not less than 15 feet.
 - c. Where an easement is required, the setback shall be the wide of the required easement.
7. Maximum Lot Coverage
The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 60 percent.

C, COMMERCIAL**Lot Dimensions**

Lot size (min)	7,500 square feet
Lot width (min)	60
Lot depth (min)	100

Building Placement

Minimum Setbacks

Front Yard	25 feet
Side Yard (Interior)	10 feet or width of easement
Side Yard (Corner)	15 feet
Rear Yard	10 feet or width of easement
Rear Yard (Adjacent to residential)	15 feet
Lot Coverage	60 percent

Building Standards

Floor area (min)	NA
Height (max)	45 ft, 3 stories
Roof pitch (min)	6:12
Masonry	75 percent all sides

A. Purpose

This commercial zoning district is reserved for areas that provide a mix of retail and office uses along major highway corridors. The purpose of this district is to promote economic development and regional retail activity, while promoting traffic circulation and safety, and protecting adjacent residential neighborhoods. It is expressly intended that the only residential dwelling units permitted in this district are associated with mixed use development. Any existing dwellings will remain as legal non-conforming dwellings.

B. Use Regulations

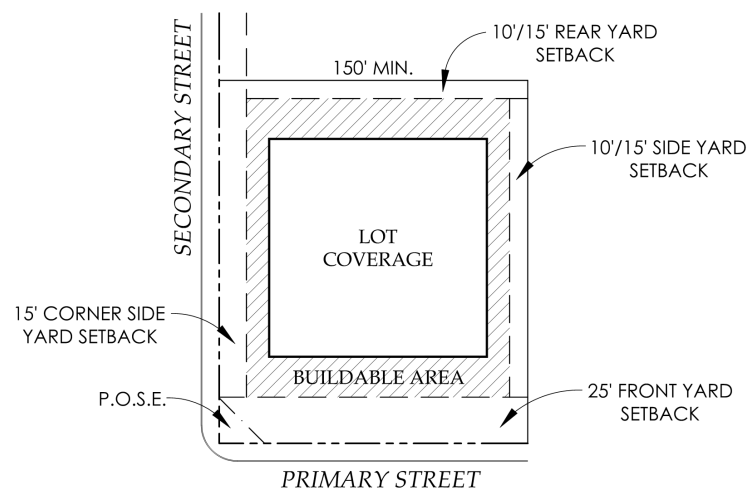
In the HC, Highway Corridor District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in Section 14.400, Land Use Table.

C. Height and Area Regulations (refer to next page for regulations)

Typical lot diagram for development within this district is provided.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Site Plan Required. New development within the HC, Highway Corridor District requires a site plan in accordance with Section 14.606, Site Plan Requirements.
3. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
4. Exterior building materials shall comply with Section 14.615, Architectural Standards.
5. Access:
 - a. Lots less than 300 feet in width shall provide for common access with an adjacent lot in accordance with the Subdivision Regulations.
 - b. Pad sites without direct highway drive approach access, or when such access is provided as part of a larger development, shall have a minimum width of 100 feet. Provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance has less width as herein required, this Ordinance shall not prohibit its use for commercial purposes.



Height and Area Regulations

1. Lot Area
Minimum lot area shall be 7,500 square feet.
2. Lot Width
 - a. The width of a lot with highway frontage shall be a minimum of 150 feet at the building line; however, the minimum separation of drive approaches shall be in accordance with the Subdivision Regulations.
 - b. Refer to D. Additional Design Requirements for additional regulations.
3. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories or 45 feet.
4. Front Yard:
 - a. There shall be a front yard of not less than 25 feet or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 15 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. Frontage on third streets shall be considered as second front yards.
 - d. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 25 feet, then the platted building line shall be also required on the second front yard.
5. Rear Yard
There shall be a rear yard of not less than ten (10) feet, except where abuts a residential district, the yard shall be not less than 15 feet.
6. Side Yard
There shall be a rear yard of not less than ten (10) feet, except where abuts a residential district, the yard shall be not less than 15 feet.
7. Maximum Lot Coverage
The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 60 percent.

HC, HIGHWAY CORRIDOR**Lot Dimensions**

Lot size (min)	7,500 square feet
Lot width (min)	150 feet with highway frontage
Lot depth (min)	NA

Building Placement**Minimum Setbacks**

Front Yard	25 feet
Side Yard (Interior)	10 feet
Side Yard (Adjacent to residential)	15 feet
Side Yard (Corner)	15 feet
Rear Yard	10 feet
Rear Yard (Adjacent to residential)	15 feet
Lot Coverage	60 percent

Building Standards

Floor area (min)	NA
Height (max)	45 ft, 3 stories
Roof pitch (min)	6:12
Masonry	75 percent all sides

A. Purpose

The purpose of the LI, Light Industrial district is to provide for a limited range of low-intensity industrial uses, provided the uses are not noxious or offensive due to odors, smoke, dust, noise, fumes or vibrations. This district is intended to serve the entire community.

B. Use Regulations

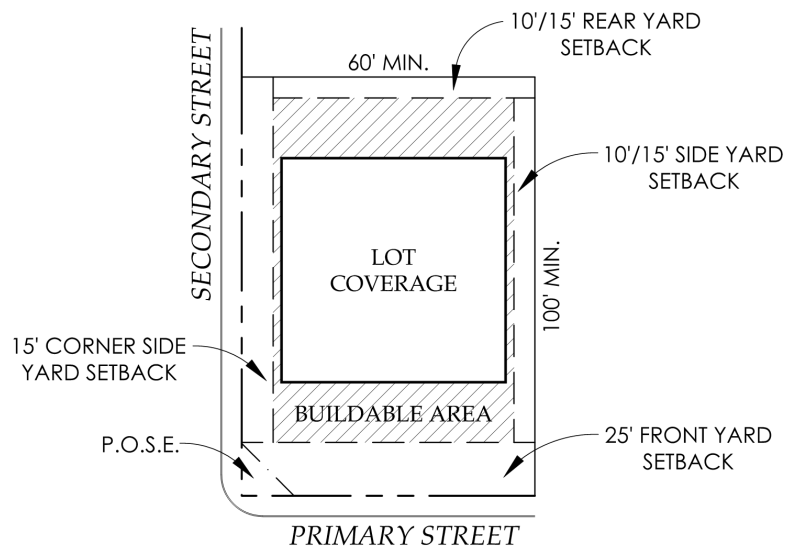
In the LI, Light Industrial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in Section 14.400, Land Use Table.

C. Height and Area Regulations (refer to next page for regulations)

Typical lot diagram for development within this district is provided.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Site Plan Required. New development within the LI, Light Industrial District requires a site plan in accordance with Section 14.606, Site Plan Requirements.
3. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
4. Exterior building materials shall comply with Section 14.615, Architectural Standards.
5. Access:
 - a. Lots less than 300 feet in width shall provide for common access with an adjacent lot in accordance with the Subdivision Regulations.
 - b. Pad sites without direct highway drive approach access, or when such access is provided as part of a larger development, shall have a minimum width of 100 feet. Provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance has less width as herein required, this Ordinance shall not prohibit its use for commercial purposes.



Height and Area Regulations

1. Lot Area
Minimum lot area shall be 7,500 square feet.
2. Lot Width
 - a. Lot width shall be a minimum of 60 feet at the building line, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance has less width than herein required, this Ordinance shall not prohibit its use for commercial purposes.
 - b. The width of a lot with highway frontage shall be a minimum of 150 feet at the building line; however, the minimum separation of drive approaches shall be in accordance with the Subdivision Regulations.
 - c. Refer to D. Additional Design Requirements for additional regulations.
3. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories or 45 feet.
4. Front Yard:
 - a. There shall be a front yard of not less than 25 feet or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 15 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. Frontage on third streets shall be considered as second front yards.
 - d. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 25 feet, then the platted building line shall be also required on the second front yard.
5. Side and Rear Yards
There shall be a side and rear yard of not less than ten (10) feet, except where abuts a residential district, the yard shall be not less than 15 feet.
6. Maximum Lot Coverage
The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 80 percent.

LI, LIGHT INDUSTRIAL	
Lot Dimensions	
Lot size (min)	7,500 square feet
Lot width (min)	60 feet
	150 feet with highway frontage
Lot depth (min)	100 feet
Building Placement	
Minimum Setbacks	
Front Yard	25 feet
Side Yard (Interior)	10 feet
Side Yard (Adjacent to residential)	15 feet
Side Yard (Corner)	15 feet
Rear Yard	10 feet
Rear Yard (Adjacent to residential)	15 feet
Lot Coverage	80 percent
Building Standards	
Floor area (min)	NA
Height (max)	45 ft, 3 stories
Roof pitch (min)	6:12
Masonry	75 percent all sides

Section 14.509 I, Industrial

A. Purpose

The I, Industrial District is intended to permit a range of assembly, warehousing and service type manufacturing and wholesale uses.

B. Use Regulations

In the I, Industrial District, no buildings or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in Section 14.400, Land Use Table.

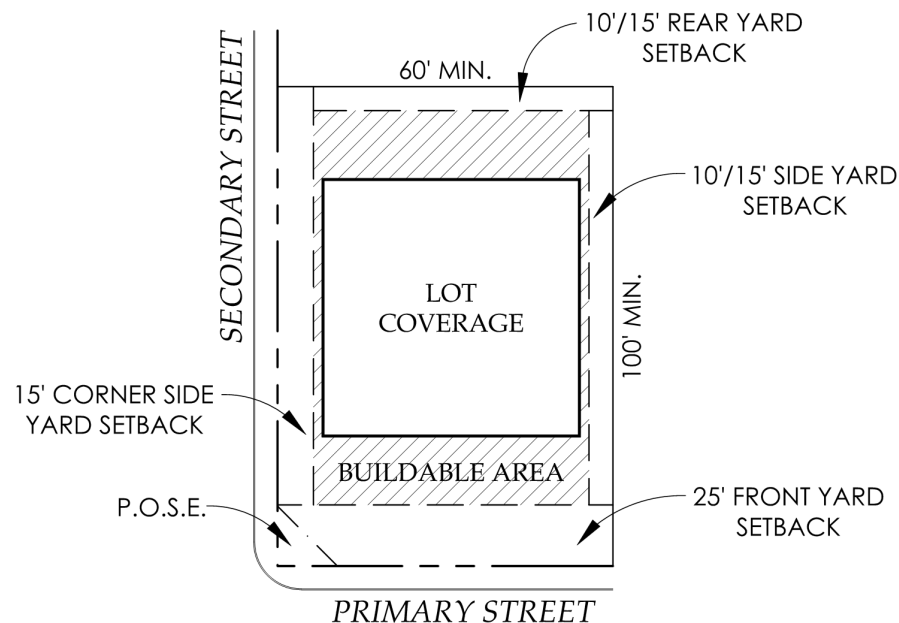
C. Height and Area Regulations (refer to next page for regulations)

Typical lot diagram for development within this district is provided.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Off-street parking and loading shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
3. Exterior building materials shall comply with Section 14.615, Architectural Standards.

(Additional Design Requirements continue on page 81)



Height and Area Regulations

1. Lot Area
Minimum lot area shall be 7,500 square feet.
2. Lot Width
 - a. Lot width shall be a minimum of 60 feet at the building line, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance has less width than herein required, this Ordinance shall not prohibit its use for commercial purposes.
 - b. The width of a lot with highway frontage shall be a minimum of 150 feet at the building line; however, the minimum separation of drive approaches shall be in accordance with the Subdivision Regulations.
 - c. Refer to D. Additional Design Requirements for additional regulations.
3. Height
No building hereafter erected, reconstructed, altered, or enlarged shall exceed three (3) stories or 45 feet.
4. Front Yard:
 - a. There shall be a front yard of not less than 25 feet or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
 - b. Corner lots shall have a minimum side yard of 15 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
 - c. Frontage on third streets shall be considered as second front yards.
 - d. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 25 feet, then the platted building line shall be also required on the second front yard.
5. Side and Rear Yards
There shall be a side and rear yard of not less than ten (10) feet, except where abuts a residential district, the yard shall be not less than 15 feet.
6. Maximum Lot Coverage
The maximum portion of the lot area that may be covered by the main building, all accessory buildings, and parking areas shall not exceed 80 percent.

I, INDUSTRIAL**Lot Dimensions**

Lot size (min)	7,500 square feet
Lot width (min)	60 feet
	150 feet with highway frontage
Lot depth (min)	100 feet

Building Placement**Minimum Setbacks**

Front Yard	25 feet
Side Yard (Interior)	10 feet or width of easement
Side Yard (Adjacent to residential)	15 feet
Side Yard (Corner)	15 feet
Rear Yard	10 feet or width of easement
Rear Yard (Adjacent to residential)	15 feet
Lot Coverage	80 percent

Building Standards

Floor area (min)	NA
Height (max)	45 ft, 3 stories
Roof pitch (min)	6:12
Masonry (frontage on public street)	75 percent

D. Additional Design Requirements (continued)

4. Site Plan Required

New development within the I, Industrial District requires a site plan in accordance with Section 14.606, Site Plan Requirements. The site plan application shall include the following information in addition to the requirements of Section 14.606:

- a. A scale drawing showing the boundary of the tract and topography with a contour interval of not less than two-foot (2ft) intervals, and drainage information.
- b. The location of each building and the minimum distance between buildings and between buildings and the property lines, street line and/or alley line shall be submitted. The plan shall include all dimensions, all easements, the legal description and zoning of the subject property and all adjacent property.
- c. A plan indicating the arrangement and provision of off-street parking, off-street loading, outside storage areas, method and location of storage area screening and points of entry from adjoining thoroughfares.
- d. A table showing net land area, ratio of building area and outside storage areas to net land area.
- e. A table of performance standards of the characteristics of the industrial activities to be conducted on the site, if required by the City Manager or designee.
- f. Scale, north arrow, and names and addresses of owners and/or developers with name(s) and address(es) of those responsible for preparation of the site plan.
- g. For development projects influenced by or containing major drainage ways or containing areas flood prone by definition of the City Manager or designee, preliminary drainage plan shall become a part of the development site plan. This requirement may be waived only by the recommendation of the City Manager or designee.
- h. Existing and proposed fire hydrants, sign information, and provisions for external illumination and trash collection.

