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ARTICLE 39.01 GENERAL PROVISIONS

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Division 1.1 General Provisions

Section 39.01.001 Title

a. **Title.** This document is known, and may be cited as, the City of Lubbock, Texas, Unified Development Code (UDC).
b. **Short Title**. References to "this Code" or "this Ordinance" are interpreted as references to this UDC.

Section 39.01.002 Purposes

The provisions of this UDC are specifically intended to:

a. **Comprehensive Plan**.
   1. Implement the relevant priorities of Plan Lubbock 2040, a Comprehensive Plan for the Future (the Comprehensive Plan), as adopted by Ordinance No. 2018-O0141, on file with the Office of the City Secretary;
   2. Provide for orderly growth and development;
   3. Consider land uses and zoning changes in relation to the Comprehensive Plan and Future Land Use Map, as amended; and
   4. Update the Future Land Use Map with zoning changes.

b. **Public Health and Safety**. Protect public health, safety, and environmental quality by:
   1. Providing adequate light and air;
   2. Promoting a safe, effective traffic circulation system;
   3. Providing safety from fire and other dangers; and
   4. Encouraging proper population densities.

c. **Quality of Life**. Protect the quality of life of City residents, business owners, employees, and visitors by:
   1. Improving the City's appearance through the regulation of design, where such regulations are appropriate and allowed by State law;
   2. Protecting property against blight and depreciation by facilitating reinvestment, redevelopment, and infill development;
   3. Promoting walkability;
   4. Protecting and strengthening existing neighborhoods;
   5. Promoting a range of housing choices;
   6. Protecting and enhancing areas of scenic, historic, or cultural importance; and
   7. Encouraging connectivity between neighborhoods, public and private amenities, and areas for work, recreation, and commerce.

d. **Economic Development.** Encourage economic opportunities, particularly those that have meaningful multiplier effects in the local economy by promoting the vitality and development of mixed-use, commercial, and industrial districts.

Section 39.01.003 Jurisdiction

a. **Municipal Boundaries**. All provisions of this UDC apply within the corporate limits of the City of Lubbock, Texas.

b. **Extraterritorial Jurisdiction**. The provisions in Article 39.04, *Subdivision Standards*, and Division 3.5, *Signs*, apply within the extraterritorial jurisdiction (ETJ) of the City of Lubbock, Texas, which is currently five miles as defined by state law.

Section 39.01.004 Applicability

a. **Generally**. No land, building, or structure shall be developed, redeveloped, or substantially improved except in accordance with this UDC. The following actions are considered "development" subject to the UDC:
   1. *Uses of Land.* The use of any building, structure, or land, including new uses or an expansion or material change to the operational characteristics of existing uses;
   2. *Grading of Land*. Any non-agricultural disturbance of land, soil, vegetation, or drainage ways;

3. *Telecommunications*. The erection or modification of any telecommunication structures and antenna support structures that are located on private property within the City; and
4. *Subdivision*. Any division of land for development or sale, whether by metes and bounds, subdivision, or other technique. This includes any proposal to:
   A. Divide, or further divide, land into two or more parcels; or
   B. Otherwise alter the boundaries of lots or parcels of land.

b. **Applicability to Publicly Owned Property**. This UDC is applicable to all public agencies and organizations only to extent allowed under the laws of the United States and Texas and their Constitutions.

Section 39.01.005 Enactment, Effective Date, and Repeal

a. **Enactment and Repeal**. The enactment of this UDC shall repeal and replace:
   1. *Zoning*. Chapter 40, *Zoning*, of the City of Lubbock Code of Ordinances, as adopted on June 26, 1975, by Ordinance 7084, as amended on October 12, 2021, by Ordinance Number 2021-O0147;
   2. *Subdivisions*. Chapter 38, *Subdivisions*, of the City of Lubbock Code of Ordinances, as adopted on January 22, 1953, by Ordinance Number 1331, as amended on December 3, 2019, by Ordinance Number 2019-O0166; and
   3. *Lakes, Waterways, and Floodplains*. Chapter 30, *Lakes, Waterways, and Floodplains*, of the City of Lubbock Code of Ordinances, as adopted on June 28, 1951, by Ordinance Number 1096, as amended on July 22, 2022, by Ordinance Number 2022-O0103.

b. **Effective Date**. The effective date of this UDC is July 28, 2023.

Division 1.2 Effect of UDC

Section 39.01.006 Compliance with UDC

No person may use, occupy, subdivide, or develop land, or use, occupy, erect, or modify buildings, signs, or other structures, except in accordance with all applicable provisions of this UDC. For purposes of this Section, the "use" or "occupancy" of a building or land relates to anything and everything that is done to, on, or in that building, structure, or land.

Section 39.01.007 Abrogation

Except for those provisions of the City of Lubbock Code of Ordinances explicitly repealed upon the adoption of this UDC, this UDC is not intended to repeal, abrogate, or impair any existing public or private laws, easements, covenants, or deed restrictions.

Section 39.01.008 Minimum Requirements

a. **Interpretation**. In the interpretation and administration of this UDC, all provisions shall be considered as minimum requirements.

b. **Nuisances**. No use shall otherwise be permitted which is or would reasonably be injurious to the neighborhood residents or which would interfere with the reasonable use and enjoyment of their property by reason of the emission of dust, smoke, odor, glare, noise, vibration, trash, junk, water spray, or by reason of any condition which would amount to a public nuisance at common law.

c. **Other Applicable Requirements**. The approval of any development application in accordance with the requirements of this UDC shall not relieve the applicant from the responsibility of complying with all other

applicable requirements of any other local, state, or federal agency having jurisdiction over the land uses, structures, or improvements for which the approval was issued.

Section 39.01.009 Severability

a. **Generally.** If a court of competent jurisdiction holds any provision of this UDC to be illegal or invalid, the remainder of this UDC shall remain in full force without being affected by the judgment.

b. **As-Applied.** If a court of competent jurisdiction holds any application of a provision of this UDC to a particular structure, land, or water to be illegal or invalid "as-applied", such judgment shall not be applicable to any other structure, land, or water not specifically included in the judgment.

Section 39.01.010 Vesting and Transition Standards

a. **Development Approvals that Predate the UDC**. In accordance with Texas Local Government Code Chapter 245, *Issuance of Local Permits*, it is the City's intent to respect existing zoning and land development approvals. Development may take place within the scope of the development approval, including applicable standards in effect at the time of the filing of a complete application, in accordance with, Section 39.07.004, *Application Completeness Review*, provided that the approval was valid and has not lapsed per Section 39.07.011, *Inactive and Expired Applications*. This specifically includes any Specific Use Permits which were granted prior to the adoption of this UDC.

b. **Pending Applications.**

1. *Generally.* Except as provided in Subsection b.2, *Expired Applications*, below, each development application shall be evaluated only by the zoning regulations and adopted ordinances in effect at the time that each complete application is submitted.

2. *Expired Applications.* Applications shall expire pursuant to Section 39.07.011, *Inactive and Expired Applications*.

ARTICLE 39.02: ZONING DISTRICTS AND LAND USES

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- Section 39.02.022 Measurements
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Division 2.1 General Provisions

Section 39.02.001 Purpose and Applicability

a. **Purpose**. The purpose of this Article is to establish zoning districts and to set out permitted, limited, specific, and prohibited uses in each zoning district. The zoning districts are shown on the Official Zoning Map, which is established in Section 39.02.002, *Official Zoning Map*.

b. **Applicability**. No building or land may be used, and no building may be erected, altered, or moved that is used or designed to be used for any purpose other than the uses that are permitted in the zoning district in which that building, or land is located.

Section 39.02.002 Official Zoning Map

a. **Generally**. Zoning districts are shown on the map entitled "Official Zoning Map" of the City of Lubbock. The Director of Planning and Office of the City Secretary shall each keep a complete set of the Official Zoning Map in any convenient format, either electronically or in hard copy, available for inspection during regular business hours.

b. **Force and Effect**. The Official Zoning Map, together with all legends, references, symbols, boundaries, and other information, is part of and has the same force of law as the text of this UDC.

c. **Status of the Zoning Map**. The Official Zoning Map shall control in the event of a conflict between the map that is on file and any other paper or digital reproduction of the map. If the Official Zoning Map and a zone change ordinance for a property differ, the zone change ordinance shall govern.

d. **Interpreting the Zoning Map**.

1. *Criteria*. Where the map appears to be unclear regarding the location of district boundaries, the Director of Planning shall make a determination using the following criteria:

   A. *Rights-of-Way or Easements*. Where boundary lines appear to follow existing streets, alleys, railroad tracks, utility lines, or similar features, the zoning boundary shall be construed to follow the centerline of the rights-of-way or easements. Where the location of these features on the ground differs from that shown on the Official Zoning Map, the features on the ground control.

   B. *Annexed and Undesignated Lands*. For the purposes of ensuring that all land has a zoning designation, any land that is annexed into the City shall be zoned Low Density Single-Family (SF-2).

   C. *City Limits*. Where a district boundary is indicated as approximately following a City limit line, then the City limit line shall also be considered the district boundary.

   D. *Property Lines*. Where the boundaries are indicated as approximately following property lines, such lines shall be construed to be the boundaries.

   E. *Vacation or Abandonment*. Where a public right-of-way is officially vacated or abandoned, the regulations applicable to the abutting property apply equally to the vacated or abandoned right-of-way.

2. *Interpretation*. If the boundary remains uncertain, the Director of Planning shall interpret the Official Zoning Map to determine the location of the boundary in question.

Section 39.02.003 Zoning District Establishment

a. **Generally**.

1. Table 39.02.003-1, *Zoning Districts*:

   A. Establishes the zoning districts for the City;

   B. Provides the available subdivision types as further articulated in Division 4.3, *Subdivision Types*; and

   C. Establishes purpose statements for each district and subdivision type.

2. It is not mandatory that a zone change occur adjacent to a "suggested adjacent district." These adjacent districts are merely recommendations for the Planning and Zoning Commission and City Council to consider when making a recommendation and taking final action.

3. The minimum lot area shown for Base Residential districts and the Infill Overlay is that of a single-family detached unit. The minimum lot area shown for the Base Public and Nonresidential districts is that of a nonresidential use.

4. The former zoning districts are from Chapter 40, *Zoning*, of the City of Lubbock Code of Ordinances (Ordinance Number 7084, adopted June 26, 1975, as amended on June 11, 2019, by Ordinance Number 2019-O0065), which is repealed on the Effective Date of this UDC.

b. **Base Zoning Districts**. All properties within the City limits have an associated base zoning district. A base zoning district applies a uniform set of standards, including, but not limited to, those related to:

1. Permitted, limited, specific, and prohibited uses;
2. Land use standards; and
3. Building site design standards.

c. **Overlay Districts.** An overlay district establishes regulations to combine with the regulations of an underlying base district. The purposes of an overlay district are to:

1. Authorize uses via a set of standards for such uses that are not otherwise allowed in the base district; or
2. Establish additional or different conditions for such uses.

Table 39.02.003-1
Zoning Districts

-- = Greenfield or infill / redevelopment allowed
N/A = Not applicable; the district is not associated with a suggested adjacent district

Zoning District (Abbreviation)	Subdivision Type / Minimum Lot Area	Purpose The purpose of this zoning district and subdivision type is to provide for:	Suggested Adjacent Districts	Former Zoning District
Base Residential Districts				
Residential Estates (RE)	Conventional / 2 Acres	Very low-density residential neighborhoods with on-site utilities, preserved rural low-density character on private property, managed growth on the periphery of the City, and the ability of the property owner to keep large animals.	SF-1, NC, and OF	RR (RE)
	Cluster / 1 acre	Residential neighborhoods with on-site utilities that have a high percentage of common open space to maintain rural character.		
Very Low Density Single-Family (SF-1)	Conventional / 21,700 square feet	Neighborhoods of large to moderately sized lots, each with a single-family detached dwelling and access from a street that is internal to the development. A conventional very low-density single-family subdivision is characterized by lots that are smaller than estate with shallower setbacks, curvilinear streets, cul-de-sacs, and open space on individual lots.	RE, SF-2, MDR, NC, and OF	New
	Cluster / 10,000 square feet	Clustering of moderately sized lots for single-family detached dwellings with a required percentage of common open space, which may be used for parks and trails, to preserve environmental resources, provide for recreational amenities, provide for use compatibility, provide area-wide drainage, or to provide for agricultural activities.		