5. Performance Standards

a. Noise

The day-night average sound level at the property line shall not exceed seventy-five decibels (75 db(A)), unless the property line adjoins property zoned for residential uses where the maximum day-night average sound level shall not exceed sixty-five decibels (65 db (A)). The day-night average sound level (Ldn) is the twenty-four (24) hour average sound level, in decibels, obtained after addition of ten decibels (10 db(A)) to sound levels in the night from 10:00 p.m. to 7:00 a.m.

b. Smoke, Particulate Matter and Visible Emissions

Smoke or visible emissions emitted from any vent, stack, chimney, skylight, or window shall exceed an opacity of 20 percent averaged over a five (5) minute period. Any emis-

sion of air pollutant must be in accordance with the requirements of the State of Texas. Emissions shall not exceed any of the following net ground level concentrations:

- i. One hundred micrograms (100 µgm) per cubic meter of air sampled, averaged over any five (5) consecutive hours.
- ii. Two hundred micrograms (200 µgm) per cubic meter of air sampled, averaged over any three (3) consecutive hours.
- iii. Four hundred micrograms (400 µgm) per cubic meter of air sampled, averaged over any one (1) hour.

c. Toxic and Noxious Matter

The handling, processing, storage and disposal of hazardous, toxic, or noxious materials within this District shall be in accordance with applicable State and Federal laws and regulations. In addition, the Planning and Zoning Commission may establish additional performance standards, including setbacks, berms, and buffers, for the siting of facilities which handle, treat, store, or dispose of potentially hazardous or dangerous materials.

d. Additional Performance Standards

The Planning and Zoning Commission may establish additional performance standards to protect neighboring areas and land uses from potential industrial hazards and nuisances.

A. Purpose

The purpose of this district is to provide areas with a combination of residential, commercial, office, hospitality and institutional uses in a pedestrian-friendly environment.

B. Use Regulations

In the MU-PD, Mixed Use Planned Development District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this Ordinance, except as specified in the Land Use Table.

C. Height and Area Regulations

In the MU-PD, Mixed Use Planned Development District, the maximum height of the buildings and the minimum dimension of yards shall be as follows:

1. Height

- a. No building hereafter erected, reconstructed, altered, or enlarged shall be less than two (2) stories.
- b. No building shall exceed three (3) stories, nor shall it exceed 45 ft within 100 feet of a property zoned or used for residential use.
- c. Two- and three-story buildings are encouraged in the MU-PD, Mixed Use Planned Development District, with second and third stories used for retail, work space, or living areas.
- d. Developments that provide only off-street parking shall have a minimum floor area ratio (FAR) of 1.5, while developments that utilize approved on-street parking shall have a minimum FAR of 2.0. Plazas and pedestrian areas shall count as floor area for the purpose of meeting the minimum floor area ratio.

2. Front Yard

- a. There shall be a front yard of not more than ten (10) feet.
- b. Garage doors and gates meant for vehicle use shall be located no closer than 20 feet from the right-of-way.

3. Rear Yard

There shall be a rear yard of not less than five (5) feet, unless additional emergency access is required by the Fire Marshal.

4. Blocks shall have a minimum residential use of 20 percent or more of gross floor area and minimum retail, office, restaurant or commercial uses of ten (10) percent or more of the building gross floor area.

5. Normal business activities shall not create a sound level at the adjacent property line that exceeds sixty-five decibels (65 dB(A)) from 7:00 AM to 10:00 PM and fifty-five decibels (55 dB(A)) from 10:00 p.m. to 7:00 a.m.

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with this Section, Section 14.600, Supplemental Regulations, and applicable provisions of Chapter 10, Subdivision Regulations of the City Code of Ordinances.
2. Site Plan Required. New development within the MU-PD, Mixed Use Planned Development District requires a site plan in accordance with Section 14.606, Site Plan Require-

ments. The site plan application shall include the following information in addition to the requirements of Section 14.606:

- a. Street Trees in accordance with Section 14.613 Street Trees;
- b. Designated Creek Protection and Environmental Buffer Areas
 - i. Designated stream protection areas shall be considered positive design elements and incorporated in the overall design of a given project.
 - ii. When a creek area is disturbed or without vegetation, native riparian plant materials shall be planted in and adjacent to the creek to enhance the creek habitat.
 - iii. 100-year floodplains shall be preserved.
- c. Access, Parking and Circulation Standards
 - i. Head-in on-street parking may be provided on most streets that are not designated as collectors or thoroughfares on the Master Thoroughfare Plan.
 - ii. Parking
 - Parking shall be provided for proposed uses in accordance with Chapter 14.610 of this Ordinance, except that the overall requirement may be reduced by 20 percent for mixed use buildings.
 - Adjacent on-street parking may be counted toward the overall total.
 - Required parking may be located offsite if within 500 feet of the proposed use.
 - iii. Pedestrian access

All non-residential buildings shall provide pedestrian access from the street to the building frontage in at least one (1) location. Such pedestrian access shall minimize conflicts with automobiles by such means as sidewalks.
- d. Drive-up Uses

Drive-up uses are prohibited in the MU-PD Mixed Use Planned Development District, unless specifically approved on the with the site plan.
- e. Light and Glare Performance Standards

Lights shall be fully shielded to minimize light trespass on residential zones.

“Fully Shielded” means a technique or method of construction or manufacture which does not allow any light dispersion to shine above the horizontal plane from the lowest light emitting point of the light fixture. Any structural part of the light fixture providing this shielding shall be permanently affixed to the light fixture.
- f. Building and Screening Standards
 - i. Buildings shall incorporate arcades, roofs, alcoves, porticoes and awnings that protect pedestrians from the rain and sun.
 - ii. A minimum of 60 percent of the street frontage shall have buildings within ten (10) feet of the front property line.
 - iii. The first floor of each building should provide retail, restaurant or service uses where practical.
 - iv. Parking lots shall not be located between the structure and street.
 - v. Buildings shall be setback not more than 20 feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas.

- vi. Refuse Container Screen

Refuse containers or disposal areas shall be screened from view from any public right of way by placement of a masonry wall from six (6) to eight (8) feet in height in compliance with the City Design Standards and Criteria. All refuse materials shall be contained within the refuse area.
- vii. Service Corridor and Loading Dock Screen

When adjacent to residential uses, commercial and industrial service corridors and loading docks shall be screened. Location and design of such service areas shall reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.
- g. Signs

The elevations, surface area in square feet, illumination type, height, construction material and style, and locations of all proposed signs for the development.
- h. Architectural elevations for all buildings proposed on the property

Such plans shall indicate the material, color, texture, windows, doors, and other design features of the building, including all visible mechanical equipment, such as for heating and cooling.

Elevations shall be submitted drawn to scale of one (1) inch equals ten (10) feet (1 in = 10 ft) or greater. In the case of subdivisions which contain attached units or lots of less than ten thousand square feet (10,000 sq. ft), plans for homes which may be built on lots may be submitted without specifying which lot the unit is to be located on, however, building envelopes on the lot must be sufficient to accommodate the units planned for the lot.
- h. Written summary showing the following:
 - i. The total area contained in the area proposed to be developed.
 - ii. The total number of parking spaces.
 - iii. The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g. 10 one-bedroom units, 25 two-bedroom units, etc.).
 - iv. Total area and percentage of lot coverage by:
 - Structures.
 - Streets, roads, and alleys.
 - Sidewalks.
 - Recreation areas.
 - Landscaping.
 - Tree canopy at maturity of the trees.
 - Parking areas (and number of spaces).
- h. Traffic Impact Analysis (TIA)

Such analysis shall be required as requested by City Manager and or designee and shall be prepared in accordance with Chapter 10, Subdivision Regulations of the City Code of Ordinances, and all other applicable City regulations and ordinances.

i. Storm Water Management Impact Analysis

A Preliminary Drainage Plan shall be prepared in accordance with the requirements of the Chapter 10, Subdivision Regulations of the City Code of Ordinances.

E. Design Specifications Applicable to Single Family Residential Areas and Uses

1. Buildings shall utilize at least two (2) of the following design features to provide visual relief along the front of the residence:
 - a. Dormers,
 - b. Gables,
 - c. Recessed entries,
 - d. Cupolas,
 - e. Pillars or posts, or
 - f. Bay window (minimum 24 inch projection).
2. The garage frontage shall not occupy more than 40 percent of the total building frontage.
3. Garages shall be recessed from the front of the structure by at least ten (10) feet.
4. No more than five (5) adjacent detached single-family homes or contiguous groups of attached single family homes may be of the same design and floor plan.
5. Walls, which face a street other than an alley, must contain at least 20 percent of the wall space in windows or doors.
6. Primary entries shall be accessed directly from the public street and sidewalk.
7. Windows shall be provided with trim. Windows shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb.
8. Flat roofs are permitted only when accompanied by a parapet.
9. Exterior finishes shall be primarily masonry, stone, horizontal wood, HardyPlank or other high quality wood substitute.
10. Each attached or detached unit must be built on a lot that is 150 percent of the footprint of the unit constructed on the lot.

F. Design Standards for Multifamily areas

1. Orientation requirements for developments
 - a. At least 60 percent of the building face shall be within 20 feet of the front lot line.
 - b. Buildings which are located within 40 feet of a front yard property line or 20 feet of any yard adjacent to a street shall have at least 25 percent of the wall facing the street in window or door areas.
 - c. Parking areas shall not be located between buildings and the street.
 - d. Buildings shall be directly accessed from the street and the sidewalk.
 - e. Buildings shall provide a porch or balcony at the street entrance.
 - f. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor are permitted between the building and the street and must be screened in an opaque manner such as masonry or vegetative screening.

2. Block Size
 - a. A project may not contain a block of greater than three (3) acres.
 - b. Projects larger than three (3) acres shall develop a public or private street system that creates blocks of three (3) acres or less.
 3. Private Streets shall be required to contain sidewalks and street trees and meet all other public street standards.
 4. Streetscape
 - a. Street trees are required for private internal streets as well as public streets.
 - b. Front yard landscaping shall contain a mixture of ground cover, shrubs, and trees. Pine straw, bark chips, granite chips, gravel and other similar ground cover may not be a major component of the mature landscaping.
 - c. Sidewalks shall be placed along all street frontages and in the interior where appropriate for pedestrian circulation.
 5. Open Space
 - a. An area equal to at least eight (8) percent of the lot area shall be dedicated to open space for recreation for use by the tenants of the development in multifamily zones for all projects with more than 20 dwelling units per acre.
 - b. Areas covered by shrubs, pine straw, bark mulch and other ground covers which do not provide a suitable surface for human use may not be counted toward this requirement.
 - c. Decks, patios, rooftop terraces and similar areas are eligible for open space criteria.
 - d. Play areas for children are required for projects of greater than 20 units that are not designed as age limited or student housing.
 6. Exterior finishes shall be primarily masonry, stone, horizontal wood, HardyPlank or other high-quality wood substitute.
- G. Special Standards for Large Scale Multifamily (greater than 30 dwelling units)
- The same exterior design may not be used for more than 30 units in a project.
- A variety of compatible exterior materials use and type, building styles, massing, composition, and prominent architectural features, such as door and window openings, porches, rooflines, should be used.
- H. Development Standards for Commercial Uses
1. Orientation and Scale
 - a. Buildings shall have their primary orientation toward the street rather than the parking area. Public sidewalks shall be provided adjacent to a public street along the street frontage.
 - b. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor are permitted between the building and the street and must be screened in an opaque manner such as masonry or vegetative screening.
 - c. Gasoline pumps must be screened from the street in accordance with Section 14.613, Bufferyards.

- d. Off-street loading areas shall be located at the rear or side of a building and shall not be visible from the street.
 - e. Buildings that are open to the public and are within 30 feet of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be open to the public during all business hours.
 - f. Building frontages greater than 100 feet in length shall have offsets, jogs, or other distinctive changes in the building façade.
 - g. Any wall which is within 30 feet of the street, plaza or other public open space shall contain at least 40 percent of the wall area facing the street in display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Blank walls within 30 feet of the street are prohibited. Up to 40 percent of the length of the building perimeter can be exempted from this standard if oriented toward loading or service area.
 - h. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.
 - g. At least 60 percent of the frontage on a thoroughfare as designated on the Master Thoroughfare Plan shall have buildings within ten (10) feet of the front property line.
 - h. Prominent horizontal lines at levels similar to surrounding buildings shall be maintained along the street-facing side of the building.
2. Streetscape
- Hardscape (paving material), such as concrete, unit masonry, scored and colored concrete, Grasscrete®, or combinations of the above, shall be utilized to designate “people” areas.
3. Parking and On-site Circulation
- a. Parking areas shall be located behind buildings or on one or both sides.
 - b. Protected, raised walkways shall be installed through parking areas of fifty (50) or more spaces or more than 100 feet in average width or depth.
 - c. Parking lots with fifty (50) spaces or more shall be divided into separate areas landscaped areas or walkways at least ten feet (10ft) in width, or by a building or group of buildings.
 - d. Developments provide a pedestrian circulation plan for each block. Pedestrian walkways shall be directly linked to entrances and the internal circulation of the building.
 - e. Connections shall be made when feasible to any streets adjacent to the property and to any pedestrian facilities that connect with the property unless pedestrian and/or traffic hazards prohibit such connections.
4. Lighting
- Lighting shall include adequate lights so that pedestrian areas are illuminated with at least one half-foot candle (1/2 FC) of illumination. Light may not directly illuminate property beyond the development, except for the public right of way.

5. Building Materials

- a. Buildings in a commercial use area shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast stone, smooth stucco or a combination of those materials.
- b. Brick masonry shall be used on a minimum of 50 percent of elevations along a public street.
- c. Buildings may not be clad in plain concrete block or plain concrete walls if visible from the front or side yard adjacent to a street.
- d. Metal siding shall not occupy more than 15 percent of the front elevation along the street frontage for MF, Multiple-Family District and must be finished with enamel or anodizing.
- e. For every 80 feet of building wall there shall be a change in relief, such as columns, cornices, bases, fenestration, and fluted masonry.

6. Signs

Signs shall be regulated in accordance with Article 3.1800, Signs, of the City Code of Ordinances, with the exception that projecting and/or suspended signs may be allowed if approved as part of the Site Plan.

7. Public spaces

One (1) square foot of plaza or public space shall be provided for every ten (10) square feet of gross floor area used for nonresidential use. Plazas shall incorporate sitting space, sunlight and shade, and trees. Outdoor eating areas, public art and water features are encouraged.

A. Purpose

The purpose of this overlay district is to acknowledge the recommended compatible land use guidelines associated with aircraft operations at the Naval Air Station Fort Worth Joint Reserve Base (NAS FW JRB). It is equally important to balance these guidelines with the existing development within the City. A majority of the City was developed prior to the establishment of the Accident Potential Zones (APZ) and Day-Night Level (DNL) zones. It is also the purpose of this section to protect the health, safety and general welfare of the public where it is recognized that aircraft accidents and excessive noise have the potential for endangering or harming the lives and or property of users or occupants of land in the vicinity of the airports that serve Fort Worth.

The boundaries of the overlay district apply to Accident Potential Zone I (APZ I) and associated DNL zones. The basis for the determination of the area affected by the NAS overlay district will be the most recently-adopted Air Installation Compatible Use Zone (AICUZ) for NAS FW JRB adopted by the Department of Defense.

B. Use Regulations

In addition to the zoning restrictions contained within the underlying zoning district and notwithstanding any other provisions in the underlying district, no new building or newly-developed land shall be used and no buildings shall be hereafter be erected, reconstructed, altered, or enlarged, within the NAS Overlay District except as specified in the Land Use Table and unless they comply with the following restrictions:

C. Accident Potential Zone I (APZ I)

(Refer to the zoning map for the area of APZ I.)

1. Noise Reduction Required

- a. Noise level reduction (NLR) measures must be incorporated into the design and construction of the structures.
- b. All new development (residential and nonresidential), including additions and accessory structures, will require sound attenuation measures which reduce indoor noise levels to 55 decibels or less.
 - i. Exception. Nonresidential uses may limit NLR measures to occupied and service areas of the building.

2. Residential Development

- a. Existing single- and multi-family dwellings that were constructed or occupied on the date of the adoption of this Ordinance may construct or reconstruct within the NAS overlay district provided that construction methods are used to achieve an inside noise level reduction to 65 decibels or less.
- b. New residential uses are prohibited on unplatted land in APZ I zone.
 - i. Exception. Existing tracts of land zoned for residential use may be platted within one (1) year from the adoption of this Ordinance.
- c. Residentially zoned tracts or lots may not be subdivided.
- d. Accessory dwelling units are prohibited.

3. Nonresidential Development

- a. Existing nonresidential uses and structures that were constructed or occupied on the date of the adoption of this Ordinance may construct or reconstruct for the same non-conforming use within the NAS overlay district provided:
 - i. Construction methods are used to achieve an inside noise level reduction to 55 decibels or less; and
 - ii. The structure contains equal or less square footage of the previous structure, or
 - iii. The occupancy of the structure is less than the occupancy of the previous structure.
- b. New nonresidential development is limited to the uses permitted in the Land Use Table. Uses designated with in the table with "CA" Conditions Apply require letter of no objection from the Commanding Officer at the NAS FW JRB
- c. Expansion of an existing nonresidential uses or structures which increases occupancy of the structure is prohibited.

D. Accident Potential Zone II (APZ II).

Refer to the zoning map for the area of APZ II. Noise reduction measures are recommended for all new development and for the expansion or alteration to existing occupied structures.

E. Additional Requirements

1. Building Permit Required. In addition to the requirements for a building permit, noise level reduction measures to meet the required decibel level must be specified on the permit plans.
2. Communications facilities and electrical interference. No use shall cause electrical interference with navigational signals or radio communications at the airport or with radio or electronic communications between the airport and aircraft. Proposals for the location of new or expanded radio, radio-telephone, television transmission facilities, electrical transmission lines and wind turbines shall be coordinated through the Department of the Navy Representative, FAA Central Service Area prior to approval.
3. Outdoor lighting.

No use shall project lighting directly onto an existing runway or taxiway or into existing airport approach and landing paths except where necessary for safe and convenient air travel. Lighting for any new or expanded use shall incorporate shielding into the design to reflect light away from airport approach and landing paths. Control of outdoor lighting shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
4. Billboards and signs
 - a. Externally illuminated billboards and signs shall have fixtures mounted at the top of the billboard or sign and aimed downward. The fixtures shall be designed, fitted and aimed to shield the source from off-site view and to place the light output onto and not beyond the sign or billboard. The face of the sign or billboard and the illumination shall not exceed 30-vertical foot-candles during the hours of darkness.
 - b. The light source for internally illuminated signs and billboards shall not exceed 1,000

initial lumens per square foot of sign face.

- c. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
- d. The use of highly reflective signage that creates nuisance glare or a safety hazard is not permitted.

5. Glare

No use shall cause glare by highly reflective materials, including but not limited to unpainted metal or reflective glass, on the exterior of structures located within airport approach and landing paths or on nearby lands where glare could impede the vision of a pilot. Proposed solar arrays shall be coordinated through the Department of the Navy Representative, FAA Central Service Area prior to approval. The control of glare shall meet the following criteria:

6. Emissions

No use shall, as part of its regular operations, cause emissions of smoke, ash, vapor, gas, dust, steam or other emissions that could obscure visibility of pilots or conflict with airport operations.

7. Wildlife attractants

No use shall foster an increase in wildlife population and thereby increase the likelihood of a bird impact problem.

8. Height considerations

14 C.F.R. Part 77, Subpart C establishes the following imaginary surfaces for airports: approach surface; conical surface; horizontal surface; primary surface; and transitional surface as defined in the applicable airport layout plan.

- a. 14 C.F.R. Part 77, Subpart C establishes the following imaginary surfaces for airports: approach surface; conical surface; horizontal surface; primary surface; and transitional surface as defined in the applicable airport layout plan.
 - i. Structures cannot penetrate Federal Aviation Regulation Part 77 imaginary surfaces and elevation at the site of construction.
 - ii. Construction or alteration requiring notice: any person proposing construction or alteration whether permanent, temporary or of natural growth in the area surrounding any municipal or military airport shall notify the manager, Air Traffic Division of the Federal Aviation Administration (FAA) Regional Office and the manager of the municipal airport or community liaison or other appointee of the NAS FW JRB, as applicable, if such construction or alteration exceeds any of the following height standards.
- b. When requested by the FAA, any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard, must be submitted for review.
- c. Notice to FAA: nothing in this section shall be construed as relieving any property owner, sponsor or agent from the requirement for filing a notice of proposed construction or alteration with the appropriate Federal Aviation Administration.
- d. A copy of a determination of no hazard or similar documentation will be required from the FAA, and the NAS FW JRB, as applicable, before release of a building permit by the City of Lake Worth.

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Article 14.600

Section 14.601 Development Across City Boundaries

- A. Purpose
The requirements of this section are designed to provide for the orderly development of retail facilities that are located both within and outside the City limits of the City and that have primary or secondary access to a roadway with the City.
- B. In addition to other parking regulations that apply, parking for a retail facility is permitted only as an accessory use and is allowed only when immediately adjacent to a retail facility that is located within the corporate limits of the City.
- C. No access shall be allowed from a retail facility located within an adjacent city to a public street within the City of Lake Worth until a traffic impact analysis (TIA) is submitted for consideration subject to the following process and criteria:
 - 1. Demonstrates that the public street is designed and constructed in accordance with the currently approved master thoroughfare plan as well as City development policies, procedures and standards; and
 - 2. Demonstrates that the public street is designed to accommodate any traffic generated by the retail facility.
 - 3. Consideration and approval by the City Council. A public hearing/meeting is required to formally accept the TIA.
- D. The requirements of this section may be waived by the City Council where the retail facility is to be developed pursuant to an interlocal agreement which places development controls on the facility that adequately address traffic impact issues on adjacent public streets and otherwise protect the public health, safety and welfare.

Section 14.602 Uses Generally, Building and Land

- A. No building shall hereafter be erected, reconstructed, altered or enlarged, nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.
- B. No building shall hereafter be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located, nor shall any building be erected, reconstructed or altered as to provide a floor space smaller than the minimum prescribed by this Ordinance.
- C. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.
- D. Every building hereafter erected shall be located on a lot as herein defined, and in no case shall there be more than one (1) building on one (1) lot, except as herein provided.

Section 14.603 Pre-Existing Platted Lot

Any residentially-zoned lot having less area and/or width than herein required and which was platted of record and in separate ownership at the time of the passage of this Ordinance may be occupied by not more than a single-family structure. Nothing in this Ordinance shall prevent the residential use of any lot platted of record prior to the effective date of this Ordinance provided that all front yard, side yard, rear yard, floor area, parking and all provisions other than lot area and/or lot width are met or exceeded.

Section 14.604 Access to Lots and Structures

Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Conformance with Chapter 10, Subdivision Regulations of the City Code of Ordinances is required.

Section 14.605 Visibility at Intersections

On a corner lot in any district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision in accordance to adopted current Subdivision Regulations and Design Criteria and Construction Standards.

Section 14.606 Site Plan Requirements

- A. Purpose. The purpose of the site plan review is:
 - 1. To assure compliance with the Zoning Ordinance, while allowing for design flexibility;
 - 2. To assist in the orderly and harmonious development of the City;
 - 3. To protect adjacent uses from obstructions to light, air, and visibility;
 - 4. To provide protection from fire; and
 - 5. To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.
- B. Process
 - 1. A site plan may be reviewed or considered in association with a request for a zoning change or may be reviewed and considered independently. All site plans require approval by the City Council, unless otherwise noted herein.
 - 2. After conducting a public hearing, the Planning and Zoning Commission shall review and make a recommendation to the City Council. The Commission shall consider the site plan as follows:
 - a. The proposed development meets all the minimum standards established in this Ordinance and other applicable ordinances;
 - b. The proposed development conforms to the adopted Comprehensive Plan or the adopted growth policies of the City; and
 - c. the proposed development will not be detrimental to the health, safety, or welfare of the surrounding neighborhood or its occupants, or be substantially or permanently injurious to neighboring property.
 - 3. Council Approval
City council approval of a site plan that accompanies a zoning change request shall become part of the amended ordinance. Hearings held by the council for consideration of approval of such zoning change and accompanying site plan shall be conducted in accordance with the provisions of Section 14.703.
 - 4. Requirement Prior to Building Permit
When required by this article, a site plan must be approved prior to issuance of a building permit by the City.
 - 5. Changes to the Site Plan
Changes to the site plan shall be processed in the same manner as the original approved site plan.

- a. Except as otherwise provided, any site plan that is amended shall require approval of the City Council after review and recommendation by the Planning and Zoning Commission.
- b. Changes to the site plan which will affect the use of the land shall require either an amendment to a Planned Development or a rezoning of property, whichever applies, and shall require the appropriate public hearings.
- c. Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent property, do not alter the uses permitted, do not increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the City manager or his/her designee. An aggrieved party may appeal the decision of the City manager or his/her designee to the Board of Adjustment in accordance with the provisions of this section.

C. Site Plan

The site plan shall contain, where applicable, the information listed below and any or all of the required features may be incorporated on a single drawing if such drawing is clear and capable of evaluation by the Planning and Zoning Commission, the City Council and the City Staff required to enforce and interpret this section.

1. The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet.
2. Design of ingress and egress.
3. Off-street parking and loading facilities, and calculations showing how the quantities were obtained.
4. Height of all structures (in feet and number of stories).
5. Proposed uses.
6. Landscape and bufferyard plan.
7. The location, general size, and type of all major trees or closely grouped trees may be shown in general grouping if necessary.
8. The location and type of all signs, including lighting and heights.
9. Elevation drawings if requested by staff, Planning and Zoning Commission, or City Council.
10. Street names on proposed streets.
11. Proposed water, wastewater collection, and storm sewer lines; proposed grading and drainage patterns.
12. Engineering drawings of all improvements to be dedicated to the City, if the property is not to be final platted or if engineering drawings have not been previously submitted for the site. If the property is to be final platted, these may be provided at that time.
13. Utility and drainage easements for dedicated infrastructure, if required.
14. Location, setbacks, size and construction material of dumpster enclosure.
15. Such additional terms and conditions, including design standards, as deemed necessary by the Planning and Zoning Commission and the City Council.

Section 14.607 Accessory Buildings and Uses

A. Accessory Building and Structure

1. Primary Structure and Use Required

- a. No detached accessory building shall be erected on a lot that does not contain a principal structure or use in accordance with the zoning district.
- b. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building or is under an extension of the roof of the primary structure and is designed as an integral part of the main building. Refer to the regulations herein for Accessory Use.

2. Building Permit Required

Approved plans and building permit are required prior to the construction of an accessory building.

3. Incidental Use

Generally, a subordinate building, located on the same lot as the primary building, and having a use customarily incidental to the primary use of the main building. Specific types of Accessory Buildings are defined below:

a. Accessory Building (Multi-Family or Non-Residential)

A detached structure that is clearly incidental and subordinate to the main building or use and conforms to the following criteria:

- i. Not used as an Accessory Dwelling Unit (ADU);
- ii. One story and maximum of 25 feet.
- iii. Conforms to the lot coverage regulations for the zoning district;
- iv. Conforms to the minimum exterior construction regulations herein applicable to the main building, and
- v. Architecturally compatible in design and use of similar exterior materials to the principal structure.

b. Accessory Dwelling Unit (ADU)

According to the US Department of Housing and Urban Development (HUD), an accessory dwelling unit (ADU) refers to a habitable living unit added to, created within, or detached from a primary one-unit single family dwelling, which together constitute a single interest in real estate. It is a separate additional living unit, including kitchen, sleeping, and bathroom facilities.

An area within a single-family dwelling or an area in a detached accessory structure that is clearly incidental and subordinate to the main building or the detached accessory structure and conforms to the following criteria:

- i. Less than or equal in height to that of the main building;
- ii. Minimum roof pitch of 6:12;
- iii. Conforms to the minimum exterior construction regulations herein applicable to the main building, and
- iv. Architecturally compatible in design and use of similar exterior materials to the principal structure.

- c. **Accessory Building (Residential)**

A detached structure that is clearly incidental and subordinate to the main building or use, not used as an ADU, and that is equal to or lesser in height than the main building. Accessory buildings include garages, storage sheds, gazebos, cabanas, storm shelters, and similar structures.
- 4. **Height and Area Regulations**
 - a. **Setbacks**
 - i. No accessory building shall be erected in any required yard and/or easement, and
 - ii. No separate accessory building shall be erected within the minimum separation required by the City adopted Building Code.
 - b. **Height**

Detached accessory buildings may not exceed the existing height of either the principal building or the maximum height permitted in the zoning district.
 - c. **Lot Coverage**

The additional building in combination with the principal building and all other accessory structures may not exceed the maximum area (lot coverage) permitted in the zoning district.
- 5. **Exceptions**
 - a. Storage sheds less than or equal to 120 square feet do not require masonry exterior materials and do not require a building permit.
 - b. Carports are regulated according to Section 14.608.
- 6. **Variance**

The Board of Adjustment may approve a variance an accessory building which exceeds the height limitation herein for accessory buildings which inherently require a greater height, such as detached garages for motor homes; provided that no such accessory structure shall exceed the maximum height allowed in the zoning district. An accessory building may be constructed as a part of the main building, in which case the regulations controlling the main building shall apply.
- B. **Accessory Use**
 - 1. **Principal Structure Required**

No accessory use shall be established on a lot that does not contain a principal structure or use in accordance with the zoning district.