Table 39.02.003-1 Zoning Districts				
-- = Greenfield or infill / redevelopment allowed N/A = Not applicable; the district is not associated with a suggested adjacent district				
Zoning District (Abbreviation)	**Subdivision Type / Minimum Lot Area**	**Purpose The purpose of this zoning district and subdivision type is to provide for:**	**Suggested Adjacent Districts**	**Former Zoning District**
Low Density Single-Family (SF-2)	Conventional / 5,000 square feet	Smaller to moderately sized lots for single-family detached dwellings on public utilities. Any open space is located on private lots.	SF-1, MDR, HDR, NC, OF, and AC	R-1, R-1A, T
	Cluster / 3,000 square feet	Clustering of smaller-sized lots for single-family detached dwellings with a decreased percentage of common open space compared to cluster developments in the SF-1 district to maintain the intended character of the district while providing for buffering between lower and higher density adjacent neighborhoods, as well as for recreational amenities and resource protection.		
Medium Density Residential (MDR)	Village / 2,200 square feet	A village neighborhood environment of smaller-sized lots to include attached dwellings such as duplexes, townhouses, and apartments.	SF-1, SF-2, HDR, MU, NC, OF, and AC	R-2, A-1
High Density Residential (HDR)	Conventional / 3,500	Single-family detached, cottage, or garden homes on public utilities with open space provided on private lots.	SF-2, MDR, MU, AC, OF, and AC	A-2, R-3, A-M
	Village / N/A	Mixed housing types, including townhouses, detached single-family garden homes, and low- to mid-rise apartments, located in a village development or adjacent to a mixed-use district or center. Buildings are typically in close proximity to the street edge. The building mass, height, and scale transition to the neighboring land uses.		
	Mixed-Use / 2,500 square feet	Mid- to high-rise apartment development in a mixed-use district or center. The district consists of detached single-family garden homes, live-work buildings, and other vertically mixed-use buildings. Urban open space may be used for plazas and squares.		A-3, CA
Base Mixed-Use Districts (Form Based Code)				
West Broadway (MU-1)	Infill and Redevelopment / None	A transition between primarily low-density existing residential neighborhoods and the urban core of the City.	MDR, HDR, MU, OF	CB-1
Broadway (MU-2)	Infill and Redevelopment / None	A major connective area from north to south and east to west with public plazas framed by new infill development with preserved structures and re-activated storefronts.	MDR, HDR, MU, OF	CB-2
General (MU-3)	Infill and Redevelopment / None	Provides for a diverse range of uses and building types to encourage walkable neighborhoods, revitalization, and investment.	MDR, HDR, MU, OF	CB-3

Table 39.02.003-1 Zoning Districts				
-- = Greenfield or infill / redevelopment allowed N/A = Not applicable; the district is not associated with a suggested adjacent district				
Zoning District (Abbreviation)	**Subdivision Type / Minimum Lot Area**	**Purpose The purpose of this zoning district and subdivision type is to provide for:**	**Suggested Adjacent Districts**	**Former Zoning District**
Depot (MU-4)	Infill and Redevelopment / None	Reactivation of Buddy and Maria Elena Holly Plaza by accommodating a range of entertainment and art land uses	MDR, HDR, MU, OF	CB-4
Civic Center (MU-5)	Infill and Redevelopment / None	Infill of large parking lots and the restoration of Lubbock's old 350-foot by 350-foot grid to create walkable distances between major destinations.	MDR, HDR, MU, OF	CB-5
Arts (MU-6)	Infill and Redevelopment / None	The urban core, intended to provide realistic, modern standards for new development and encourage renewal and revitalization of existing development.	MDR, HDR, MU, OF	CB-6
Base Public and Nonresidential Districts				
Neighborhood Commercial (NC)	-- / 6,000 square feet	Small-scale retail and moderate-density residential uses located away from major intersections (nodes), with building and site design standards that are compatible and have adjacent residential uses.	RE, SF-1, SF-2, MDR, HDR, MU, AC, and OF	C-1, C-2A, C-2
Auto-Urban Commercial (AC)	-- / N/A	A broad range of single-use and multi-tenant centers that vary in scale, and that provide for retail, service, and office uses typically with on-site surface parking. The district may be located along major thoroughfares or at nodes with increased intensity.	SF-2, MDR, HDR, NC, OF, HC, IP, and LI	C-3
Office (OF)	-- / N/A	Development of centers for professional employment. The district can be used as a transition between more intense uses and residential uses with site and building compatibility required with adjacent residential uses.	RE, SF-1, SF-2, MDR, HDR, MU, NC, HC, AC, IP	GO, IHO
Heavy Commercial (HC)	-- / 10,000 square feet	Development of heavy vehicle repair, wholesale trade, and warehousing and freight movement uses that typically are characterized by outside storage of materials or merchandise. The district should be located away from residential areas or, if unavoidable, should be heavily buffered.	OF, AC, IP, and LI	C-4, IHC
Industrial Park (IP)	-- / ~~2 acres~~20,000 square feet	Low-impact manufacturing, wholesaling, warehousing, and distribution activities that occur within enclosed buildings, typically within industrial park settings.	OF, AC, HC, LI, and GI	IPD, IHI

Table 39.02.003-1 Zoning Districts				
-- = Greenfield or infill / redevelopment allowed N/A = Not applicable; the district is not associated with a suggested adjacent district				
Zoning District (Abbreviation)	**Subdivision Type / Minimum Lot Area**	**Purpose The purpose of this zoning district and subdivision type is to provide for:**	**Suggested Adjacent Districts**	**Former Zoning District**
Light Industrial (LI)	-- / 20,000 square feet	Industrial uses (non-retail) that are less intensive than what can be accommodated into General Industrial and that may include office, warehousing, distribution, and light assembly of parts, materials, and equipment, with operations conducted primarily indoors without the creation of smoke, gas, odor, dust, soot, or other noxious elements.	AC, HC, IP, GI	M-1
General Industrial (GI)	-- / 3 acres	More intensive industrial uses (non-retail) that are ideally located away from residential areas and that may include manufacturing of raw materials, fabrication, assembly, and warehousing with both indoor and outdoor storage, and may have heavy truck and rail traffic.	IP and LI	M-2
Overlay Districts				
Historic Preservation Overlay (HPO)	Infill and Redevelopment / N/A	The means by which citizens can initiate action to preserve archeological, historical, cultural, architectural, and landscape architectural landmarks and areas of the City that have special heritage concerns.	N/A	DH
Neighborhood Infill Overlay (NIO)	Infill and Redevelopment / 4,000 square feet	The promotion of infill and redevelopment that ensures compatibility between uses, encourages and protects future development, and promotes, stabilizes, and enhances a neighborhood.	N/A	--
Community Infill Overlay (CIO)	Infill and Redevelopment / N/A	Standards for residential development of any type that occurs within or immediately adjacent to commercial districts. These standards are for the purpose of ensuring their compatibility. New development, redevelopment, and substantial improvement of property may be accommodated, provided there are good standards to reinforce and protect the character and integrity of neighborhoods and to mitigate adverse impacts.	N/A	--
Planned Unit Development District (PUD)	-- / N/A	A zoning regulatory process that encourages planning and design, resulting in plans for particular sites that fulfill the goals and objectives of the Comprehensive Plan while allowing for development that could not normally be achieved under provisions in this UDC.	N/A	PD

Table 39.02.003-1 Zoning Districts				
-- = Greenfield or infill / redevelopment allowed **N/A = Not applicable; the district is not associated with a suggested adjacent district**				
Zoning District (Abbreviation)	**Subdivision Type / Minimum Lot Area**	**Purpose** **The purpose of this zoning district and subdivision type is to provide for:**	**Suggested Adjacent Districts**	**Former Zoning District**
South Overton Overlay (SOO)	-- / N/A	The preservation of the unique character of the South Overton National Residential Historic District by overlaying certain conditions on the existing and future land use zoning. The character of this grouping of early 20th century structures is derived from the diverse mix of architectural styles found in early Lubbock.	N/A	South Overton Overlay

Division 2.2 Zoning Districts and Standards

Section 39.02.004 Base Residential Districts

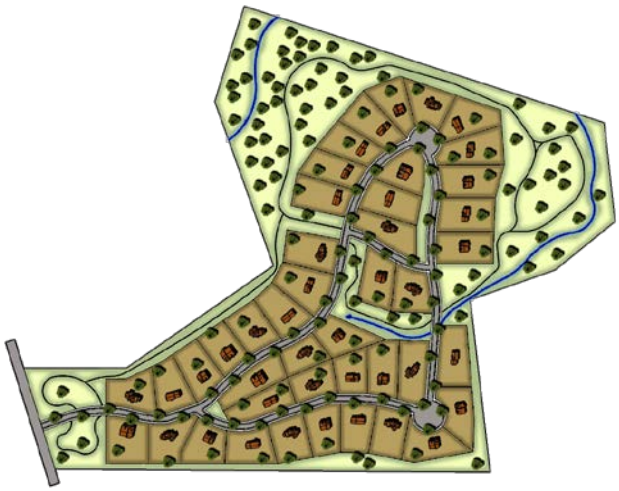
Subsection 39.02.004.a Residential Estates (RE)

1. **Purpose.** The purpose of this zoning district and subdivision type is to provide for:
   A. *Conventional*. Very low-density residential neighborhoods with on-site utilities, preserved rural low-density character on private property, managed growth on the periphery of the City, and the ability of the property owner to keep large animals.
   B. *Cluster.* Residential neighborhoods with on-site utilities that have a high percentage of common open space to maintain rural character.
2. **Subdivision Types**.
   A. *Conventional.* A conventional residential estates subdivision shall consist of acreage lots, each with a single-family detached dwelling and access from a street that is internal to the development. A conventional residential estates development is characterized by the width of lots, separation of dwellings, and the depth of building setbacks, with open space and view contained on individual lots. Figure 39.02.004.a-1, *RE Subdivision Types Examples*, provides a visual example of the conventional subdivision type.
   B. *Cluster*. A cluster residential estates subdivision shall consist of smaller lots that shall be arranged in clusters around agricultural land or common open space, often set aside for agricultural use or to protect a natural feature, preserve open space that is commonly owned and used by the lot owners, or to create a permanent buffer from an adjacent land use. A clustered estate development is characterized by a greater number of lots with smaller lot areas, widths, and setbacks, situated with open areas between, within, and around each lot or a cluster of lots. Access is taken from a street that is internal to the development. Figure 39.02.004.a-1, *RE Subdivision Types Examples*, provides a visual example of the cluster subdivision type.