 - a. No accessory use may occur within any structure that does not meet the required regulations of the applicable zoning district and shall conform to all applicable City regulations.
 - b. Accessory uses shall be customarily incidental and appropriately compatible with the principal use of the land and primary building.
 - 2. **Home Occupation**

An accessory building or area within the primary structure may be used for home occupations. The area used for the accessory use shall be a maximum of three hundred square feet (300 sq. ft.) and/or 20 percent of the primary structure.

Section 14.608 Carports

A. Intent

It is the intent of the City council that carports be allowed in single-family residential zoning districts subject to the regulations and requirements set forth in this section. Carports are expressly prohibited in any zoning districts of the City with the exception of SF-7.5 and SF-0.

B. Definition

For purposes of this section, a carport is a structure that is not enclosed by any covering on at least three (3) sides and that serves the purpose of providing cover for off-street parking of private vehicles of the residents of a single-family dwelling.

C. Criteria

In order to be permitted in SF-7.5 or SF-0 zoning districts, a carport shall meet the following requirements:

1. The carport shall be setback equal to or greater than the primary structure and shall in no case be beyond any property line or into any easement.
2. A side yard shall be required and shall be a minimum of five feet (5 ft) in width from the property line.
3. No carport shall be adjacent to a public or private street.
4. No carport shall exceed 450 square feet in roofed area.
5. No carport shall contain an open-sided area that is in excess of ten feet (10 ft) in height.
6. Support Structure
 - a. The supporting structural elements in the outside perimeter of the roofed area shall be constructed of 14-gauge or thicker aluminum or steel and conventional wood framed construction meeting the requirements of the City Building Code as adopted by the City of Lake Worth.
 - b. The support posts must be embedded into concrete piers 12-inch in diameter and 24 inches deep or larger. The posts must be embedded the full depth of pier
7. For carports with metal roofs, the roof material shall consist of 26-gauge or thicker aluminum or steel with proper protection by paint or other materials to prevent corrosion and oxidation, or by composition shingles applied over approved decking. Corrugated metal and all-fiberglass panels are expressly prohibited.

D. Building Permit Required

The construction of carports shall be subject to permit fees as set out in the Lake Worth Fee Schedule.

Article 14.600

Section 14.609 Living Quarters in Nonresidential Districts

In districts not intended for residential use and where residential use is not a permitted use, living quarters may be provided for resident managers, resident security and maintenance personnel and the like provided that:

- A. The living quarters is clearly subordinate to the permitted nonresidential use.
- B. The living quarters are only occupied by a manager, security, maintenance or other individual employed with full time duties on the site on which the living quarters are located. This is not intended to preclude the additional occupancy of the living quarters by family members of the full-time individual employed on the site.
- C. The living quarters are incorporated into the design of the permitted use in such a manner that the living quarters are not perceptible as such.
- D. Two (2) off-street parking spaces are provided per living quarter in addition to the required parking for the permitted use.
- E. Not more than one (1) such living quarter shall be authorized per platted lot without prior specific approval of the Planning and Zoning Commission and City Council as a conditional use.

Section 14.610 Vehicle Parking and Loading Requirements

A. Purpose

Except hereinafter provided, no building or structure or part thereof shall be erected, altered, or converted for any use permitted in the district in which it is located unless there shall be provided on the lot or tract or on an immediately contiguous lot or tract, or on a lot or tract within 150 feet of such building or structure, vehicle parking in the following ratio of vehicle spaces for the uses specified in the designated districts, except that an established use lawfully existing at the effective date of this article need not provide vehicle parking as hereinafter set forth provided such use is not expanded and that no existing vehicle parking in connection with said uses at the effective date of this article may be reduced below the minimum number of spaces as hereinafter required.

B. General Regulations

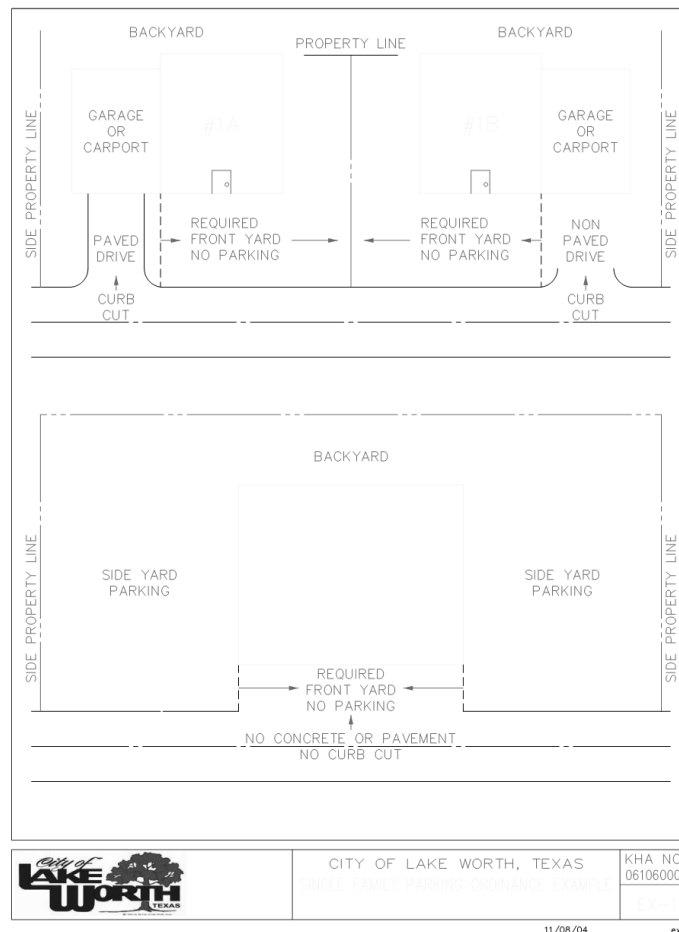
Where parking spaces result from the computation of requirements, the requirement shall be construed to be that the fractional space will be treated as another full parking space required.

C. Minimum Dimensions for Off-Street Parking

1. The design and dimensions of off-street parking shall be in accordance with the following table of minimum dimensions.

Parking Angle	Stall Width	Stall Length	Maneuvering Space
90 degree	9 feet	18 feet	24 feet
60 degree	9 feet	20.1 feet	20 feet
45 degree	9 feet	19.1 feet	18 feet

2. When off-street parking facilities are provided adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
 3. Where off-street parking facilities are provided in excess of the minimum amounts herein specified, or when off-street parking facilities are provided but not required by this article, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.
- D. Special Off-Street Parking Requirements
1. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building for development.



2. Shared parking agreements and cross access easements are encouraged for developments with a variety of uses. Studies to calculate and justify sufficient parking spaces is required and/or recommended.
3. Residential Development
 - a. No parking space, garage or carport or other automobile storage space or structure shall be used for the storage of any truck, truck trailer, van, recreational vehicle, or boat exceeding one and one-half (1 1/2) ton capacity.

- b. A minimum of two (2) off-street parking spaces per dwelling unit located behind the front building line; provided, however, that at least two (2) parking spaces shall be located within a private garage.
- c. Parking spaces and any private driveways shall be constructed of an improved paved surface of concrete or asphalt or other paved surface in accordance with the Subdivision regulations and Design Criteria and Construction Standards, and as approved by the City Manager and/or designee.
 - i. On nonconforming lots without paved parking spaces and driveways, the parking spaces and driveways shall only be located perpendicular to the curb cut or drive approach or in the rear yard as authorized by the regulations herein and may not encroach into any portion of the remaining front yard. (See diagram on previous page.)
 - ii. On nonconforming lots without paved parking spaces and driveways, all vehicles shall be driven and parked so as to completely rest upon the unpaved parking spaces or driveway as provided in this section, or in the side yard adjacent thereto. (See diagram on previous page.)
 - iii. All vehicles parked or stored in the required rear yard of a structure must be placed behind a screening partition of fencing materials or dense vegetation so as to obscure the vehicle from view from a public street or public right-of-way. In addition, the parking or storage area and driveway (from the curb cut or drive approach to the parking or storage area) must be constructed of paved concrete or asphalt or other paved surface approved by the City Manager and/or designee.
- d. A boat or recreational vehicle (RV) may be parked or stored on the residential premises of the owner provided that such boat or RV is:
 - i. Parked on a permanently paved surface when parked in the side yards;
 - ii. Not parked beside a structure in the required side yards;
 - iii. Not parked within three (3) feet of the rear or side property lines when parked in the rear of a structure;
 - iv. Not used for sleeping quarters for more than seven (7) days or nights within any 6-month period; and
 - v. Not parked over the front property line or in the right-of-way except when used in conformance to the regulations herein. For corner lots the RV may not be parked within 15 feet of the property line of the second front yard.

4. Nonresidential Development

- a. Floor area of structures devoted to off-street parking of vehicles shall be excluded in the computing of off-street parking requirements.
- b. Private access drives to parking lots to serve nonresidential uses shall not be through residential districts.

E. Off Street Loading Requirements

1. All retail or wholesale sales, distribution, manufacturing and warehouse uses shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a public alley or private service drive to facilitate the movement of traffic on the public street in addition to other parking requirements. Such space shall consist of a minimum area of ten feet by twenty-five feet (10 ft x 25 ft) and be provided as follows:

Gross Floor Space (sq. ft.)	Loading or Unloading Berths
25,000 or less	1
25,001 to 84,000	2
84,001 to 156,000	3
156,001 to 236,000	4
Each 100,000 additional	1 additional per 100,000 gross floor area

2. In cases of unusual design considerations, exemptions or modifications to the off-street Loading Requirements will be permitted only by approval of the Planning and Zoning Commission.

F. Stacking Space Requirements

1. All business uses containing an automobile drive-in type ordering or service facility, whether manned or unmanned, shall provide automobile stack space in conjunction with the drive-in facility.
2. Stack spaces shall be nine feet wide by eighteen feet long (9 ft wide x 18 ft long) and shall be located in a sequential arrangement oriented to the drive-in ordering or service area.
3. The space occupied by an automobile placing an order or being served shall not be considered as a stack space.
4. Required stack space(s) shall not be on any street right-of-way or alley, any necessary maneuvering area for parking spaces, within the general traffic circulation pattern of a parking lot, or a designated fire lane. Stack spaces may be situated in a straight alignment or in a curved pattern with functional radii.
5. All stack space requirements shall be in addition to all parking space and loading requirements specified herein.

G. Handicap Parking Spaces

1. A portion of the total parking spaces available shall be specifically designed, located and reserved for vehicles licensed by the State for use by the handicapped, and shall be provided according to the following schedule:

Total Spaces in Lot	No. of Handicapped Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total parking spaces
1,001 and over	20 spaces plus 1 per 100 spaces over 1,000 spaces

2. Each parking space designated for use by the handicapped shall consist of a rectangular area not less than nine feet wide by eighteen feet long (9 ft wide x 18 ft long), with a vertical clearance of nine and one-half feet (9 ½ ft), shall be located in an area not exceeding 2 percent (2%) slope, and shall be located near and convenient to a level or ramped entrance accessible to handicapped persons. A five-foot (5 ft) wide access aisle shall be provided adjacent to the handicapped parking space, except that for one (1) of every eight (8) spaces, but not less than one (1) space, shall be provided with an eight foot (8 ft) wide access aisle for van access. Parking spaces for the handicapped shall be designated with a vertically mounted or suspended sign in accordance with State law (Texas Accessibility Standards) and restricted for use by the handicapped only.

H. Bicycle Parking

1. Bicycle Parking Requirement
 - a. All new non-residential developments and redevelopment shall provide parking spaces for bicycles equivalent to 5 percent of their automobile parking requirement.
 - b. In all cases where bicycle parking is required, no fewer than two (2) spaces per rack shall be required.
 - c. A reduction in the minimum required automobile parking may be allowed equal to one (1) automobile space for each two (2) bicycle parking spaces provided.

- d. Additional bicycle parking spaces provided above the required number may not reduce the required number of automobile parking spaces by more than 25 percent.
- 2. Locations
 - a. Bicycle parking shall be located as close as or closer than the nearest car parking space to the building entrance, other than those spaces for persons with disabilities.
 - b. Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act of 1990.
 - c. Bicycle Racks shall not block the building entrance or inhibit pedestrian flow.
 - d. Bicycle Racks shall be located in highly visible and well-lit areas to minimize theft and vandalism.
 - e. Alternative Locations: In the event that compliance may not be feasible because of demonstrable hardship, the City Manager and/or designee may approve an alternative location according to the following criteria:
 - i. Alternative locations shall be well lit and secure.
 - ii. All Bicycle Parking Spaces shall be located within 100 feet of the primary building entrance.
- 3. Layout and Design
 - a. Bicycle Rack Design - Structures That Require a User-Supplied Locking Device
 - i. Each bike rack shall be designed to accommodate two (2) bike parking spaces using the allowed bike rack designs below.
 - ii. Racks shall be designed to accommodate U-shaped locking devices and support the bicycle in two (2) places.
 - iii. Racks shall be designed to resist cutting, rusting, bending and deformation.
 - iv. The surfacing of such facilities shall be designed and maintained to be mud and dust free.
 - b. Bicycle Parking Space Size, Access Aisles, and Vertical Clearance
 - i. Required bicycle parking spaces shall be at least four feet wide by six feet long (4 ft x 6 ft).
 - ii. An access aisle of at least four (4) feet shall be provided in each bicycle parking facility.
 - iii. Such space shall have a vertical clearance of at least six (6) feet.
 - iv. Racks shall be placed on 48-inch on center (48 in oc).
 - c. Bicycle parking shall be located to protect bicycles from damage from automobiles.
 - d. In cases where Bicycle Parking Spaces are not visible from the primary street, signage shall be used to direct cyclists safely to bicycle parking areas (see example next page).

- e. All Bicycle Racks and lockers shall be securely anchored to the ground using a concrete footing and tamper-proof spike anchors.
 - f. Bicycle parking shall be designed to minimize visual clutter to the extent possible.
- I. **Parking Requirements for New or Unlisted Uses**
Where questions arise concerning the minimum off-street parking requirements for any use not specifically listed, the requirements may be interpreted as those of a similar use.
- J. **Schedule of Minimum Number of Parking Spaces.** (See attached tables)
 - 1. In all zoning districts, off-street vehicle parking spaces shall be provided in accordance with the following requirements.
 - 2. In any case where specific requirements result in a fraction of a parking space the next larger whole number of spaces shall be required.
 - 3. In any case where specific requirements include the number of persons employed on the premises, the number persons employed in two (2) shifts shall be used for calculating parking requirements when a use customarily exceeds nine (9) hours of operation in a 24-hour period.
 - 4. Parking spaces shall be required as shown in the table on the following pages.
- K. **Aisle Requirements**
 - 1. **Ninety-degree spaces (90°)**
 - a. For a single row of 90-degree head-in parking, the minimum width for a parking space plus aisle shall be 38 feet.
 - b. For two (2) rows of 90-degree head-in parking using the same aisle, the minimum width for parking spaces plus aisle shall be 56 feet.
 - 2. **Sixty-degree spaces (60°)**
 - a. For a single row of 60-degree head-in parking, the minimum width for a parking space plus aisle shall be 34 feet.
 - b. For two (2) rows of sixty-degree (60°) head-in parking, using the same aisle, the minimum width for parking spaces plus aisle shall be fifty-two feet (52 ft).
 - 3. **Forty-five-degree spaces (45°)**
 - a. For a single row of 45-degree head-in parking the minimum width for a parking space plus aisle shall be 30 feet.
 - b. For two (2) rows of 45-degree (45°) head-in parking, using the same aisle, the minimum width for parking spaces plus aisle shall be 48 feet.
 - 4. A single line of parking spaces may be provided parallel to an aisle provided they are at least 22 feet in length and nine feet (9 ft) in width and 22 feet of maneuvering space in front of and diagonal to the front most parallel parking space.
 - 5. When driveways are less than 20 feet in width, marked separate entrances and exits shall be provided so that traffic shall flow in one (1) direction only.
 - 6. Entrances and exits to an alley may be provided, if prior approval is obtained in writing from the City.

7. When more than one (1) aisle is provided, adequate internal circulation shall be provided between the aisles to allow movement between the aisles without using public right-of-way.

L. General Requirements

1. Maneuvering space shall be completely off the right-of-way of a public street, place or court, unless specifically approved by the Planning and Zoning Commission during site plan review.
2. Parking parallel to the curb on a public street shall not be substituted for off-street requirements, unless specifically approved by the Planning and Zoning Commission.
3. When the occupancy of any building is changed to another use, parking shall be provided to meet the requirements of this section for the new use.
4. For existing buildings that are enlarged, parking spaces shall be required for the overall building.
5. When permanent seating is not provided in any public assembly area, the occupant load shall be computed in accordance with current Fire Code Regulations of the City of Lake Worth as the Fire Code currently exists or may be amended in the future without requiring amendment to this Ordinance. The applicable parking requirement will then be calculated as if each occupant had a permanent seat.

M. Auxiliary Parking

Auxiliary parking may be used if sufficient parking to meet the requirements under paragraph A above is available on the premises. A private parking lot may be provided within five hundred feet (500 ft), either on property zoned for that purpose or as approved by the Planning and Zoning Commission under the following restrictions:

1. The parking must be subject to the front yard setback requirements of the district in which it is located.
2. The parking area must be hard surfaced and dust free.
3. A minimum five foot (5 ft) high screen type fence or planting must be provided on all sides for the protection of the adjacent properties zoned for residential use.
4. Area lights must be directed away from adjacent properties and adjacent roadways.

N. Safety Standards

1. Safety barriers, protective bumpers or curbing shall be provided to prevent encroachment onto adjoining public or private property.
2. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.
3. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.

Article 14.600

PARKING REQUIREMENTS				
USE	PARKING	STACKING	BICYCLE	NOTES
RECREATION AND ENTERTAINMENT USES				
Amusement/Event center (indoor), including game room	10 min; 1:100 SF + Assembly	Study Required	5 percent of Required Parking as per approved Site Plan	
Bowling alley	4:LANE			
Entertainment venue (outdoor)	1:4 SEATS	Study Required		
Assembly, auditorium, theater, cinema	1:3 SEATS	Study Required		
Bar, tavern, private club	1:2 SEATS			
Golf courses, driving range, miniature golf	5:1 GREEN; 1:1 RANGE TEE			
Sexually-oriented business	1:1 SEATS			
COMMUNITY FACILITIES, EDUCATIONAL AND INSTITUTIONAL USES				
Business/trade school	1:200 SF	1 Min	5 percent of Required Parking as per approved Site Plan	
Colleges and universities	Study Required	Study Required		
Convention Center	Study Required	Study Required		S
Early education, elementary and secondary schools	1:1 FACULTY 1:1 EMPLOYEE 1:1 BUS	Study Required		
Day care center - child or adult	1:1 EMPLOYEE 1:1 BUS 1:3 ENROLLMENT	4 min at drop off/pick up		
Day care center - religious institution	1:1 EMPLOYEE 1:1 BUS 1:3 ENROLLMENT	4 min at drop off/pick up		
Government offices: local, state, federal	Study required	1 Min		
Independent school district (ISD) office	1:1 EMPLOYEE	1 Min		
Medical care facilities, clinics, hospitals	1:250 SF	Study Required		
Museums, libraries, community centers, private or non-profit organizations	Study required	Study Required		
Public safety facilities, civil defense centers	Study required	Study Required		
Religious institutions, churches	1:2 SEATS + Assembly	Study Required		
SF = Square Feet (round up); DU = Dwelling Unit; NA or Blank=Not Applicable; P = Prohibited S = Shared Parking Preferred				

PARKING REQUIREMENTS					
USE		PARKING	STACKING	BICYCLE	NOTES
RESIDENTIAL USES					
HOUSEHOLD	Single Family detached	2:1 DU	NA		Off-street; behind front building line; 2-cars in private garage
	Single Family attached	1:1 DU			
	Multifamily dwellings	2:1 DU	NA		Visitor: 1:2 DUs
	Manufactured/Mobile home	2:1 DU	NA		Visitor: 1:2 DUs
	Modular Home	2:1 DU	NA		
GROUP	Assisted living; nursing home	1:2 Beds	As per approved Site Plan		Based on capacity as per license
	Boarding Home/Coliving	1:2 Beds	Study required		
	Community Home	1:2 Beds	Study required		
	Group Home	1:2 Beds	Study required		
	Halfway House	1:2 Beds	Study required		
	Shelter	1:2 Beds	Study required		
ACCESSORY BUILDINGS and/or USES					
BUILDING	Accessory bldg; Non-residential	NA	NA	NA	
	Accessory bldg; Residential	1:1 DU			
	Antennae and towers, ≤ to max. height in district	NA			
	Antennae and towers > max. height in district	NA			
	Carport	2:1 DU			
	Temporary bldg. for construction/ office	1:250 SF			
USE	ADU - Accessory dwelling unit	1:1 DU			
	Home Occupations	P			
	Temp. outdoor sales/display (Temporary)	NA			May not be located in required parking spaces
SF = Square Feet (round up); DU = Dwelling Unit; NA or Blank=Not Applicable; P = Prohibited S = Shared Parking Preferred					

Article 14.600

PARKING REQUIREMENTS				
USE	PARKING	STACKING	BICYCLE	NOTES
COMMERCIAL AND RETAIL USES				
Coffee shop with drive through	1:250 SF	13 spaces min	5 percent of Required Parking as per approved Site Plan	
Contract construction services	2:Unit	Space for equipment trailer		Behind front building line
Convenience store	4 min or 1:200 SF store			+ 1:Fuel pump/station
Drive through with any commercial, retail or service use	Refer to List	5 spaces min		Study recommended
Drug stores/pharmacy	1:250 SF	5 spaces min		
Farm implement sales/ service	1:700 SF			
Food truck; Food truck park	2:Food truck			
Furniture and furnishings	1:1500 SF			
Grocery stores, specialty market (not in shopping center)	1:200 SF			
Hardware/home improvement	1:1500 SF			
Merchandise - general	1:250 SF			
Merchandise - parts	1:500 SF			
Merchandise - specialty	1:200 SF			
Nursery for retail sales	1:1500 SF			
Private club, fraternity, lodge	1:200 SF			
Restaurant, bar, café, cafeteria	1:100 SF	NA		
Restaurant – fast food w/ drive-through	1:100 SF	12 spaces min		
Shopping Center	1:250 SF			
Vending – ice dispensing	2 min			
SF = Square Feet (round up); DU = Dwelling Unit; NA or Blank=Not Applicable; P = Prohibited S = Shared Parking Preferred				

PARKING REQUIREMENTS				
USE	PARKING	STACKING	BICYCLE	NOTES
SERVICE USES				
Bank/financial institutions	1:300 SF	8 spaces min	5 percent of Required Parking as per approved Site Plan	
Barber and beauty shops salon	1.5:Chair 1:Employee			Behind front building line
Bicycle service and repair	1:500 SF			+ 1:Fuel pump/ station
Caterer or wedding service	1:Employee			+ Assembly, as applicable
Health and fitness facility	1:150 SF			
Hotel, motel, inn	1:1 Bedroom	4 spaces min at check in		+ Restaurant + Assembly
Laundry service, dry cleaner	1:200 SF	Study Required		
Laundromat	1:50 SF			
Mini-warehouse	1:50 units	2 spaces min gate/entry/exit		
Mortuaries, funeral homes	1:1500 SF	Study Required		+ Assembly, as applicable
Music instruments and/or lessons	1:300 SF 1:Classroom/ Studio			
Office, health services	1:175 SF			
Offices, professional/service	1:300 SF			
Veterinarian, with or without kennels	1:200 SF			
SF = Square Feet (round up); DU = Dwelling Unit; NA or Blank=Not Applicable; P = Prohibited S = Shared Parking Preferred				

PARKING REQUIREMENTS					
USE		PARKING	STACKING	BICYCLE	NOTES
AUTOMOBILE AND MISCELLANEOUS VEHICULAR USES					
Automobile, Bicycles, Motorcycles, Boats, Trailers					
VEHICLE	Sales and rentals	1:200 SF	Study Required	As per approved Site Plan	
	Repair, Paint/Body shop	1:200 SF	Study Required		
	Car wash	1:stall	7 spaces min		
INDUSTRIAL, MANUFACTURING and WAREHOUSE USES					
LIGHT INDUSTRIAL	Flex building/multi-tenant	1:5000 SF	As per approved Site Plan	As per approved Site Plan	+1:300 SF office
	Light manufacturing	1:5000 SF			+1:300 SF office
	Research and development	1:5000 SF			+1:300 SF office
	Showroom warehouse	1:7000 SF			+1:300 SF office
	Warehouse store (e.g. Costco)	1:2000 SF			+1:300 SF office
INDUSTRIAL	Heavy industrial equipment sales/ auction yard	1:2000 SF			+1:300 SF office
	Manufacturing buildings	1:2000 SF			+1:300 SF office
	Packing plant	1:5000 SF			+1:300 SF office
	Telecom/data hosting center	1:10000 SF			+1:300 SF office
	Terminal, truck, freight, or water	1:2000 SF			
	Warehouse/distribution buildings	1:7000 SF			+1:300 SF office
UTILITY and SERVICE USES					
Utility installations owned by City, County, State or Public Utility		As per approved Conditional Use Permit			
Gas well drilling and operations		As per approved Site Plan			
SF = Square Feet (round up); DU = Dwelling Unit; NA or Blank=Not Applicable; P = Prohibited S = Shared Parking Preferred					

O. Lighting

Lights provided to illuminate any parking facility or paved area shall, to the maximum extent feasible, be designed to reflect away from any residential use.

P. Parking Lot Landscaping Standards

Planter islands shall be provided in parking areas on the basis of 20 square feet of landscape area for each parking stall provided (approximately one (1) island per eight (8) stalls.) Each row of parking stalls shall provide the required landscape area. The Building Official may modify the island requirement for each row in situations where it would be beneficial to combine islands into a larger island. Planter islands shall have a minimum width of eight feet (8 ft) back to back, if curbed, or nine feet (9 ft) edge to edge if no curb is provided. Parking lot landscaping does not count toward the total required interior landscape area.

1. Existing Trees

The Building Official may approve variations to the planter island requirements to preserve existing trees in interior parking areas. For existing trees, the minimum width of the planter island shall be as follows:

Caliper	Width
6" dbh or less	8 ft minimum width
6" to 12" dbh	12 ft minimum width
More than 12" dbh	18 ft minimum width

2. Planting Requirements

A minimum of 90 percent of all planter islands in parking areas shall contain a minimum of one (1) canopy tree with the remaining area in shrubs, ground cover, grasses or seasonal color. Planter islands shall not be combined with light poles.

Q. Screening

Additional landscaping and bufferyards shall be provided in accordance with the regulations herein.

R. Maintenance

All parking and loading facilities shall be maintained to assure desirability and usefulness of the facility. Such facilities shall be maintained free of refuse, debris, or other accumulated matter and shall at all times be available for the off-street parking or loading use for which they are required or intended.

S. Drainage

All parking facilities shall be graded and provided with permanent storm drainage facilities, meeting the construction specifications set by the City Engineer. Surfacing, curbing, and drainage improvements shall be sufficient to preclude the free flow of water onto adjacent properties or public streets or alleys, and to provide adequate drainage.

T. Recreational Vehicle Parking

1. No more than one (1) recreational vehicle shall be parked in any required front yard:
 - a. The total length of the recreational vehicle shall not measure more than 35 feet in length, including any transport accessory.
 - b. The recreational vehicle shall not under any circumstances extend into or upon any right-of-way or public access easement.
2. The parking surface in any required front yard shall be asphalt or concrete surface not less than nine feet wide by eighteen feet long (9' wide by 18' long) in size, free of litter, debris, weeds, or other objectionable material or objects.

Use of an alternate all-weather hard surface may be approved only by the City Engineer.
3. The vehicle and transport accessory must be totally operational and ready for use and have current license plates and inspection certificate.
4. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or any location not approved for such use.
5. Parking of recreational vehicles will be permitted behind the front building line; however, such vehicles shall be currently licensed and in good repair and be parked on a concrete or asphalt surface at least nine feet wide by eighteen feet long (9' wide by 18' long) in size.
6. Recreational vehicles shall be parked in accordance with City stopping, standing and parking ordinance (Ordinance No. to be provided by staff)

U. Parking and Storage of Certain Vehicles

1. No more than one (1) recreational vehicle shall be parked in any required front yard:
 - a. The total length of the recreational vehicle shall not measure more than 35 feet in length, including any transport accessory.
 - b. The recreational vehicle shall not under any circumstances extend into or upon any right-of-way or public access easement.
 - c. The recreational vehicle shall be parked on an asphalt or concrete surface not less than nine feet wide by eighteen feet long (9 ft wide by 18 ft long) in size, free of litter, debris, weeds, or other objectionable material or objects. Use of an alternate all-weather hard surface may be approved only by the City Engineer.
 - d. The vehicle and transport accessory must be totally operational and ready for use and have current license plates and inspection certificate.
 - e. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or any location not approved for such use.
2. Parking of recreational vehicles will be permitted behind the front building line; however, such vehicles shall be currently licensed and in good repair and be

parked on a concrete or asphalt surface at least nine feet wide by eighteen feet long (9 ft wide by 18 ft long) in size.