Figure 39.02.004.a-1
RE Subdivision Types Examples



Conventional



Cluster





3. **Land Uses.** Table 39.02.004.a-1, *RE Permitted Uses*, shows the uses and use categories permitted in the RE district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.004.a-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.004.a-1
RE Permitted Uses

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	P	--
	Farm, Ranch, or Orchard	P	--
	Farming, Landscaping, and Horticultural Sales and Services	S	39.02.018.b~~9~~
	Greenhouse / Nursery	L	39.02.018.b
	Riding Stables	L	39.02.018.b
	Winery	P	--

Table 39.02.004.a-1 RE Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)			
Single-Family	Single-Family Detached Dwelling	P	--
	Industrialized Housing	P	--
	Manufactured Home Park or Manufactured Home Subdivision	S	39.02.019
	Short-Term Rental	L	39.02.018.c
Multiple-Family	Group Home	L	39.02.018.c
	Retirement Housing	L	39.02.018.c
Residential Accessory Uses	Accessory Dwelling Unit	L	39.02.020.c
	Accessory Structure	L	39.02.020.c
	Community Garden	L	39.02.020.c
	Home Occupation	L	39.02.020.c
	Outdoor Swimming Pool	L	39.02.020.c
	Storm Shelter	P	--
Nonresidential Uses			
Civic and Institutional			
Civic and Institutional Uses	Club or Lodge	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	S	39.02.018.e
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Recreational Vehicle Parks and Campgrounds	S	39.02.018.f 39.02.019
Entertainment and Recreation			
Entertainment and Recreation Uses	Commercial Amusement, Outdoor	L	39.02.018.h
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Storm Shelter	P	--

4. **Lot Density and Dimensions.**

   A. *Residential.* All residential developments in the RE district shall be in accordance with Table 39.02.004.a-2, *RE Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures.

   B. *Nonresidential.* For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial (NC)*.

Table 39.02.004.a-2
RE Lot Density and Dimensions

Standards	Conventional	Cluster
Minimum Lot Area (acres)	2.0	1.0
Minimum Lot Width (feet)	200	125
Maximum Building Height (feet)	45	45
Minimum Front Setback (feet)	60	25
Minimum Front Setback (feet) (cul-de-sac lot)	5	5
Minimum Side Setback (feet)	20	10
Minimum Side Street Setback (feet)	30	20
Minimum Rear Setback (feet)	30	20
Minimum Common Open Space (percent)	0	15
Maximum Building Coverage (percent of lot)	35	35

5. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.004.a-3, *RE Off-Street Parking and Loading Schedule*. Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.004.a-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.004.a-3
RE Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural Uses		
Community Garden	--	--
Farm, Ranch, or Orchard	--	--
Farming, Landscaping, and Horticultural Sales and Services	1 per 500 sq. ft. GFA	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Riding Stables	--	--
Winery	1 per 1,000 sq. ft. GFA	--
Residential Uses		
Single-Family Detached Dwelling	2 per DU	--
Industrialized Housing	2 per DU	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	--
Short-Term Rental	1 (in addition to spaces required for residential use)	--
Group Home	1 per bedroom	--

Table 39.02.004.a-3
RE Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Accessory Dwelling Unit	1 (in addition to spaces required for residential use)	--
Accessory Structures	--	--
Community Garden	--	--
Home Occupation	--	--
Outdoor Swimming Pool	--	--
Storm Shelter	--	--
Civic and Institutional Uses		
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel or sanctuary	♦
Entertainment and Recreational Uses		
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Commercial Uses		
Recreational Vehicle Parks and Campgrounds	1 per 4 recreational vehicles or camping spaces	--
Transportation, Utility, and Communication Uses		
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--

6. **Landscaping and Bufferyard Requirements.** Table 39.02.004.a-4, *RE Required Landscaping Types Summary* provides general planting requirements in the RE district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering.* In case of a conflict between Table 39.02.004.a-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.004.a-4 RE Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	Development Landscaping				Bufferyards
	Street Yard Trees	Foundation Plantings	Parking Lot Landscaping	Site Landscaping	
RE District for all uses	Exempt				

7. **Signs.** Table 39.02.004.a-5, *RE Permitted Sign Types*, denotes sign types permitted in the RE district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.a-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.004.a-5 RE Permitted Sign Types			
P = Permitted | -- = Not Permitted			
Sign Type	Residential Uses (excluding multi-family)	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Subdivision Entry	P	P	Div. 3.5
Monument	--	P	
Wall	--	P	
Mural	--	P	

8. **Related Provisions.**
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering;*
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.004.b Very Low Density Single-Family (SF-1)

1. **Purpose.** The purpose of this zoning district and subdivision type is to provide for:
   a. *Conventional.* Neighborhoods of large to moderately sized lots, each with a single-family detached dwelling and access from a street that is internal to the development. A conventional very low-density single-family subdivision is characterized by lots that are smaller than estate with shallower setbacks, curvilinear streets, cul-de-sacs, and open space on individual lots.

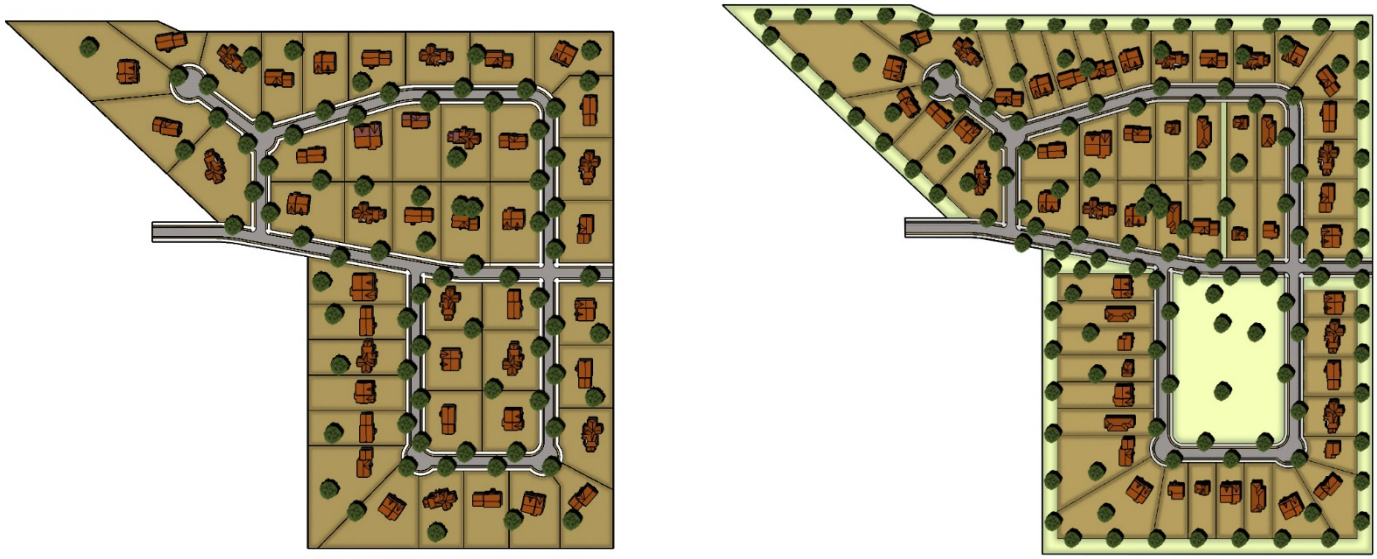
b. *Cluster.* Clustering of moderately sized lots for single-family detached dwellings with a required percentage of common open space, which may be used for parks and trails, to preserve environmental resources, provide for recreational amenities, provide for use compatibility, provide area-wide drainage, or provide for agricultural activities.

2. **Subdivision Types**.

a. *Conventional*. A conventional very low-density single-family subdivision shall consist of large to moderately sized lots, each with single-family detached dwellings that take access from a street internal to the development. A conventional very low-density single-family subdivision is characterized by lots that are smaller than estate development with shallower setbacks, curvilinear streets, and allowance for cul-de-sacs and open space with views contained on individual lots. Figure 39.02.004.b-1, *SF-1 Subdivision Types Examples*, provides a visual example of the conventional subdivision type.

b. *Cluster*. A cluster very low-density single-family subdivision shall consist of moderately sized lots with single-family detached dwellings that take access from a street internal to the development. The lots shall be arranged in clusters around common open space, often set aside to protect a natural feature, to preserve parkland or greenway that is commonly owned and used by the lot owners, or to create permanent buffers from adjacent land uses. A cluster very low-density single-family subdivision is characterized by a greater number of lots compared to conventional, with smaller lot areas, widths, and setbacks, situated with open areas between, within, and around each lot or a cluster of lots. Figure 39.02.004.b-1, *SF-1 Subdivision Types Examples*, provides a visual example of the cluster subdivision type.

Figure 39.02.004.b-1
SF-1 Subdivision Types Examples



Conventional **Cluster**



3. **Land Uses.** Table 39.02.004.b-1, *SF-1 Permitted Uses*, shows the uses and use categories permitted in the SF-1 district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.004.b-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.004.b-1
SF-1 Permitted Uses

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	L	39.02.018.b
	Greenhouse / Nursery	L	39.02.018.b
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)			
Single-Family	Single-Family Detached Dwelling	P	--

Table 39.02.004.b-1 SF-1 Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Industrialized Housing	P	--
	Manufactured Home Park or Manufactured Home Subdivision	S	39.02.019
	Short-Term Rental	L	39.02.018.c
Multiple-Family	Group Home	L	39.02.018.c
Residential Accessory Uses	Accessory Dwelling Unit	L	39.02.020.c
	Accessory Structure	L	39.02.020.c
	Community Garden	L	39.02.020.c
	Home Occupation	L	39.02.020.c
	Outdoor Swimming Pool	L	39.02.020.c
	Storm Shelter	P	--
Nonresidential Uses			
Civic and Institutional			
Civic and Institutional Uses	Club or Lodge	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	S	39.02.018.e
	Place of Public Assembly, Indoor	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Commercial Amusement, Outdoor	L	39.02.018.h
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Storm Shelter	P	--

4. **Lot Density and Dimensions.**

   A. *Residential.* All residential developments in the SF-1 district shall be in accordance with Table 39.02.004.b-2, *SF-1 Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures.

   B. *Nonresidential*. For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial* (NC).

Table 39.02.004.b-2 SF-1 Lot Density and Dimensions		
Standards	**Conventional**	**Cluster**
Minimum Lot Area (square feet)	21,700	10,000
Minimum Lot Width (feet)	90	65

Table 39.02.004.b-2 SF-1 Lot Density and Dimensions		
Standards	**Conventional**	**Cluster**
Maximum Building Height (feet)	35	35
Minimum Front Setback (feet)	25	25
Minimum Front Setback (feet) (cul-de-sac)	5	5
Minimum Side Setback (feet)	10	10
Minimum Side Street Setback (feet)	20	20
Minimum Rear Setback (feet)	20	20
Minimum Common Open Space (percent)	0	15
Maximum Building Coverage (percent of lot)	45	45

5. **Off-Street Parking**. Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.004.b-3, *SF-1 Off-Street Parking and Loading Schedule*. Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.004.b-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.004.b-3 SF-1 Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Agricultural Uses		
Community Garden	--	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Residential Uses		
Single-Family Detached Dwelling	2 per DU	--
Industrialized Housing	2 per DU	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Group Home	1 per bedroom	--
Accessory Dwelling Unit	1 (in addition to spaces required for residential use)	--
Accessory Structures	--	--
Home Occupation	--	--
Community Garden	--	--
Home Occupation	--	--
Outdoor Swimming Pool	--	--
Storm Shelter	--	--
Civic and Institutional Uses		
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦

Table 39.02.004.b-3 SF-1 Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Agricultural Uses		
Community Garden	--	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Entertainment and Recreational Uses		
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--

6. **Landscaping and Bufferyard Requirements**. Table 39.02.004.b-4, *SF-1 Required Landscaping Types Summary*, provides general planting requirements in the SF-1 district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.004.b-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.004.b-4 SF-1 Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required **Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping***					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
All single-family dwellings in any district where they are permitted	Exempt				♦
Nonresidential Uses	--	♦	♦	♦	♦

7. **Signs.** Table 39.02.004.b-5, *SF-1 Permitted Sign Types*, denotes sign types permitted in the SF-1 district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.b-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.004.b-5
SF-1 Permitted Sign Types

P = Permitted | -- = Not Permitted

Sign Type	Residential Uses (excluding multi-family)	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Subdivision Entry	P	P	Div. 3.5
Monument	--	P	
Wall	--	P	
Mural	--	P	

8. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering;*
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

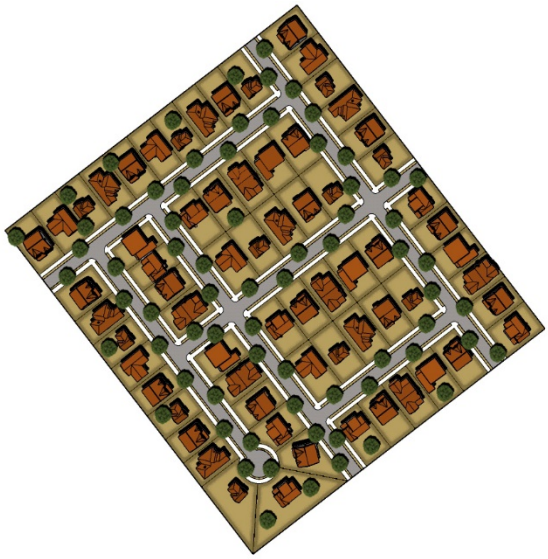
Subsection 39.02.004.c Low Density Single-Family (SF-2)

1. **Purpose.** The purpose of this zoning district and subdivision type is to provide for:
   A. *Conventional.* Smaller to moderately-sized lots for dwellings on public utilities. Any open space is located on private lots.
   B. *Cluster.* Clustering of smaller-sized lots for dwellings with an increased percentage of common open space compared to cluster developments in the SF-1 district to maintain the intended character of the district while providing for buffering between lower and higher density adjacent neighborhoods, as well as for recreational amenities and resource protection.

2. **Subdivision Types.**
   A. *Conventional*. A conventional low density single-family subdivision shall consist of moderately-sized lots for single-family detached dwellings on public utilities. Any open space is located on private lots. Figure 39.02.004.c-1, *SF-2 Subdivision Types Examples*, provides a visual example of the conventional subdivision type.
   B. *Cluster.* A cluster low density single-family subdivision shall consist of smaller-sized lots for single-family dwellings with required common open space to maintain the intended low density single-family character of

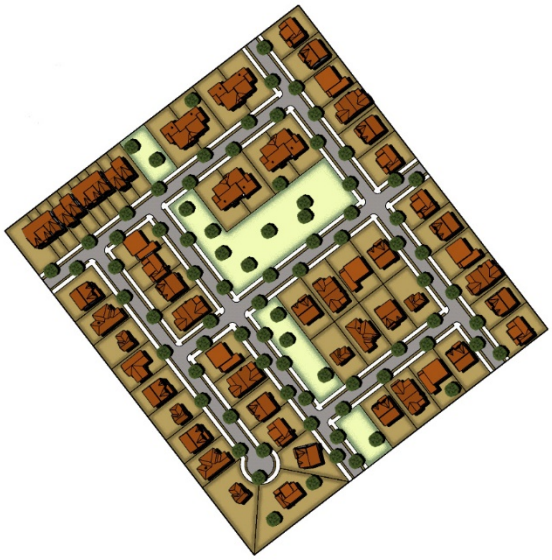
the district while providing for buffering between lower and higher density adjacent neighborhoods, as well as for recreational amenities and resource protection. Figure 39.02.004.c-1, *SF-2 Subdivision Types Examples*, provides a visual example of the cluster subdivision type.

Figure 39.02.004.c-1
SF-2 Subdivision Types Examples

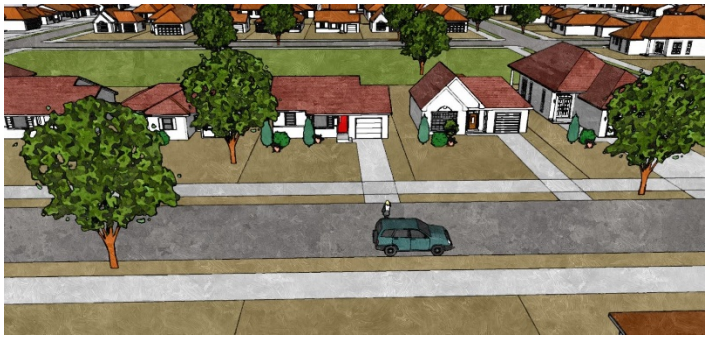


Conventional





Cluster



3. **Land Uses.** Table 39.02.004.c-1, *SF-2 Permitted Uses,* shows the uses and use categories permitted in the SF-2 district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.004.c-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.004.c-1
SF-2 Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	L	39.02.018.b
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)			

Table 39.02.004.c-1 SF-2 Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Single-Family	Single-Family Cottage	L	39.02.018.c
	Single-Family Detached Dwelling	L	39.02.018.c
	Single-Family Garden Home	L	39.02.018.c
	Duplex (2 du)	L	39.02.018.c
	Industrialized Housing	L	39.02.018.c
	Manufactured Home Park or Manufactured Home Subdivision	S	39.02.019
	Short-Term Rental	L	39.02.018.c
	Townhouse (3 to 10 du)	L	39.02.018.c
Multiple-Family	Group Home	L	39.02.018.c
	Multiplex (3 - 4 du)	L	39.02.018.c
	Retirement Housing	L	39.02.018.c
Residential Accessory Uses	Accessory Dwelling Unit	L	39.02.020.c
	Accessory Structure	L	39.02.020.c
	Community Garden	L	39.02.020.c
	Home Occupation	L	39.02.020.c
	Outdoor Swimming Pool	L	39.02.020.c
	Storm Shelter	P	--
Nonresidential Uses			
Civic and Institutional			
Civic and Institutional Uses	Club or Lodge	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	S	39.02.018.e
	Library, Museum, or Gallery	L	39.02.018.e
	Place of Public Assembly, Indoor	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Commercial Amusement, Outdoor	L	39.02.018.h
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	L	39.02.018.i
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Storm Shelter	P	--

4. **Lot Density and Dimensions.**

   A. *Residential.* All residential developments in the SF-2 district shall be in accordance with Table 39.02.004.c-2, *SF-2 Lot Density and Dimensions,* based on the subdivision and building type. Maximum building heights and

minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

B. *Nonresidential.* For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial (NC)*.

Table 39.02.004.c-2
SF-2 Lot Density and Dimensions

Standards	Conventional						Cluster					
	Single-Family Detached Dwelling	Single-Family Garden Home	Single-Family Cottage	Duplex	Town-house	Multi-Plex	Single-Family Detached Dwelling	Single-Family Garden Home	Single-Family Cottage	Duplex	Town-house	Multi-plex
Minimum Lot Area per Dwelling Unit (square feet)	5,000	3,500	4,000	2,500	2,000	1,500	3,000	2,500	2,500	1,500	1,500	1,000
Minimum Lot Width (feet)	40	35	35	35	20	40	30	25	25	25	20	30
Maximum Building Height (feet)	35	35	35	35	45	35	35	35	35	35	45	35
Minimum Front Setback (feet)	20	15	15	15	15	15	15	15	15	15	15	15
Minimum Front Setback (feet) (cul-de-sac)	5	5	5	5	5	5	5	5	5	5	5	5
Minimum Side Setback (feet) (Zero Setback Side / Non-Zero Setback Side)	5	0 / 10	5	5	0 / 5	5	5	0 / 10	5	5	0 / 5	5
Minimum Side Street Setback (feet)	5	5	5	5	5	5	5	5	5	5	5	5
Minimum Rear Setback (feet)	15	10	10	10	10	10	10	5	5	10	10	10
Minimum Common Open Space (percent)	0	0	0	0	0	0	7.5	7.5	7.5	7.5	7.5	7.5
Maximum Building Coverage (percent of lot)	55	65	65	65	65	65	55	65	65	65	65	65

5. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.004.c-3, *SF-2 Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.004.c-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.004.c-3
SF-2 Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural Uses		
Community Garden	--	--
Residential Uses		
Duplex	2 per DU	--
Single-Family Detached Dwelling	2 per DU	--
Single-Family Garden Home or Cottage Home	2 per DU	--

Table 39.02.004.c-3 SF-2 Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Industrialized Housing	2 per DU	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	--
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Group Home	1 per bedroom	--
Retirement Housing	0.75 per DU	--
Accessory Structures	--	--
Home Occupation	--	--
Civic and Institutional Uses		
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Entertainment and Recreational Uses		
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--

6. **Landscaping and Bufferyard Requirements.** Table 39.02.004.c-4, *SF-2 Required Landscaping Types Summary*, provides general planting requirements in the SF-2 district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.004.c-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.004.c-4 SF-2 Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
All single-family dwellings in any district where they are permitted	Exempt				♦
Nonresidential Uses	--	♦	♦	♦	♦

7. **Signs.** Table 39.02.004.c-5, *SF-2 Permitted Sign Types*, denotes sign types permitted in the SF-2 district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.c-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.004.c-5 SF-2 Permitted Sign Types			
P = Permitted | -- = Not Permitted			
Sign Type	**Residential Uses (excluding multi-family)**	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Subdivision Entry	P	P	Div. 3.5
Monument	--	P	
Wall	--	P	
Mural	--	P	

8. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.004.d Medium Density Residential (MDR)

1. **Purpose.** The purpose of this zoning district and subdivision type is to provide for a village neighborhood environment of smaller-sized lots, to include dwellings such as duplexes, townhouses, and multiplexes.
2. **Subdivision Type: Village**. This district shall consist of a village neighborhood of attached structures designed within a higher percentage of required common open space. The open space shall be a focal point for the dwellings

and may be used for plazas, parks, recreational amenities, preservation of environmental resources, community gardens, and buffering from adjacent districts and uses. Figure 39.02.004.d-1, *MDR Subdivision Type and Building Type Examples*, provides a visual example of the village subdivision type.