3. Recreational vehicles shall be parked in accordance with Article 12.1400, Stopping, Standing and Parking Restrictions.

V. Parking and Storage of Certain Vehicles

1. Automotive vehicles or trailers meeting the definition of "junked vehicle" shall not be parked or stored on any property other than completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property.
2. Antique or special interest vehicles may be parked by a motor vehicle collector on the collector's property behind the front building line provided that the vehicle is parked on a concrete or asphalt surface at least nine feet wide by eighteen feet long (9 ft wide by 18 ft long) in size, the area is maintained in an orderly manner and not a health hazard, and that the area is screened from ordinary public view by not less than a six foot (6 ft) solid fence.
3. Covering of a junked, antique or special interest vehicle by a tarp or other fabric cover alone is not sufficient to comply with the screening requirement herein.
4. Parking or storage of all licensed trailers shall conform to requirements of major recreational equipment. All automotive vehicles or trailers of any kind shall be parked on a concrete or asphalt surface not less than nine feet wide by eighteen feet long (9 ft wide by 18 ft long).
5. The temporary parking (not exceeding 48 hours) of automotive vehicles or trailers on a surface other than concrete or asphalt at special community events hosted or authorized by the City may be approved on a case-by-case basis by the City Manager or designee.

Section 14.611 Access and Driveways

Site access and driveways shall conform to Chapter 10, Subdivision Regulations, of the Code of Ordinances, and the adopted Design Criteria and Construction Standards.

Section 14.612 Landscaping Requirements

A. Purpose

1. This section establishes landscaping requirements in nonresidential zoning districts, including Planned Development districts.
2. It is the intent of this section to reduce the negative effects of glare, noise, erosion and sedimentation caused by expanses of impervious and unvegetated surfaces within the urban environment.
3. It is also the intent of this section to preserve and improve the natural and urban environment by recognizing that the use of landscaping elements can contribute to the processes of air purification, oxygen regeneration, groundwater recharge, abatement of noise, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the City.

B. Landscape Installation Required

1. Residential Lots and/or Uses in Planned Development

- a. No building permit shall be issued after the effective date of this article for the construction of any new building in residential zoning districts unless a landscaping plan has been approved in accordance with this article.
- b. Each residential lot shall be landscaped as follows (minimum):
 - i. Lawn grass required in the front yard.
 - ii. One (1) 3-inch caliper tree in the front yard.

2. Nonresidential

- a. No building permit shall be issued after the effective date of this article for the construction of any new building in nonresidential zoning districts unless a landscaping plan has been approved in accordance with this article.
 - b. Except as otherwise provided in this article, a minimum of 20 percent of the total area of the lot on which the new building is constructed shall be landscaped.
 - c. This 20 percent requirement may be reduced by as much as 50 percent through the application of credits granted in the manner described in herein.
3. The landscaping requirements in this article shall not apply to any lot for which a site plan, plot plan or landscaping plan has previously been approved by the City in conjunction with zoning or other development approval, provided that no substantive revisions are made to such approved plan.
 4. If only a portion of a large tract or lot is being developed, 20 percent of the area being developed, as determined by the City Manager and/or designee according to the submitted site plan, will be required to be landscaped.

C. Landscaping Plan Required

1. A landscaping plan shall be submitted to the City for approval. The landscape plan may be submitted as a part of the site plan.
2. The landscape plan shall contain the following information:
 - a. Minimum scale of one-inch equals fifty feet (1 in = 50 ft);
 - b. Location of all trees to be preserved; method of preservation during the construction phase of development shall be approved by the director of parks and recreation.
 - c. Location of all plants and landscaping material to be used including paving benches, screens, fountains, statues, or other landscape features;
 - d. Species of all plant material to be used;
 - e. Size of all plant material to be used;
 - f. Spacing of plant material where appropriate;
 - g. Layout and description of irrigation, sprinkler or water system, including placement of water sources;

- h. Description of maintenance provisions of the landscape plan; and
 - i. Persons responsible for the preparation of the landscape plan.
- D. Locational Criteria
- 1. Not less than 40 percent of the total landscaping required by this article shall be located in the designated front yard.
 - 2. All landscape material shall comply with visibility requirements of the City Code of Ordinances.
- E. Credits Toward Landscaping Requirements
- Credits toward the landscaping requirements set forth in sections above may be granted in the following manner:

Additional Enhancement	Credit
3-inch tree (trunk diameter measured 12" above grade)	200 sq. ft.
6-inch tree (trunk diameter measured 12" above grade)	400 sq. ft.
10, one (1) gallon shrubs	100 sq. ft.
25 square feet flower bed	100 sq. ft.

- 1. In no instance shall the total amount of landscaping on a lot be reduced through credits by more than 50 percent of the landscaped area required by this section.
 - 2. A flower bed is any area where the soil has been specifically prepared for the planting of flowering plants. In addition, in order to be considered for credit calculations at least 80 percent of the prepared area must be covered with flowering plant material at the time of peak growth.
- F. Installation and Maintenance
- 1. All required landscaped area shall be permanently landscaped with living plant material and shall have either an irrigation system installed or shall be accessible to a bibcock, faucet, or other water source on the same lot or parcel. Synthetic or artificial lawn or plant material shall not be used to satisfy the requirements of this article.
 - 2. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.
 - 3. All plant materials shall be main lined in a healthy and growing condition as is appropriate for the season of the year.
 - 4. Plant materials which die shall be replaced with plant material of similar variety and size within a 6-month period, with a one-time extension not exceeding six (6) months being provided upon approval of the City Manager and/or designee.

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G. Certificate of Occupancy

1. All landscaping shall be completed and installed in accordance with the approved landscape plan within six (6) months of a certificate of occupancy being granted. A one-time extension not to exceed six (6) months may be granted upon approval of the City Manager and/or designee
2. If these requirements have not been satisfied within the 6-month period from when the certificate of occupancy is issued, the property owner shall be considered in violation of this article and shall be subject to the penalties established herein.

H. Nonconforming Uses and/or Structures

All uses that are in existence at the time of the adoption of this section, which do not meet the landscaping requirements provided herein, will be considered as being legal nonconforming to these landscape requirements.

I. Modification, Variances and Appeal

1. Modifications

Whenever there are practical difficulties involved in complying with the provisions of this article relating to landscaping such as the presence of existing facilities or unusual topography, the City Manager and/or designee may grant modifications in individual cases, provided he shall first find that a special individual circumstance makes strict compliance with this article impractical; that the modification is in conformity with the intent and purpose of this article; and that the proposed modification is at least the equivalent of the requirements prescribed by this article.

Such modification may only be made upon written application filed with the City Manager and/or designee and the details of any action granting the modification shall be recorded and entered into the files of the City.

In order to be considered for a modification, the applicant shall provide to the City manager or his designee an alternative landscape plan for review and approval.

The landscape plan must illustrate a plan to landscape as much area as available and shall provide for irrigation of landscaped areas and a phasing schedule for completing the landscaping.

All landscaping improvements must be approved by the City Manager and/or designee.

2. Variances and Appeals

Any applicant who desires a variance or elimination of the requirements herein or who desires to appeal a decision of the City Manager and/or designee shall file a written appeal with the Board of Adjustment.

Such appeal shall be accompanied by adequate graphic reproductions a written summary of the request and justification for the request.

The Board of Adjustment shall have the authority to grant an interpretation or variance to the requirements of this article if it determines that a literal enforcement of the regulations will create an unnecessary hardship or practical difficulty in the development of the property, that the situation causing the unnecessary hardship or practical difficulty is unique to the affected property and is not self-imposed, that the variance will not injure and will be wholly

compatible with the use and permitted development of adjacent properties, and that the granting of the variance will be in harmony with the intent and purpose of this article. The decision of the Board of Adjustment shall be final.

Section 14.613 Bufferyards

A. Purpose.

Bufferyards shall be required in accordance with this Section to:

1. Separate different land uses from each other;
2. To eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas; or
3. To provide spacing to reduce adverse impacts of noise, odor or danger from fire or explosions.

B. Location

1. Bufferyards shall be located within and along the outer perimeter of the developing lot or boundary line.
2. Bufferyards may overlap drainage and/or utility easements; however, plantings should not impede the flow of water within a drainage easement.
3. Bufferyards shall not be located on any portion of an existing or dedicated public street or right-of-way.

C. Bufferyard Requirements

1. Width. A minimum width of ten feet (10 ft) is required between nonresidential and residential development and uses.
2. Landscaping Required: Plantings shall be provided within the Bufferyard as follows:
 - a. One (1) ornamental and/or evergreen tree every 100 feet.
 - b. Shrubs to create a continuous mature screen planted between trees.
 - c. Irrigation shall be installed and maintained.

D. Uses of Bufferyards:

A bufferyard may be used for passive recreation, such as pedestrian, bike or equestrian trails, provided that no plant material is eliminated and the total width of the bufferyard is maintained.

Section 14.614 Street Trees

A. Location for Street Trees

Street trees shall be located behind the sidewalk except in cases where there is a designated planting strip in the right-of-way, or the sidewalk is greater than eight feet (8 ft) wide and designed to accept trees in tree wells. Street trees shall include irrigation, root barriers, and generally conform to the standard established by the City of Lake Worth.

B. Spacing, Placement, and Pruning of Street Trees

All tree spacing may be made subject to special site conditions, which may, for reasons such as safety, affect the decision. Any such proposed special condition shall be subject to the review and approval of the City Manager and/or designee. The placement, spacing, and pruning of street trees shall be as follows:

1. Street trees shall be placed at the rate of one (1) tree for every 50 feet of street frontage; however, they shall not unduly compromise visibility triangles at intersections and non-residential driveways.
2. Trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, and not closer than ten feet (10 ft) from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
3. Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location shall be positioned closer than ten feet (10 ft) to any existing street tree, and preferably such locations will be at least 20 feet distant.
4. Trees shall not be planted closer than six feet (6 ft) from the face of the curb except at intersections where it shall be five feet (5 ft) from the curb, in a curb return area.
5. Where there are overhead power lines, tree species are to be chosen that will not interfere with those lines.
6. Trees shall not be planted within four feet (4 ft) of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least 64 square inches; however, larger cuts are encouraged because they allow additional air and water into the root system and add to the health of the tree. Space between the tree and hard surface may be covered by permeable non-permanent hard surfaces such as grates, bricks on sand, or paver blocks.
7. Trees, as they grow, shall be pruned to provide at least eight feet (8 ft) of clearance above sidewalks and 15 feet above street roadway surfaces. Responsibility for pruning will fall on the person responsible for maintenance of the land on which the tree is planted.
8. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the City Manager and/or designee.
9. Replacement of Street Trees: Existing street trees removed by development projects shall be replaced by the developer. The placement trees shall be of size and species similar to the trees that are approved by the City Manager and/or designee.

Section 14.615 Architectural Standards**A. Exterior Materials**

1. Masonry material will consist of brick, stone, tile, rock, stucco, cement, concrete tilt wall or, if approved by City council, concrete block, or other masonry materials of similar characteristics.
2. In general, unless specifically provided below, the masonry requirements set forth shall be applicable to all residential and nonresidential districts.
 - a. **Residential**

All exterior wall surface of all permanent structures shall consist of 75 percent masonry. Exterior wall surface is the area between the wall corners, extending from the finished floor level of the foundation to the door or window header height of the first floor, whichever is greater. The calculation of the minimum masonry requirements will not include windows, doors, glass construction materials, or sidewalk or walkway covers.
 - b. **Nonresidential**

All exterior wall surface of all permanent structures shall consist of 75 percent masonry. Exterior wall surface is the area between the wall corners, extending from the finished floor level of the foundation to the door or window header height of the top floor, whichever is greater. This requirement shall apply to all of the minimum masonry requirements will not include windows, doors, glass construction materials, or sidewalk or walkway covers.
 - c. Any enlargement of an existing permanent residential or nonresidential structure shall match percentage of masonry on the adjacent surface of the existing permanent residential or nonresidential structure.
 - d. Any one-story detached accessory building in single-family and multifamily zoning, used as a tool/storage shed of less than 120 square feet does not require a building permit and will not have to meet the minimum masonry requirement.
 - e. Any permanent one story detached accessory building of 120 square feet or less in single family and multifamily zoning, that is used for storage will not have to meet the minimum masonry requirement, as long as new materials, including factory finished/painted steel and all materials used in residential construction are used in the construction.
 - f. A permanent accessory building cannot meet or exceed the total square footage of the primary structure/residence, nor have a height exceeding the primary structure/residence.
 - g. All detached accessory buildings not in a residential zoning district shall meet the minimum masonry requirements.
 - h. In case of damage of more than 50 percent to a nonconforming structure the owner can apply for a variance of the masonry requirement to the Board of Adjustment.

- i. The minimum roof pitch, as regulated by the adopted Building Code, is required for buildings and structures that may be exempt from the minimum roof pitch specified herein.
- B. Materials for all nonresidential buildings exceeding one thousand two hundred square feet (1,200 sq. ft.)
 - 1. All building facades that are visible from adjoining properties and/or public streets shall be masonry in accordance with this section.
 - 2. Glazing doors, windows and door frames, roof system trim, mansards, and similar visible exterior treatments shall be made of materials which complement construction materials.
 - 3. Accessory buildings shall be constructed of materials that complement the main structure.
 - 4. When rear facades are visible from adjoining properties and/or a public right-of-way, they shall be of a finished quality and consist of colors and materials that blend with the remainder of the building's primary facades.
 - 5. All surfaces shall be low-reflectance, subtle, neutral or earth tone colors (such as white, tan, brown and gray.) Metallic or fluorescent colors are prohibited.
- C. Ground-Mounted and Roof Top Mechanical Equipment
 - 1. All ground-mounted equipment shall be screened from view with masonry construction similar to the primary structure.
 - 2. All roof-mounted equipment including, but not limited to, fans, vents, air conditioning units, cooling towers, and alternative energy systems (installed on a flat roof) shall be screened so as not to be visible at ground level from adjacent properties and/or public rights-of-way.
 - a. The overall screening height shall be the height of the highest element of roof-mounted equipment.
 - b. The outside of the screening device, if independent of the building facade, shall be painted or otherwise finished in a similar color to the color of the building facade, trim, or roof surface, whichever color is more effective in minimizing the visibility of the equipment and screen from ground level.
- D. Outdoor Storage, Service and Loading Areas
 - 1. Areas for outdoor storage, truck parking, trash collection/ compaction, loading and unloading, or other such uses shall not be visible from abutting streets, adjacent non-industrial properties and/or public/private streets.
 - a. Service areas including, but not limited to, loading docks and truck courts shall be oriented away from the view of any freeway or public streets or adjacent residential zoning district or use unless screened by an 8-foot masonry wall extending the entire length of the service area.
 - b. Such service areas shall have additional screening along the exterior side of the masonry wall in the form of evergreen landscaping which must be opaque and eight (8) feet in height within 18 months of planting.