Figure 39.02.004.d-1
MDR Subdivision Type and Building Type Examples



Village



Side by Side Duplex



Stacked Duplex



Townhouse

3. **Land Uses.** Table 39.02.004.d-1, *MDR Permitted Uses*, shows the uses and use categories permitted in the MDR district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.004.d-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.004.d-1 MDR Permitted Uses			
P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	L	39.02.018.b
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)			
Single-Family	Single-Family Cottage	L	39.02.018.c
	Single-Family Detached Dwelling	L	39.02.018.c
	Single-Family Garden Home	L	39.02.018.c
	Duplex (2 du)	L	39.02.018.c
	Townhouse (3 to 10 du)	L	39.02.018.c
	Industrialized Housing	L	39.02.018.c
	Manufactured Home Park or Manufactured Home Subdivision	S	39.02.019
	Short-Term Rental	L	39.02.018.c
Multiple-Family	Apartment (>4 du)	L	39.02.018.c
	Group Home	L	39.02.018.c
	Multiplex (3 - 4 du)	L	39.02.018.c
	Retirement Housing	P	--
Residential Accessory Uses	Accessory Dwelling Unit	L	39.02.020.c
	Accessory Structure	L	39.02.020.c
	Community Garden	L	39.02.020.c
	Home Occupation	L	39.02.020.c
	Outdoor Swimming Pool	L	39.02.020.c
	Storm Shelter	P	--
Nonresidential Uses			
Civic and Institutional			
Civic and Institutional Uses	Club or Lodge	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	S	39.02.018.e
	Library, Museum, or Gallery	L	39.02.018.e
	Place of Public Assembly, Indoor	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Commercial Amusement, Outdoor	L	39.02.018.h
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	L	39.02.018.i
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i

Table 39.02.004.d-1 MDR Permitted Uses			
P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Storm Shelter	P	--

4. **Lot Density and Dimensions.**

   A. *Residential.* All residential developments in the MDR district shall be in accordance with Table 39.02.004.d-2 *MDR Lot Density and Dimensions*, based on building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

   B. *Nonresidential.* For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial (NC)*.

Table 39.02.004.d-2 MDR Lot Density and Dimensions						
Standards	**Single-Family Detached**		**Duplex**		**Townhouse**	**Apartment or Multiplex**
	Garden Home	**Cottage**	**Side by Side**	**Stacked**		
Minimum Lot Area (square feet)	2,200	2,200	2,000	1,800	1,300	7,000
Minimum Lot Width (feet)	35	35	40	40	20	50
Maximum Building Height (feet)	35	35	35	45	45	45
Minimum Front Setback (feet)	15	15	15	15	15	15
Minimum Front Setback (feet) (cul-de-sac)	5	5	5	5	5	5
Minimum Side Setback (feet) (Zero Setback Side / Non-Zero Setback Side)	0 / 10	5	10	10	0 / 5	5
Minimum Side Street Setback (feet)	5	5	5	5	5	5
Minimum Rear Setback (feet)	10	10	15	15	10	10
Minimum Common Open Space (percent)	5	5	15	10	5	10
Maximum Building Coverage (percent of lot)	65	65	50	50	45	45

5. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.004.d-3, *MDR Off-Street Parking and Loading Schedule*. Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.004.d-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.004.d-3
MDR Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural Uses		
Community Garden	--	--
Residential Uses		
Single-Family Detached Dwelling	2 per DU	--
Duplex (2 du)	2 per DU	--
Single-Family Garden Home or Cottage Home	2 per DU	--
Townhouse (3 to 10 du)	2 per DU	
Industrialized Housing	2 per DU	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	--
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Apartment	1 per DU with 1 bedroom or per efficiency unit 1.25 per DU with 2 bedrooms 2 per DU with 3+ bedrooms	--
Group Home	1 per bedroom	--
Multiplex (3 - 4 du)	1.25 per DU with 1 bedroom 1.75 per DU with 2 bedrooms 2.25 per DU with 3+ bedrooms	
Retirement Housing	0.75 per DU	--
Accessory Structures	--	--
Home Occupation	--	--
Civic and Institutional Uses		
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Entertainment and Recreational Uses		
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		

Table 39.02.004.d-3 MDR Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum ♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--

6. **Landscaping and Bufferyard Requirements**. Table 39.02.004.d-4, *MDR Required Landscaping Types Summary*, provides general planting requirements in the MDR district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.004.d-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.004.d-4 MDR Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
All single-family detached dwellings and duplexes in any district where they are permitted	Exempt				♦
Townhouse	♦	--	--	--	♦
Multiplex, Apartment, Nonresidential, and Mixed-Uses	--	♦	♦	♦	♦

7. **Signs.** Table 39.02.004.d-5, *MDR Permitted Sign Types*, denotes sign types permitted in the MDR district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.d-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.004.d-5 MDR Permitted Sign Types			
P = Permitted | -- = Not Permitted			
Sign Type	**Residential Uses (excluding multi-family)**	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Subdivision Entry	P	P	Div. 3.5
Monument	--	P	
Wall	--	P	
Mural	--	P	

8. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:

i. Division 2.4, *Land Use Standards*; and

ii. Division 2.5, *Measurements and Allowances*.

B. Article 39.03, *Building and Site Design:*

A. Division 3.2, *Building Types and Design*;

B. Division 3.3, *Parking, Loading, Stacking, and Access*;

C. Division 3.4, *Trees, Landscaping, and Buffering*;

D. Division 3.5, *Signs*; and

E. Division 3.6, *Outdoor Lighting.*

C. Article 39.04, *Subdivision Standards*; and

D. Article 39.05, *Environmental Management*.

Subsection 39.02.004.e High Density Residential (HDR)

1. **Purpose.** The purpose of this zoning district and subdivision type is to provide for:

A. *Conventional*. Single-family detached, cottage, or garden homes on public utilities with open space provided on private lots.

B. *Village.* Mixed housing types, including townhouses, detached single-family garden homes, and low- to mid-rise apartments, located in a planned development or adjacent to a mixed-use district or center. Buildings are typically in close proximity to the street edge. The building mass, height, and scale transition to the neighboring land uses.

C. *Mixed-Use.* Mid- to high-rise apartment development in a mixed-use district or center. The district consists of detached single-family garden homes, live-work buildings, and other vertically mixed-use buildings. Urban open space may be used for plazas and squares.

2. **Subdivision Types**.

A. *Conventional.* A conventional residential subdivision shall consist of single-family detached dwellings, cottage homes, or garden homes. Any open space is located on private lots.

B. *Village.* A village-style high density residential subdivision shall consist of townhouses and apartments with required common open space suitable for an urban setting. Figure 39.02.004.e-1, *HDR Subdivision Types Examples*, provides a visual example of the village subdivision type.

C. *Mixed-Use*. A mixed-use high density residential subdivision shall consist of a combination of apartment, townhouse, live-work, and vertically mixed-use buildings, subject to approval of Section 39.07.013, *Site Development Plan*. Figure 39.02.004.e-1, *HDR Subdivision Types Examples*, provides a visual example of the mixed-use subdivision type.

Figure 39.02.004.e-1 HDR
Subdivision Types Examples





Village



Mixed-Use



3. **Land Uses.** Table 39.02.004.e-1, *HDR Permitted Uses*, shows the uses and use categories permitted in the HDR district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.004.e-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control. Additional density may be allowed in the HDR district for apartments, multiplexes, townhouses, and live-work units with approval of a Specific Use Permit in accordance with Section 39.07.033, *Specific Use Permit*.

Table 39.02.004.e-1
HDR Permitted Uses

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	L	39.02.018.b
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)			
Single-Family	Single-Family Cottage	L	39.02.018.c
	Single-Family Detached Dwelling	L	39.02.018.c
	Single-Family Garden Home	L	39.02.018.c
	Duplex (2 du)	L	39.02.018.c
	Townhouse (3 to 10 du)	L	39.02.018.c
	Industrialized Housing	L	39.02.018.c
	Manufactured Home Park or Manufactured Home Subdivision	S	39.02.019

Table 39.02.004.e-1 HDR Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Short-Term Rental	L	39.02.018.c
Multiple-Family	Apartment (>4 du)	L	39.02.018.c
	Boarding or Rooming House	P	--
	Dormitory	P	--
	Fraternity/Sorority House	P	--
	Group Home	L	39.02.018.c
	Live-Work Unit	L	39.02.018.c
	Multiplex (3 - 4 du)	L	39.02.018.c
	Retirement Housing	P	--
	Vertical Mixed-Use	L	39.02.018.c
Residential Accessory Uses	Accessory Dwelling Unit	L	39.02.020.e
	Accessory Structure	L	39.02.020.c
	Community Garden	L	39.02.020.c
	Home Occupation	L	39.02.020.c
	Outdoor Swimming Pool	L	39.02.020.c
	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile Structured Parking (Primary Use)	L	39.02.018.d
Civic and Institutional			
Civic and Institutional Uses	Child Care, Day Care Center	L	39.02.018.e
	Club or Lodge	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	S	39.02.018.e
	Library, Museum, or Gallery	L	39.02.018.e
	Medical and Diagnostic Laboratories	L	39.02.018.e
	Medical Office / Clinic	L	39.02.018.e
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	L	39.02.018.f
	Grocery (Food Sales)	L	39.02.018.f
	Office, General	L	39.02.018.f
	Personal Service	L	39.02.018.f
	Repair Service	L	39.02.018.f
	Restaurant	L	39.02.018.f
	Retail Sales	L	39.02.018.f
	Studio (Arts, Crafts, or Recording)	L	39.02.018.f
Entertainment and Recreation			
Entertainment and Recreation Uses	Commercial Amusement, Indoor	L	39.02.018.h

Table 39.02.004.e-1 HDR Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Commercial Amusement, Outdoor	L	39.02.018.h
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	L	39.02.018.i
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	L	39.02.020.d
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	L	39.02.020.d
	Storm Shelter	P	--

4. **Lot Density and Dimensions.**

   A. *Residential.* All residential and mixed-use developments in the HDR district shall be in accordance with Table 39.02.004.e-2, *HDR Lot Density and Dimensions*, based on subdivision and building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

   B. *Nonresidential.* For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial (NC)*.

Table 39.02.004.e-2 HDR Lot Density and Dimensions							
Standards	**Conventional**		**Village**		**Mixed-Use Only**		
	Single-Family Detached, Cottage, or Garden Home	**Duplex**	**Apartment or Multiplex**	**Townhouse**	**Single-Family Detached, Cottage, or Garden Home**	**Live-Work**	**Vertical Mixed-Use**
Minimum Lot Area per Dwelling Unit (square feet)	3,500	1,750	900	1,000	2,500	--	--
Minimum Lot Width (feet)	35	35	25	20	25	25	40
Maximum Building Height (feet)	45	45	6045	45	45	45	75
Minimum Front Setback (feet)	10	10	10	10	10	10	10
Minimum Front Setback (feet) (cul-de-sac)	5	5	5	5	5	5	5

Table 39.02.004.e-2 HDR Lot Density and Dimensions							
Standards	**Conventional**		**Village**		**Mixed-Use Only**		
	Single-Family Detached, Cottage, or Garden Home	**Duplex**	**Apartment or Multiplex**	**Townhouse**	**Single-Family Detached, Cottage, or Garden Home**	**Live-Work**	**Vertical Mixed-Use**
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use) (For Townhouse, there is a 0' side setback adjacent to the common party wall)	5	5	20 / 15	0 / 5	5	20 / 15	20 / 15
Minimum Side Street Setback (feet)	5	5	5	5	5	5	5
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use)	0 / 20	0 / 20	20 / 10	0 / 20	0 / 20	20 / 10	50 / 20
Minimum Common Open Space (percent)	0	0	10	5	5	5	5
Maximum Building Coverage (percent of lot)	65	65	50	50	65	~~65~~	--

5. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.004.e-3, *HDR Off-Street Parking and Loading Schedule*. Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.004.e-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.004.e-3 HDR Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Agricultural Uses		
Community Garden	--	--
Residential Uses		
Single-Family Detached Dwelling	2 per DU	--
Duplex (2 du)	2 per DU	--
Single-Family Garden Home or Cottage Home	2 per DU	--
Townhouse (2 to 10 du)	2 per DU	--
Industrialized Housing	2 per DU	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	--
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Apartment (>4)	1 per DU with 1 bedroom or per efficiency unit 1.25 per DU with 2 bedrooms 2 per DU with 3+ bedrooms	--
Boarding or Rooming House	1 per bedroom	--
Dormitory	1 per bedroom	--

Table 39.02.004.e-3
HDR Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Fraternity/Sorority House	0.5 per bedroom	--
Group Home	1 per bedroom	--
Live-Work Unit	2 per DU	--
Multiplex (3 - 4 du)	1.25 per DU with 1 bedroom 1.75 per DU with 2 bedrooms 2.25 per DU with 3+ bedrooms	--
Retirement Housing	0.75 per DU	--
Vertical Mixed-Use	0.5 per DU	--
Accessory Structures	--	--
Home Occupation	--	--
Automobile Uses		
Automobile Structured Parking (Primary Use)	--	--
Civic and Institutional Uses		
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	♦
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	--
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Office, General	1 per 300 sq. ft. GFA	♦
Personal Service	1 per 300 sq. ft. GFA	♦
Repair Service	1 per 400 sq. ft. GFA	♦

Table 39.02.004.e-3 HDR Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Restaurant	1 per 100 sq. ft. GFA	♦
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Entertainment and Recreational Uses		
Commercial Amusement, Indoor	1 per 250 sq. ft.	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--

6. **Landscaping and Bufferyard Requirement.** Table 39.02.004.e-4, *HDR Required Landscaping Types Summary*, provides general planting requirements in the HDR district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.004.e-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.004.e-4 HDR Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required **Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping***					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
All single-family dwellings in any district where they are permitted	Exempt				♦
Townhouse	♦	--	--	--	♦
Multiplex, Apartment, Nonresidential, and Mixed-Uses	--	♦	♦	♦	♦

7. **Signs.** Table 39.02.004.e-5, *HDR Permitted Sign Types*, denotes sign types permitted in the HDR district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.e-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.004.e-5 HDR Permitted Sign Types			
P = Permitted | -- = Not Permitted			
Sign Type	**Residential Uses (excluding multi-family)**	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Subdivision Entry	P	P	Div. 3.5
Monument	--	P	
Wall	--	P	
Mural	--	P	

8. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting.*
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.005.a General Mixed-Use Standards

1. **Purpose**. This Section sets forth standards for the Mixed-Use districts. These districts permit both residential and nonresidential principal uses in the same structure (vertical mixed-use) or on the same lot (horizontal mixed-use).
2. **Applicability**.
   A. *Generally*. The standards in this Subsection apply to all Mixed-Use districts and are in addition to the applicable standards of Article 39.03, *Building and Site Design*.
   B. *Building Height and Frontage Types*. In the event of a conflict, the building height requirements and permitted frontage types of the Mixed-Use districts shall control over the building height requirements and permitted frontage types established in Division 3.2 *Building Types and Design*.
3. **Architecture Standards.**
   A. *Purpose*. The purposes of these architecture standards are to:
      i. Ensure that new construction and significant expansions of existing buildings contribute to and improve the visual quality of the City;
      ii. Encourage further investment in the City by reducing the risk of low-quality development on adjacent parcels; and
      iii. Create a more pedestrian-friendly street environment to encourage walking, energy conservation, sustainability, and public health.
   B. *Building Materials*. Where the Historic Preservation Overlay (HPO) district applies in a Mixed-Use district, original building materials shall be retained, maintained, repaired, or uncovered to the maximum extent practicable. New buildings and alterations shall be composed of materials that complement adjacent facades and are compatible with the quality and appearance of traditional materials. Outside of the HPO, these requirements are optional but encouraged.
   C. *Entries*.
      i. Each principal building shall have one or more operating pedestrian entry doors facing and visible from an adjacent public street. The location of the entry on the building facade shall be emphasized with surrounding architectural recesses, projections, or foundation plantings.
      ii. The primary entrance of every principal building giving access to a principal use of the property shall directly face a street or a public space. Public space may include the open spaces described in Paragraph 5, *Site Design Standards,* below.
      iii. Buildings shall be designed and oriented with an emphasis on the primary street on which they front.
      iv. Buildings located on corner lots shall use design elements that emphasize the importance of both streets.
      v. The primary public entrance shall be prominently located, easily identifiable, relate to the human scale, and contribute to the overall design intent. The primary public entrance shall be at grade or seamlessly integrate required handicap accessibility into the design of the building.
   D. *Roof Shape*.
      i. Original roof forms, profiles, and cornices shall be maintained to the maximum extent practicable.
      ii. When a principal building has a roof surface with a rise of less than two inches to a run of 12 inches, and the principal use of the building is not categorized as Industrial and Manufacturing in Table 39.02.016-1, a parapet shall be constructed along each facade abutting a public street, and the design or height of the

parapet shall include at least one change in setback or height of at least two feet along each 100 linear feet of facade or part of a facade.

iii. In the MU-1 West Broadway district, pitched roofs are required and shall be either hipped or gabled. Roofs shall have a rise of at least four inches to a run of 12 inches. Flat roofs shall be avoided unless the applicant can demonstrate that they are indicative of a particular style that is or was common in the district.

iv. In the MU-2 Broadway district, a projected cornice or other ornamentation at the top of the parapet shall be provided for the design of new buildings.

v. Single-slope shed roofs, and mansard, vaulted, and exotic roofs such as onion domes are inappropriate since they are styles not common to the architecture of downtown Lubbock.

4. **Infill, Addition, and Expansion Standards**.

A. *Average Setback.* Infill construction, including principal and accessory structures and building additions, shall be designed to be no greater than the average setbacks of buildings from the same use category, as established in Section 39.02.016, *Land Use Matrix*, on the same block face and the parallel block face to the maximum degree practicable.

B. *Building Height*. For infill development and expansions, and additions to existing structures, the maximum building heights in Subsections 39.02.005.b through 39.02.005.g shall not apply. The maximum building height for infill, addition, or expansion shall be that of the average building on the same block and the parallel block face, plus 20 percent of the height. For example, if the average building height on the same block and the parallel block face is 50 feet, then the infill building or the addition or expansion to the existing building may be up to 60 feet in height.

5. **Site Design Standards**.

A. *Purpose*. The purpose of these site design standards is to provide multiple amenities that accommodate pedestrian activity.

B. *Open Space*.

i. *Generally*. In order to ensure that a variety of functional, well-designed open spaces are distributed throughout a development, new developments shall have an open space component on-site as defined below in Table 39.02.005.a-1, *Public Open Space Standards*. Open space may be aggregated on a multi-phase project.

ii. *Applicability.* Open space, as described in this Section, shall be required for a new building, expansion, or addition.

iii. *Types*. Table 39.02.005.a-1, *Public Open Space Standards*, shows the public open space types allowed in a Mixed-Use district and their associated standards.

iv. *Categories*. Open space includes the following categories:

a. *Public Space*. Public spaces include open air or unenclosed to semi-unenclosed areas intended for public access and use. These areas range in size and development and serve to complement and connect surrounding land uses. Public space may be publicly- or privately-owned and maintained. (Refer to Table 39.02.005.a-1, *Public Open Space Standards*)

b. *Private Common Space*. Private common spaces include privately-owned and maintained outdoor, unenclosed, or semi-unenclosed areas located on the ground or on a terrace, deck, porch, or roof. This space is designed and accessible for outdoor gathering, recreation, and landscaping, and is intended for use by the residents, employees, and/or visitors to the development.

v. *Commercial / Retail or Mixed-Use Development*.

a. *Amount Required*. All applicable development shall provide four square feet of open space for every 100 square feet of nonresidential space, excluding service areas and parking.

b. *Central Open Space*. At least 50 percent of the required public space shall be within a common, centralized space. The space shall be improved with a focal point such as, but not limited to, a gazebo, public art or sculpture, pavilion, or paved patio area to help identify the park as a primary gathering place for the development. The central open space shall be accessible by pedestrians, bicycles, and vehicles. Sidewalks shall be a minimum of six feet wide and their outer edge shall be a minimum of six feet from the street curb.

vi. *Residential Development*.

a. *Required Open Spaces*.

I. 10 units or less – no requirement.

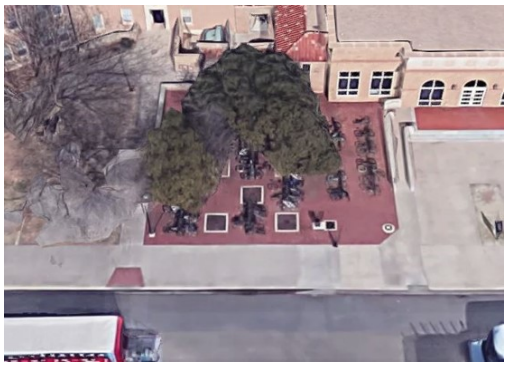
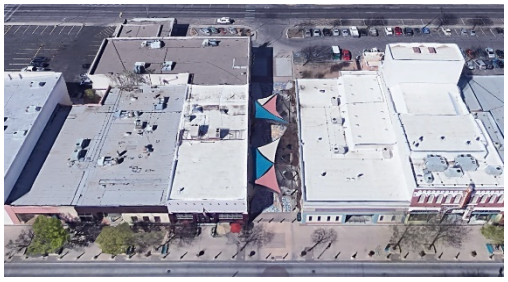
II. 11 to 50 units – at least one private common space of any type.

III. 51 units and greater – at least three private common spaces of any type.

b. *Open Space Categories*. Permitted residential open spaces include any permitted public space or balconies on no less than two-thirds of all apartment units, forecourts, courtyards, roof terrace, or a pool or other amenity. Open space categories shall display the characteristics listed under the General Character headings in Table 39.02.005.a-1, *Public Open Space Standards*, and shall meet the requirements under the Location and Size headings.

Table 39.02.005.a-1
Public Open Space Standards

Image	Standards
Plaza 	vii. **General Character** a. Formal open space b. Defined seating areas c. Balance of hardscape and plantings d. Spatially defined by building frontages viii. **Location and Size** a. Minimum area: 900 square feet b. Maximum area: 1 acre c. Minimum width: 30 feet d. Minimum perimeter frontage on public right of way: 25 percent
Pocket Park 	ix. **General Character** a. Small urban open space responding to specific user groups and space available b. Range of character can be for intense use or aesthetic enjoyment c. Low maintenance is essential x. **Location and Size** a. Minimum area: 11,000 square feet b. Maximum area: 2 acres c. Within ¼ mile of residences d. Separated from other pocket parks a minimum of ¼ mile

Table 39.02.005.a-1 Public Open Space Standards	
Image	**Standards**
Pocket Plaza 	xi. **General Character** a. Formal open space b. Defined seating areas c. Refuge from the public sidewalk d. Spatially defined by building design xii. **Location and Size** a. Minimum area: 300 square feet b. Maximum area: 899 square feet c. Minimum width: 15 feet d. Maximum width: 30 feet e. Minimum perimeter frontage on public right of way: 25 percent f. Located at important intersections, at vista termini, or at entrances to public/civic buildings
Public Green 	xiii. **General Character** a. Formal open space b. Spatially defined by buildings or streets c. Open shelters, paths, and lawns d. Walkways and plantings at all edges e. Abundant seating opportunities xiv. **Location and Size** a. Minimum area: 11,000 square feet b. Maximum area: 4 acres c. Minimum width: 60 feet d. Minimum pervious cover: 60 percent e. Located so that it may function as a vegetated gathering area
Paseo 	xv. **General Character** a. Linear shaded public urban open spaces b. Allow for social and commercial activity to spill into the public realm c. Consist of a hardscape pathway with pervious and/or impervious pavers and activated by building entries that comply with the standards of this Subsection d. Projecting signs permitted as established in Section 39.03.023, *Permanent Signs* e. Live-Work, General Commercial, and Neighborhood Store permitted as established in Section 39.03.005, *Mixed-Use Building Types* f. Shopfront and Gallery and Arcade permitted as established in Section 39.03.006, *Mixed-Use Frontage Types* xvi. **Location and Size** a. Minimum width: 16 feet b. Maximum width: 30 feet c. Minimum pedestrian passage width: 8 feet d. Maximum pervious cover: 50 percent e. Located to provide connections from one street to another at cross-block passages.