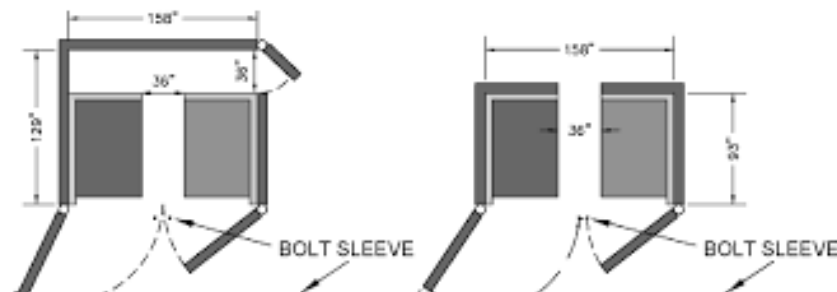
2. Permanent outdoor display, sales and storage

Merchandise may be stored or displayed for sale to customers in areas contiguous to the front or side of the building. This area shall be enclosed by a minimum 8-foot wall of like appearance to the building or a base of like appearance to the building topped by wrought iron or tubular steel fencing with the minimum total height being eight feet (8 ft). The masonry base enclosing this area shall be at least three feet (3 ft) in height.

3. Shopping cart storage: Shopping carts may be stored outside the front of the building provided there are no more than two (2) cart storage areas (one on each side of the entryway). The cart storage area shall be screened with building materials substantially similar to the building facade.

E. Trash Receptacle Screening

1. Trash receptacles shall not be placed between the primary structure and the street and shall not be located within a street yard.
2. Trash receptacles shall be fully screened by an 8-foot screen constructed of like and similar materials to those of the primary structure on three (3) sides and an opaque gate on one (1) side.



Section 14.616 Home Occupations

A home occupation may be conducted in a dwelling unit, provided that it complies with the following:

- A. A home occupation shall be permitted only when it is an accessory use to a dwelling unit;
- B. A home occupation shall not involve any external structural alteration of the main building;
- C. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 20 percent of the total floor area of the dwelling unit shall be used in the conduct of the home occupation;
- D. Only one (1) employee other than occupants of the residence may be employed in the home occupation. A person who receives a wage, salary or percentage of the profits directly related to the home occupation shall be considered an employee for the purposes of this section, provided that this definition shall not include the coordi-

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nation or supervision of employees who do not regularly visit the dwelling for purposes related to the business;

- E. No outdoor storage of materials, goods, supplies or equipment shall be allowed;
- F. A person who engages in a home occupation shall not place a sign or display on the premises;
- G. A home occupation shall not involve more than one (1) patron on the premises at one time;
- H. Any outdoor activities associated with a home occupation shall be screened from the neighboring property by a solid fence of at least six feet (6 ft) in height.
- I. A home occupation may include the sale of products on the premises provided that the business has a valid sales tax permit and that compliance is maintained with all other conditions specified herein; and
- J. A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, dirt, odors, heat, or solid waste in excess of that normally found in residential areas. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes.

Section 14.617 Game Room and Amusement Machines

An amusement arcade/center (indoors) requiring an approved Conditional Use Permit shall comply with the Chapter 4.1400 of the Lake Worth Code of Ordinances, as amended.

Section 14.618 Temporary Uses and Events

A. Purpose

Certain temporary uses of land are essential to the full development and utilization of the land and are deemed to promote the health, safety and general welfare of the City. Temporary uses and special events are allowed only as enumerated herein.

B. Permitted Temporary Uses and Special Events

The permissible temporary uses and special events, the conditions of use and the zoning districts wherein the uses are permitted are as follows:

- 1. Temporary outdoor sales are permitted on nonresidential property only for the purposes of the existing occupants of existing businesses. The City Manager and/or designee may grant permission for the temporary use upon the application and granting of a temporary use permit.
- 2. No temporary building, tent or similar structure shall be erected in any required setbacks or designated easements.
 - a. Tents shall conform to the International Fire Code.
 - b. No tent or similar structure shall be erected without first obtaining a permit.
 - c. No temporary building shall be moved on any lot, tract, or parcel of land without first obtaining a permit. No business shall be conducted from temporary building, tent, or similar structure until all inspections have been completed to the satisfaction of the City.

- d. No outside use of property for sales will be allowed except by the existing occupants of the property. This includes parking of vehicles for a purpose other than conducting business on the premises.
 - e. All temporary building, tents, or similar structures shall be removed from the property at the end of the permitted period of operation.
- 3. In no event shall temporary uses be allowed for more than 90 consecutive days or more than once per year for any lot, parcel or tract of land. There will be no extension of the 90 days. All sales shall meet the special conditions, if any, imposed by the City Manager and/or designee and/or the Fire Marshal for the protection of the public interest and the welfare of the community.
- 4. The temporary outdoor sale of Christmas trees may be permitted on those properties zoned commercial, industrial, mixed use and multi-family use for a period of 40 days prior to Christmas Day.
 - a. Hours of operation will be from 8:00 a.m. to 10:00 p.m., seven (7) days a week.
 - b. The City Manager and/or designee may issue a permit for such sale when he/she finds that there is available adequate off-street parking area, either improved or unimproved, and that location and layout of drives, parking areas, lighting, and sale signs will not constitute a hazard to public travel on the abutting public streets.
 - c. The City Manager and/or designee shall establish the terms and conditions for the temporary use at the time of approval.
 - d. In the event that a sponsor is dissatisfied with the decision of the City Manager and/or designee, the sponsor may appeal the requested use to the City Council.
 - e. Trees, stands, equipment, trash, signs, lighting and shelters shall be removed by the permit holder no later than January 4th following Christmas.
- 5. Carnivals, circuses and special fundraising events sponsored by a public entity, civic or non-profit organization located within the City may be allowed as a temporary use for a period not exceeding seven (7) consecutive days.
 - a. Except for churches and public or semi-public school sponsored events on their property, such events shall be on a site containing not less than two (2) acres in a nonresidential zoning district.
 - b. Except for churches, public or semi-public schools, only one (1) permit for a carnival, circus or special fundraising event shall be issued to the same civic or non-profit organization within a 180-day period.
 - c. Adequate parking and sanitary facilities shall be made available to the satisfaction of the City Manager and/or designee.
 - d. The City Manager and/or designee shall establish the terms and conditions for the temporary use at the time of approval.

- e. In the event that a sponsor is dissatisfied with the decision of the City Manager and/or designee, the sponsor may appeal the requested use to the City Council.
- 6. The temporary sale of snow cones may be permitted on properties zoned for nonresidential use, including planned development zoning, for a period from April 1 to September 30.
 - a. Hours of operation are from 10:00 a.m. to 10:00 p.m.
 - b. The City Manager and/or designee may issue a permit for such sale when it is found that there is available adequate off-street parking area, either improved or unimproved, as determined by the City Manager and/or designee, and that location and layout of drives, parking areas, lighting and sale signs will not constitute a hazard to public travel on the abutting public street.
 - c. All structures, stands, trash, signs, lighting, or anything associated with the temporary use shall be removed at the end of the period of permitted use.
- 7. The temporary sales of pumpkins may be permitted on properties zoned for nonresidential use, including planned development zoning, for a period of forty (40) days between the months of October and November.
 - a. Hours of operation are from 8:00 a.m. to 10:00 p.m.
 - b. The City Manager and/or designee shall establish the terms and conditions for the temporary use at the time of approval.
 - c. In the event that a sponsor is dissatisfied with the decision of the City Manager and/or designee, the sponsor may appeal the requested use to the City Council.
 - d. All pumpkins, stands, structures, trash, signs, lighting, or anything associated with the temporary use shall be removed at the end of the period of permitted use.
- C. Temporary Uses Not Permitted

The outdoor sale of furniture, home furnishings, clothes, plants, flowers, pottery, statues, decorative items, paintings, toys, papers or magazines, vehicles, farm and garden equipment, tools, fencing lumber, building supplies, animals, livestock, or foods and drink, except as may be permitted herein.

Section 14.619 Day Care

Any adult or child day care facility must comply with federal, state and local regulations. Refer to 14.300, Definitions.

Section 14.620 Telecommunications Towers and Antennas

- A. Purpose. The purpose of this article is to:
1. Establish regulations for the siting of towers and antennas;
 2. Minimize the total number of towers throughout the community;
 3. Encourage the joint use of new and existing tower sites;
 4. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
 5. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas;
 6. Encourage using existing facilities as primary option sites for new antennas; and
 7. Enhance the ability of the providers of telecommunications services to provide services to the community quickly, effectively, and efficiently.
- B. Definitions. As used in this section:
1. Antenna. Any exterior apparatus designed for telephonic, radio, or television communications through the sending or receiving or electromagnetic waves.
 2. FAA. The Federal Aviation Administration. FCC. The Federal Communications Commission. City Council. The City Council of the City.
 3. Height. When referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna.
 4. Monopole. A support structure for an antenna composed of a single spire; guide wires shall not be permitted upon such structures.
 5. Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and similar structures.
- C. Applicability
1. Generally
The requirements of this article govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for the zoning district in which the tower or antenna is to be located.
 2. Exemptions
Except for the requirements below, this section does not apply to:
 - a. Antennas or towers located on property owned, leased, or otherwise controlled by the City; provided, a license or lease authorizing the antenna or tower has been approved by the City Council;
 - b. Amateur radio and TV antennas, including ham radio and CB's; however, commercial use shall not be permitted, and the height of the antenna shall not be more than 10 feet higher than the building it is attached to;

- c. A tower or antenna for which a permit has been properly issued prior to the effective date of this article, which is referred to in this article as a “preexisting tower” or “preexisting antenna.”

D. Site Plan

1. Requirement

An approval for constructing any telecommunications tower or antenna shall require submission of a site plan to the City Council.

2. Factors Considered in Approving Site Plan

In addition to the factors listed herein the City Council shall consider the following factors in determining whether to approve a site plan:

- a. Height of the proposed tower;
- b. Capability of the tower to structurally accommodate the number of shared users proposed by the applicant as certified by a licensed professional engineer;
- c. Proximity of the tower to residential structures and residential district boundaries;
- d. Nature of uses on adjacent and nearby properties;
- e. Surrounding topography;
- f. Surrounding tree coverage and foliage;
- g. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- h. Proposed ingress and egress;
- i. Availability of suitable existing towers and other structures as discussed in the regulations herein, and
- j. Compliance with this article and other applicable ordinances of the City.

When approving a site plan, the City Council may impose conditions to the extent the City Council concludes that conditions are necessary to minimize any adverse effects of the proposed tower antenna or adjoining properties.

The City Council may also waive or reduce the burden on the applicant of one or more of these criteria if the City Council concludes that the purposes of this article are better served thereby.

3. Written Report Upon Denial of Site Plan

The City shall document in writing any denial of a site plan to place, construct, or modify personal wireless service facilities, stating the reason for denial and including substantial evidence that supports the denial.

E. Requirements for the Installation of Towers and Antennas

1. Availability of Suitable Existing Towers or Other Structures

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City Council that no existing tower or structure can accommodate the applicant’s proposed antenna. Evidence submitted to

demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

- a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
- b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause electromagnetic interference with the applicant's proposed antenna.
- e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- f. Other limiting factors that render existing towers and structures unsuitable.

2. Setbacks and Separation

The following setbacks and separation requirements shall apply to all towers:

- a. Towers must be set back a distance equal to the height of the tower from any off-site residential structure.
- b. Towers, guys, and accessway facilities must satisfy the minimum zoning district setback requirements.
- c. Towers over 90 feet in height shall not be located within one-quarter of a mile (1/4 mile) from any existing tower that is also over 90 feet in height. Distances shall be measured in a straight line between the nearest points on the bases of the towers.
- d. Only one (1) tower shall be permitted upon each platted lot.

The City Council may reduce the setbacks and separation requirements if the purposes of this article would be better served thereby.

3. Height Restrictions

A tower must meet the following height and usage criteria:

- a. For a single user, a tower may be no higher than 90 feet in height;
- b. For two (2) users, a tower may be no higher than 120 feet in height; and
- c. For three (3) or more users, a tower may be no higher than 150 feet in height.

4. Security Fencing

Towers shall be enclosed by security fencing not less than six feet (6 ft) in height and shall also be equipped with an appropriate anti-climbing device.

5. Landscaping

The following requirements shall govern the landscaping surrounding towers:

- a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least four feet (4 ft) wide outside the perimeter of the compound.
- b. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.
- c. Existing mature tree growth and natural land forms on the site shall be presented to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be a sufficient buffer.

6. Visual Characteristics

- a. Towers shall be maintained with either a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
- b. At a tower site, the design of the buildings related structures shall, to the extent possible, be maintained with materials, color, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
- c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- d. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- e. Advertisement signs, flags, and banners shall be prohibited from towers.

7. Federal Requirements

All towers must meet or exceed current standards and regulations of the FM, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If applicable federal standards and regulations are changed, then the owners of the towers and antennas governed by this article shall bring the towers and antennas into compliance with the revised standards and regulations within six months of the effective date of the standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

8. Building Codes, Safety Standards

To ensure the structural integrity of towers, the owner of a tower shall construct and maintain the tower in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electric Industries Association, as amended from time to time. If upon inspection the City concludes that a tower fails to comply with those codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring the tower into compliance with the standards. If the owner fails to bring the tower into compliance within 30 days, the City may remove the tower at the owner's expense.

F. Removal of Abandoned Antennas and Towers

1. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned.
2. The owner of the antenna or tower shall remove it within 90 days of receipt of notice from the City notifying the owner of the abandonment.
3. If the antenna or tower is not removed within the 90 days, the City may remove the antenna or tower at the owner's expense.
4. If there are two (2) or more users of a single tower, then this provision shall become effective when all users cease using the tower.