C. *Streetscape Allowances*. As emphasized in the Master Plan Update on pages 49 - 68, the streetscape incorporates multiple elements that define the character of pedestrian space. The width of Lubbock's key

corridors varies but incorporating streetscape elements that serve the public shall be prioritized. Standards for many of these elements, such as benches, landscaping, and lighting, follow. Figure 39.02.005.a-2, *Streetscape Zones*, illustrates a streetscape wide enough to accommodate all four streetscape elements. Where possible, a street shall incorporate the following zones:

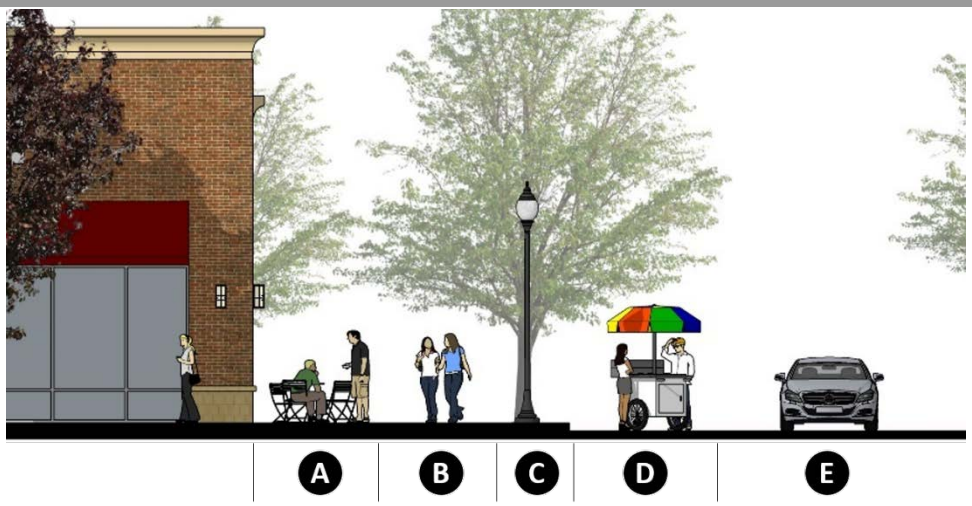
i. *Frontage/Spill Out Zone (A in Figure 39.02.005.a-2, Streetscape Zones, below)*. Where incorporated, the Frontage/Spill Out Zone shall continue the activity from the interior of the building. For instance, a restaurant may utilize the Frontage/Spill Out Zone to incorporate outdoor seating or dining with a Right-of-Way Use License and in accordance with the standards in Section 39.02.021.g, *Specific Temporary Use Standards*.

ii. *Sidewalk (B in Figure 39.02.005.a-2)*. Of the four elements, the sidewalk shall be prioritized. The sidewalk shall be a minimum of six feet wide with the edge of the sidewalk nearest to the curb being a minimum of six feet from the curb.

iii. *Amenity Zone (C in Figure 39.02.005.a-2)*. The Amenity Zone shall contain planters, street lights, and other elements and shall be a minimum of six feet wide.

iv. *Flex Zone (D in Figure 39.02.005.a-2)*. The Flex Zone shall be located within the street, rather than the sidewalk, and include parallel parking, activation, plantings, or other amenities.

Figure 39.02.005.a-2
Streetscape Zones



D. *Benches*. Benches contribute to a comfortable, useable, and active pedestrian environment. Benches shall adhere to the following standards:

i. Design the bench to include a horizontal seating surface between 16 and 18 inches high, with a minimum depth of 14 inches.

ii. When positioned parallel to and near the curb, the bench shall face towards the building. When positioned parallel to and near the building, the bench shall face away from the building.

iii. Locate the bench to maintain a minimum five-foot clear walkway on the sidewalk.

iv. Design a bench to be durable and comfortable, minimizing sharp edges or difficult-to-use furniture.

v. Secure the bench to the paved surface for safety.

E. *Bollards*. Although bollards are not encouraged, they may be needed in some areas for pedestrian safety and shall be approved on a case-by-case basis by the City Engineer in the landscape plan review.

F. *Trash Receptacles*. Trash receptacles shall be easily accessible for pedestrians and trash collection and shall be located to be unobtrusive. They shall abide by the following standards:

i. Receptacles shall be installed at all primary street intersections and shall be conveniently placed near bus stops, benches, and other activity nodes. They shall be arranged with other streetscape elements to be functional and reduce the amount of sidewalk obstruction.

ii. Trash receptacles shall be a minimum of 36 gallons in size.

iii. Trash receptacles shall be powder-coated black.

iv. Receptacles shall be firmly attached to the pavement.

v. The design of a receptacle shall include an inner container that is easily removed for pickup and an outer shell. The top shall be mostly covered, and bottom shall be sealed to keep the contents out of sight.

G. *Bicycle Parking***.** Bicycle parking shall be required in the MU district for any new building or facility, any addition to or enlargement of an existing use, or change to a use that requires bicycle parking as prescribed in Table 39.03.009-1, *Off-Street Parking and Loading Schedule*.

i. *Location*. The location for required bicycle parking shall comply with the following:

a. *Close Proximity to Building*. At least 50 percent of all required bicycle parking shall be located within 50 feet of the principal building entrance; and

b. *Remainder*. The remaining required bicycle parking may be located:

I. In a secure location within 50 feet of building entryways other than the principal entrance;

II. At employee-only entrances;

III. Within a building; or

IV. In a covered motor vehicle parking facility structurally connected to and within 50 feet of a building entrance.

ii. *Dimensions*. Bicycle racks shall be a minimum of 15 inches in width and a minimum of 72 inches in length.

iii. *Lighting*. Lighting shall comply with Division 3.6, *Outdoor Lighting*.

iv. *Support*.

a. Bicycle parking racks shall support the frame of the bicycle and at least one wheel. Racks shall allow the frame and one wheel to be locked to the rack. Racks shall be securely anchored. Racks shall accommodate a wide variety of sizes and types of bicycles.

b. Bicycle parking racks shall support the bikes in a stable, upright position, without damage to wheels, frame, or other components.

c. *Installation*. Bicycle parking racks shall be permanently mounted/installed within private property or in approved locations in the public right-of-way on solid surfaces. Racks placed adjacent to sidewalks shall not encroach upon required pedestrian accessways, accessible routes, or accessible passing space areas.

d. *Access*.

I. Access shall be provided to each required bicycle space. Aisles shall have a width of at least three feet to the front, rear, or side of the bicycle spaces.

II. Racks shall be placed a minimum of 24 inches away from walls and other elements that may create an obstacle to accessing the bike parking spaces.

Figure 39.02.005.a-3
Bicycle Parking



H. *Bus Shelters*. Bus shelters shall only be allowed on designated bus routes in the Mixed-Use districts. Bus shelters shall include seating and provide for protection from the wind and sun. Bus shelters placed as part of a private redevelopment effort shall be reviewed by the Director of Planning and Citibus.

Figure 39.02.005.a-4
Examples of Appropriate Mixed-Use District Site Amenities







6. **Public and Private Landscape Standards**.

   A. *Purpose*. Lubbock has a semi-arid climate with a limited selection of native plant material that can thrive on the small amount of annual rainfall received. Therefore, it is in the best interest of the City to pursue landscaping enhancements that promote water conservation.

B. *Scope.* The public landscape standards of this Subsection apply to all public rights-of-way in the Mixed-Use districts.

C. *Public Landscape and Irrigation Plan*. When a developer initiates a project in a Mixed-Use district, he or she shall submit a public landscape and irrigation plan as part of a building permit request.

D. *General Requirements.*

i. *Amount*.

a. A minimum of 90 percent of the required front yard shall be landscaped and permanently maintained.

b. The area between the property line and the street shall be landscaped and permanently maintained.

c. The following are exceptions to the requirements in Paragraphs a. and b. above:

I. Paved curb returns, driveways, and interior courtyards shall not be included in any required landscaping; a

II. Buildings with zero front and side setback shall not be required to have any on-site landscaping except for parking area landscaping where parking is either required or voluntarily provided; and

III. Buildings with front and side setbacks less than 10 feet may use plazas, widened sidewalks, or outdoor dining to meet landscape requirements.

ii. *Utilities*. Coordination of any landscaping shall be done so as to not interfere with existing utilities or those utilities required with the project.

iii. *Hardscape Materials*. Required landscaping on the site may incorporate no more than 10 percent hard surface materials within the landscaping. Hard surface materials shall include stone and modular pavers. Landscaping shall not include the use of smooth, patterned, colored, or aggregate poured-in-place concrete or asphalt. Alternative materials will be reviewed and approved by the Director of Planning .

iv. *Irrigation*.

a. All plant material shall be irrigated. Permanent, automatic irrigation systems shall be installed and tested prior to the installation of any plant material. Irrigation systems shall utilize drip irrigation, subsurface irrigation, or other water-conserving methods or technologies where possible.

b. Irrigation shall be maintained and paid for by the landowner.

c. Irrigation systems are prohibited in the public right-of-way.

v. *Species Diversity.* A balance of shrubs, ornamental grasses, and ground cover is required. Within each category of required landscaping (i.e., shrubs, groundcover, and ornamental grasses) a maximum of 50 percent of plantings shall be of any one genus and a maximum of 25 percent shall be of any one species. Climate-adapted plant species shall predominate for hardiness in urban conditions and to minimize maintenance.

vi. *Groupings*. Shrubs, ornamental grasses, and ground covers of the same species shall be massed in groupings. Individual plants shall only be planted when the intent is to highlight the species due to its unique color or form. Plantings with similar watering patterns shall be grouped within the proper irrigation zones.

vii. *Color*. The use of flowering or brightly colored foliage creates color and interest. Seasonal color is encouraged as an accent to permanent bed plantings.

viii. *Raised Planters.* The use of raised planters is highly encouraged to make plantings visible and easier to maintain where foot traffic is dense, or parkway width is limited. Planting beds shall be dressed with a minimum of one and one-half inches of "Jog Blend" limestone screenings mulch, or equivalent, or as pre-approved by the Director of Planning.

ix. *Natural Turf*. Natural, living turf shall only be used in low-density residential parkways, single-family yards, public parks, and open spaces exceeding 400 square feet.

x. *Visibility Triangle*. Landscaping shall comply with the visibility triangle standards in Section 39.02.022, *Measurements*, of this UDC.

7. **Street Planting Standards**.

A. *Purpose*. Potted plants and planters, as recommended in this Subsection, are inviting and help define major gateways and corridors in the Mixed-Use districts. They soften the edges where buildings meet the street, offer shade to pedestrians, and help cool the pedestrian environment.

B. *General Requirements*. The following general street landscaping standards are recommended for all streets or adjacent properties undergoing improvements in the Downtown.

i. Raised planters and planter pots should be used in the street landscaping plan downtown in order to open up the sidewalks.

ii. Planter pots provide an opportunity to incorporate colorful plantings along a streetscape. They should be sized to provide a sufficient quality and quantity of soil for plant growth.

a. Planters and pots should have minimum dimensions of 18 inches wide by 18 inches deep.

b. Planters and pots should be made from formed concrete, with a minimum thickness of 3/8 inches. Planters made of other materials such as galvanized and polyester powder-coated steel may be approved by the Director of Planning .

c. Planters and pots should be located a minimum of 18 inches from the sidewalk curb and within the Amenity Zone, as illustrated in Figure 39.02.005.a-2, *Streetscape Zones*. Planter pots may also be located near a building entry, but should maintain a minimum five-foot walkway on the sidewalk.

d. Planters and pots should not block other street elements such as signs or streetlights.

e. Planters may incorporate seating. These should be designed with a minimum eight-inch rim with a height between 12 and 20 inches. Plants should be planted so their location does not interfere with the seat.

f. Plant materials in the right-of-way should not exceed two feet in height.

iii. Street trees are discouraged in the Mixed-Use districts.

8. **Parking Standards**.

A. *Purpose*. The purpose of these parking standards is to create a balance between pedestrian-oriented development and necessary car storage, when provided.