Section 14.621 Alternative Energy Systems

Alternative energy systems, including wind, solar, and geothermal, may be used where allowed within a zoning district, provided that they also comply with the following conditions:

A. Wind Energy Systems

1. General Regulations

The following general regulations apply to all wind energy systems located within an approved district.

a. Utility grid wind energy systems are prohibited within the City.

b. Primary Structure Required on Lot

A wind energy system may be erected on a lot only after a primary structure has been constructed on the lot.

c. Vertical or Tower System

i. Maximum Height

The maximum height shall be the height at the highest point of the tower or structure of the system including the height of any blades when attached thereto.

The maximum height shall not exceed the maximum building height allowed within the zoning district plus five (5) feet, or as permitted by a Conditional Use Permit. Additionally, no tower height shall exceed the tower height recommended by the manufacturer or the distributor of the wind energy system.

Any tower that exceeds 100 feet in height must obtain a letter of no objection from the Commanding Officer of the NAS Fort Worth JRB.

ii. Location and Setbacks

No wind energy system shall be allowed in or extend into any front yard. The wind energy system may be no closer to the side and rear property line than a distance equal to the allowed maximum height of the system.

d. Horizontal or Building System

i. Maximum Height

The maximum height shall be the height at the highest point of the structure of the system including the height of any blades or encasement when attached thereto.

The maximum height of the structure and the attached system shall not exceed the maximum building height allowed within the zoning district plus five feet (5 ft), or as permitted by a Conditional Use Permit.

ii. Location and Setbacks

The wind energy system shall be wholly attached to a permitted structure and shall not extend beyond the structure into any required setbacks.

e. Signs

No advertising or other signs shall be allowed on a wind energy system.

f. Building Permit Required

A building permit must be obtained prior to the construction or installation of a wind energy system. A complete application includes:

- i. The appropriate permit fee as established in the City's Fee Schedule and submitted once the application for the building permit has been approved.
- ii. A survey and legal description of the property on which the proposed wind energy system will be installed.
- iii. A plan view layout of the proposed wind energy system at a scale of one-inch equals thirty feet (1 in = 30 ft) or larger on a single sheet not exceeding twenty-four inches by thirty-six inches (24 in by 36 in) clearly showing:
 - a) North arrow and scale;
 - b) Orientation and dimension of all property lines;
 - c) Location of all existing structures on the site;
 - d) Location of all components of the system in respect to the structure and/or property on which the system will be built;
 - e) Distance from the system to all property lines and easements;
 - f) Required setbacks for the structures and the system;
 - g) Maximum reach of any blade in any position;
 - h) Identification of adjoining property;
 - i) Adjacent land uses and zoning designations; and
 - j) Natural features such as watercourses and trees.
- iv. Elevation drawings of the proposed wind energy system drawn to scale clearly showing:
 - a) Elevation of the system structure and/or elevation of the structure on which the system will be installed with the highest point of the structure dimensioned;
 - b) Dimension the maximum height of system;
 - c) Detailed drawings of all system components.
- v. Standard Details
Standard installation drawings of the system including the wind turbine structure, tower, base, footings, fasteners, bracing and/or guyed wires, as applicable.

vi. Electrical Plan Required

Building permit applications for wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the City adopted version of the National Electric Code.

vii. Certification by Engineer

The application shall include standard details, engineer analysis of the system, and certification by a professional engineer (engineer's seal) demonstrating compliance of the system with the City's building code (International Building Code) in effect at the time of construction. An engineering analysis shall be provided and certified by a registered professional engineer in the State of Texas. This analysis is frequently supplied by the manufacturer. Wet stamps shall not be required.

viii. Evidence of notice to the City's franchised electric utility for transmission and distribution, informing the electric utility of the customer's intent to install a grid-connected customer-owned wind energy system and that the customer's system meets the utility's approved specifications for interconnection.

2. Construction Standards

A wind energy system must be installed according to the manufacturer's recommendations and under the seal of a professional engineer registered in the State of Texas. All components of a wind energy system shall comply with applicable state and Lake Worth building codes.

a. Sound Pressure Levels

Sound Pressure Levels shall not exceed fifty decibels (50 dB(A)) between the hours of 7:00 a.m. and 10:00 p.m. and 35 decibels (35 dB(A)) between the hours of 10:00 p.m. and 7:00 a.m. as measured from the property line closest to the wind energy system.

b. Lights

All lighting not required by the Federal Aviation Administration (FAA) is prohibited. When obstruction lighting is required by the FAA, such lighting shall not exceed the minimum requirements of said agency. Upward lighting, flood lights or other lighting not strictly required by the FAA is prohibited.

c. Building Codes/Safety Standards

To ensure the structural integrity of a wind energy system, the owner of such system must maintain the system in compliance with all provisions of the City of Lake Worth's building code and zoning regulations. If, upon inspection, the City concludes that a wind energy system fails to comply with such codes and regulations and/or constitutes a danger to persons or property, then upon written notice to the

owner of the wind energy system, the owner shall have 30 calendar days to bring such system into compliance with applicable standards. Failure to bring such system into compliance shall constitute grounds for the removal of the wind energy system at the owner's expense. This notice requirement shall not preclude immediate action by the City Manager and/or designee as allowed by law if public safety requires such action.

d. Compliance with State and Federal Requirements

All wind energy systems must meet or exceed current standards and regulations of the FAA and any other agency of the state or federal government with the authority to regulate wind energy systems at the date of permitting. If such standards and regulations are changed, and if the controlling state or federal agency mandates compliance, then the owners of the wind energy system governed by this Ordinance shall bring such wind energy system into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.

e. Maintenance

A wind energy system shall be maintained at all times, including, but not limited to, painting and maintaining structural integrity.

f. Upgrades and/or Modifications to an Existing System

Any upgrades, modifications or changes that materially alter the size or placement of an existing wind energy system shall comply with the provisions of this section.

g. Removal of Unsafe Wind Energy System

Wind energy systems that have, due to damage, lack of repair, or other circumstances, become unstable, lean significantly out-of-plumb, or pose a danger of collapse shall be removed or brought into repair within 60 days following notice given by the City Manager and/or designee. If the wind energy system is not made safe or removed within 60 days of notification from the City, the City may remove the wind energy system and place a lien upon the property for the costs of the removal. The City Manager and/or designee may order immediate action to prevent an imminent threat to public safety or property.

h. Abandonment

i. At such time as an owner plans to abandon or discontinue, or is required to discontinue, the operation of a wind energy system, such owner must notify the City by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations.

ii. In the event that an owner fails to give such notice, the wind energy system shall be considered abandoned if the wind energy system is not operated for a continuous period of 12

months, unless the owner of said wind energy system provides proof of continued maintenance on a quarterly basis.

- iii. Upon abandonment or discontinuation of use, the person who constructed the wind energy system or the person who operated the wind energy system or the property owner shall physically remove the wind energy system within 90 days from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to:
 - a) Removal of the tower, turbine and all other components of the wind energy system;
 - b) Transportation of the tower, turbine and all other components of the wind energy system to an appropriate disposal site;
- iv. The owner of the wind energy system shall be responsible for all site reclamation including costs deemed necessary and reasonable to return the site to its pre-construction condition.
- v. If a party as stated in Subsection (g) above herein fails to remove a wind energy system in accordance with this Section, the City shall have the authority to enter the subject property and physically remove the wind energy system. Costs for the removal of the wind energy system shall be charged to the landowner of record in the event the City must remove the wind energy system, and the City may place a lien on the property for such costs of removal.
- vi. Failure to remove an abandoned wind energy system as required by this Section shall constitute a violation and be subject to the penalties prescribed herein.

B. Solar Energy Systems

1. General Regulations

The following general regulations apply to solar energy systems located within an approved district.

a. Primary Structure Required on Lot

A solar energy system may be erected on a lot only after a primary structure has been constructed on the lot.

b. Ground-Mounted Systems

i. Height

The height of system shall not exceed eight feet (8 ft) above the existing grade at the location of the installed system.

ii. Placement

a) Front Yard

No system shall be located forward of the primary structure on the lot or within the front yard setback.

- b) Side and Rear Yard.
No system shall be located less than ten feet (10 ft) from any side or rear property line.
- c. Roof-Mounted Systems
 - i. Height
 - a) Front and Side
System shall be installed parallel to the roof of the structure with no greater than six inches (6 in) clearance between the bottom of the panel and the roof material.
 - b) Rear
System may be installed with no greater than 12 inches clearance between the bottom of the panel and the roof material and may be angled to increase efficiency.
 - ii. Placement
 - a) Flat roof
No portion of the system shall extend beyond the roof edges and shall be screened in accordance with the screening from view of a public street.
 - b) Pitched roof
No portion of the system shall extend beyond or above the roof ridge or edges.
- d. Any solar energy system that exceeds 1,000 square feet in surface area must apply for a Conditional Use Permit and obtain a letter of "no objection" from the Commanding Officer of the NAS Fort Worth JRB.
- e. Building Permit Required
A building permit must be obtained prior to the construction or installation of a wind energy system. A complete application includes:
 - i. The appropriate permit fee as established in the City's Fee Schedule and submitted once the application for the building permit has been approved.
 - ii. A survey and legal description of the property on which the proposed solar energy system will be installed.
 - iii. A plan view layout of the proposed solar energy system at a scale of one-inch equals thirty feet (1 in = 30 ft) or larger on a single sheet not exceeding twenty-four inches by thirty-six inches (24 in by 36 in) clearly showing:
 - a) North arrow and scale;
 - b) Orientation and dimension of all property lines;
 - c) Location of all existing structures on the site;

- d) Location of all components of solar energy system in respect to the structure and/or property on which the system will be built;
 - e) Distance from the system to all property lines and easements;
 - f) Required setbacks for the structures and system;
 - g) Identification of adjoining property;
 - h) Adjacent land uses and zoning designations; and
 - i) Natural features such as watercourses and trees.
 - iv. Elevation drawings of the proposed solar energy system drawn to scale clearly showing:
 - a) Elevation of the system and/or elevation of the structure on which the system will be installed with the highest point of the structure dimensioned;
 - b) Dimension the maximum height of system;
 - c) Dimension the clearance(s) of a roof mounted system between the bottom of the panel and the roof material; and
 - d) Detailed drawings of all system components.
 - v. Electrical Plan Required

A line drawing of the electrical components of the solar energy system in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
 - vi. Standard Details

Standard installation drawings of the solar energy system and its structure, including a copy of the manufacturing specifications demonstrating compliance of the system with the City's building code (International Building Code) in effect at the time of construction.
 - vii. Certification by engineer.

The application shall include a standard drawing and engineer analysis by professional engineer (engineer seal) providing certification of the roof structure. If the proposed installation causes the roof load to exceed the requirements of the International Residential Code or International Building Code, an engineered design is required.
- 2. Construction Standards

Any solar energy system must be installed according to the manufacturer's recommendations and under the seal of a professional engineer registered in

the State of Texas. All components of a solar energy system shall comply with applicable state and Lake Worth building codes.

a. Upgrades and/or Modifications to an Existing System

Any upgrades, modifications or changes that materially alter the size or placement of an existing solar energy system shall comply with the provisions of this section.

b. Abandoned

If a solar energy system (ground- or roof-mounted) has been abandoned meaning not in operation for a period of six (6) months or is defective or is deemed to be unsafe by the City Manager and/or designee, the solar energy system shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the City Manager and/or designee. If the owner fails to remove or repair the defective or abandoned solar energy system, the City may pursue legal action to the system removed at the owner's expense.

c. Compliance with State and Federal Requirements

All solar energy systems must meet or exceed current standards and regulations of any other agency of the state or federal government with the authority to regulate solar energy systems at the date of permitting. If such standards and regulations are changed, and if the controlling state or federal agency mandates compliance, then the owners of the solar energy system governed by this Ordinance shall bring such solar energy system into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.

C. Geothermal Heat Pump Systems

1. General Regulations

The following general regulations apply to all geothermal heat pump systems located within an approved district.

a. Open-loop systems shall be prohibited.

b. Placement

No portion of a closed-loop system may be constructed within five feet (5 ft) of a property line or within a dedicated easement without obtaining written permission from the City and/or all franchised utilities.

c. Building Permit Required

A building permit must be obtained prior to the construction or installation of a closed-loop geothermal heat pump system. A complete application includes:

i. The appropriate permit fee as established in the City's Fee

Schedule and submitted once the application for the building permit has been approved.

- ii. A survey and legal description of the property on which the proposed system will be installed.
- iii. A plan view layout of the proposed system at a scale of one-inch equals thirty feet (1 in = 30 ft) or larger on a single sheet not exceeding twenty-four inches by thirty-six inches (24 in by 36 in) clearly showing:
 - a) North arrow and scale;
 - b) Orientation and dimension of all property lines;
 - c) Location of all existing structures on the site;
 - d) Location of all components of system in respect to the primary structure and/or property on which the system will be built;
 - e) Distance from the system to all property lines and easements;
 - f) Required setbacks for the structures and the system;
 - g) Identification of adjoining property;
 - h) Adjacent land uses and zoning designations; and
 - i) Natural features such as soils, watercourses and trees.
- iv. Electrical Plan Required

A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the City adopted version of the National Electric Code.

v. Standard Details

Standard installation drawings of the closed loop geothermal installation, including a copy of the manufacturing specifications demonstrating compliance of the system with the City's building code (International Building Code) in effect at the time of construction.

2. Construction Standards

Any closed-loop geothermal heat pump system must be installed according to the manufacturer's recommendations and under the seal of a professional engineer registered in the State of Texas. All components of a closed-loop geothermal heat pump system shall comply with applicable state and Lake Worth building codes.

- a. All closed-loop geothermal heat pump systems must be constructed in accordance with all applicable State regulations, including regulations of the Texas Department of Licensing and regulation for water well drillers.

b. Compliance with State and Federal Requirements

All geothermal energy systems must meet or exceed current standards and regulations of any other agency of the state or federal government with the authority to regulate geothermal energy systems at the date of permitting. If such standards and regulations are changed, and if the controlling state or federal agency mandates compliance, then the owners of the geothermal energy system governed by this Ordinance shall bring such geothermal energy system into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.

c. Upgrades and/or Modifications to an Existing System

Any upgrades, modifications or changes that materially alter the size or placement of an existing closed-loop geothermal heat pump system shall comply with the provisions of this section.

d. Abandoned

If a closed-loop geothermal heat pump system has been abandoned meaning not in operation for a period of six (6) months or is defective or is deemed to be unsafe by the City Manager and/or designee, the closed-loop geothermal heat pump system shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the City Manager and/or designee in accordance with federal, state and local regulations. If the owner fails to remove or repair the defective or abandoned closed-loop geothermal heat pump system, the City may pursue legal action to the system removed at the owner's expense.