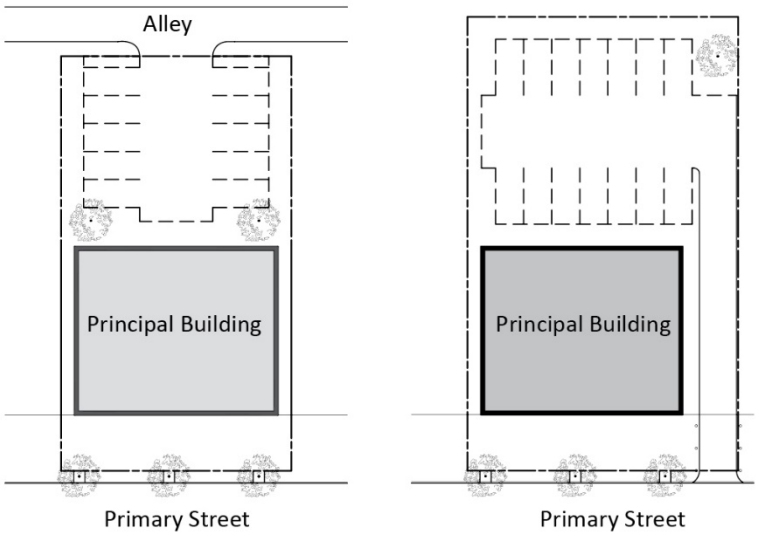
B. *Parking Access.*

i. All parking shall be accessed from rear alleys where they exist and/or from side streets if the lot is located on a corner, as depicted in Figure 39.02.005.a-4, *Parking Access Configurations*. If no rear alley or side street exists, then the applicant is encouraged to gain access across neighboring properties or through a shared driveway or through a recorded cross-access easement.

ii. Where access to rear parking takes place directly from the primary street, driveways shall be located along the sides of the property lines, as depicted in Figure 39.02.005.a-4, *Parking Access Configurations*, and designed such that pedestrians crossing on sidewalks always have the right-of-way.

iii. Vehicular entrances to parking lots, garages, and parking structures shall be no wider than 30 feet on the front street.

Figure 39.02.005.a-4
Parking Access Configurations



Parking: access by alley *Parking: access by street*

C. *Parking Buffering*.

i. Open parking areas shall be masked from the frontage by a building or screening.

ii. Where parking cannot be placed to the rear of the main building, the parking areas shall be screened in accordance with the requirements of Section 39.03.009, *Parking Ratios and Design.* The required screening shall be architecturally compatible with the primary structure. The area between the screening and property line shall be landscaped.

iii. Parking structures on primary streets shall have a Liner building. See Subsection 39.03.005.k, *Liner*, for further requirements.

9. **Lighting Standards**.

A. *Purpose*. The purpose of these lighting standards is to provide adequate and quality lighting of the sidewalk and street area, which is essential to creating a safe and inviting streetscape, and to provide a unique identity for the area.

B. *General Requirements*. In addition to the requirements of Division 3.6, *Outdoor Lighting*, the following standards shall apply.

i. The following two types of light poles may be installed in the public right-of-way:

a. A medium pedestrian-scaled light pole that is a maximum of 15 feet in height; and

b. A tall vehicular-scaled light pole that is a maximum of 40 feet in height, as depicted in Figure 39.02.005.a-5, *Types of Street Lighting*.

ii. A combination of these two types of light poles may be required to ensure a well-lit street area and to establish a unifying element along the street.

iii. Decorative streetlights shall be used on key corridors:

a. Broadway;

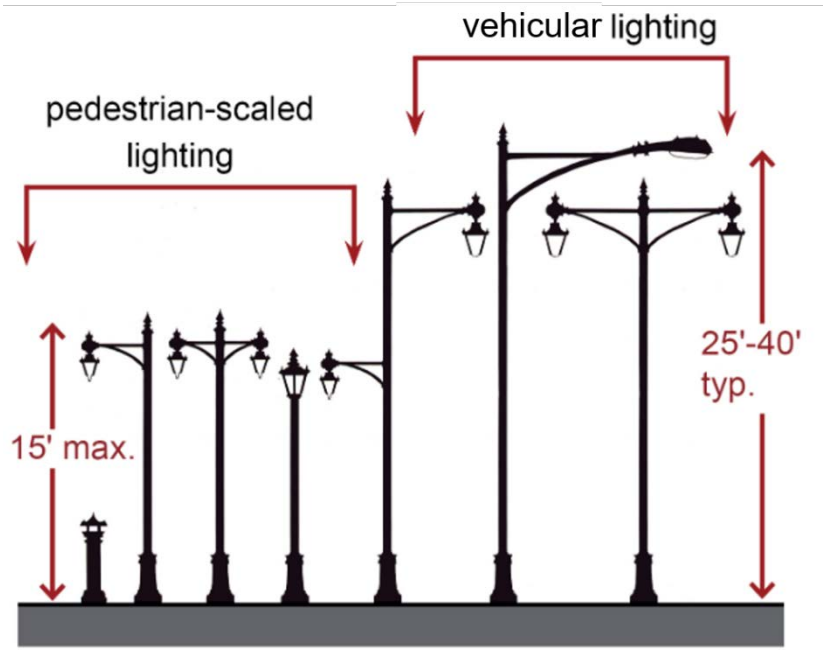
b. Buddy Holly Avenue South of Broadway; and

c. Avenue J North of Broadway.

iv. All other corridors not mentioned above shall use the standard Lubbock Power & Light streetlight.

v. Pedestrian-scaled light poles shall be used on primary streets, except alleys. Vehicular-scaled lighting shall be used on all streets at every intersection, with one additional light at mid-block where necessary.

Figure 39.02.005.a-5
Types of Street Lighting



vi. Streetlights shall be aligned with planter pots (generally between two and a half feet and four feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, building entries, curb cuts, signage, etc. Pedestrian lighting shall be spaced evenly along the block in relationship to each other and to the street centerline. Across-the-street relationships shall also be considered, as well as spacing to provide illumination at alley intersections and mid-block.

vii. Shopfront business owners may assist with lighting the sidewalk and to accent their business location by leaving display window and interior lighting on at night.

viii. Lighting shall be designed in such a way as to prevent the direct view of the light source from neighboring residential areas.

ix. Light poles may include armature that allows for the hanging of banners or other amenities (e.g., hanging flower baskets, artwork, etc.).

x. Pedestrian-scaled light poles shall be used to illuminate walkways, building entries, and public plazas.

xi. To increase safety, help geographic orientation, and highlight the identity of an area, the following street elements shall be lit:

a. Edges of a park or plaza to define and identify the space;

b. Entrances, archways, cornices, columns, and other architectural details; and

c. Other public art and towers, especially those visible to pedestrians and vehicles.

xii. Pedestrian light feeds shall be separate from vehicular street light feeds.

a. Vehicular streetlights are un-metered facilities maintained by Lubbock Power and Light (LP&L) within City limits.

b. Pedestrian lights are metered facilities maintained by the local Public Improvement District (PID) or other funding entity.

C. *Pedestrian Lighting Required*. Pedestrian lighting is required on primary streets and for any development encompassing a full block face or more and may be installed for smaller projects if approved in the landscape plan review.

i. Pedestrian lighting shall be between 0.5 and 1.0 foot-candle.

ii. Pedestrian lighting shall be a minimum of eight feet tall and maximum of 15 feet tall.

D. *Pedestrian and Vehicular Lighting Spacing.*

i. Vehicular lighting shall be placed at every intersection with additional lights the greater of at least one per mid-block or one per every 125 feet of continuous block length along each block face. Vehicular lighting at intersections shall include two lights per intersection on diagonally opposing corners. Preferably, all vehicular lights shall be on the southwest and northeast corners of intersections. Each block face shall include a minimum of two vehicular lights; one light at an intersection and one light near mid-block. Where obstructions at these locations exist, a plan review shall be coordinated with the City.

ii. Pedestrian lighting shall be spaced every 60 feet on center along each side of a block. The dimension of 60 feet is derived from the historic block dimension of most Downtown blocks being 270 linear feet. One pedestrian light per every 60 feet allows for five pedestrian or vehicular lights per the historic 270 feet of each block face. Where vehicular lights are required, they may be substituted for a pedestrian light. Where blocks have been consolidated, this spacing shall be maintained as best possible to tie to the spacing throughout the Mixed-Use districts.

E. *Lighting Specifications*. Lighting fixtures shall be appropriately chosen for the district within which they are located, so that variety in character establishes identity and uniqueness, and consistency within each district creates a unifying scheme of illumination that is appropriate to the scale of the street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular block of a street.

i. *Generally*.

a. Light fixtures shall be downcast or low cut-off fixtures as defined by the Illuminating Engineering Society of North America (IES) to prevent glare and light pollution.

b. In order to conserve energy and reduce long-term costs, energy-efficient lamps shall be used for all public realm lighting.

c. All new vehicular and pedestrian lighting shall be LED to provide a white-colored light with color clarity.

ii. *Pre-Approved Lights*.

a. *Pedestrian Lights.*

I. Poles.

1. Lights pole that are 10 feet in height with a base diameter of four inches, gauge 11 wall thickness (0.1196 inches), anchor base, powder-coated in black, and with a decorative split base cover; or
2. Similar style as approved by the Director of Planning.

II. Luminaires.

1. LED area luminaires in black; or
2. Similar style as approved by the Director of Planning.

b. *Approved Wall-Mounted Area Light*. Some circumstances may call for flush-mount pedestrian or area lighting on building facades. If private property owners wish to coordinate with the streetscape lighting, it shall be done with the Director of Planning. The power source for such light shall be provided from the building and not from streetscape lighting.

c. *Vehicular Lights*.

a. Poles.

1. Light poles that are 25 feet above grade with an arm length of six feet, with breakaway couplings, and is black in color; or
2. Similar style as approved by the Director of Planning.

b. Pole Clamshell Base.

1. Pole clamshell bases that are24 inches in diameter and 18 inches in height, made of steel, and are black in color; or
2. Similar style as approved by the Director of Planning.

c. Luminaires.

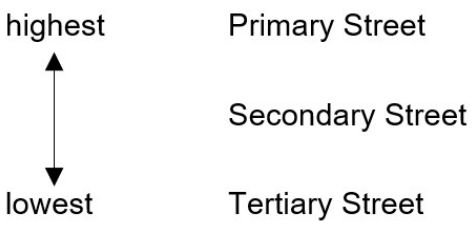
1. Solitaire style luminaires with sag lens and LED lighting; or
2. Similar style as approved by the Director of Planning.

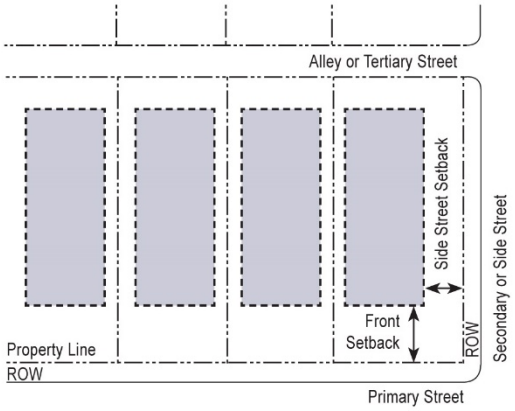
F. *Lighting Plan*. A lighting plan that complies with the requirements of this paragraph and the current City of Lubbock Master Thoroughfare Plan shall be submitted to and approved by the Director of Planning on all projects where lighting is required or proposed in the right-of-way.

10. **Street Standards**.

A. *Street Hierarchy***.** On each parcel that has multiple street frontages, the street hierarchy shall determine the highest priority (primary) street frontage, where the front Build-to Zone or setback shall apply. Along the lower priority frontages, the side street or rear (secondary) Build-to Zones or Setbacks shall apply. The designated street hierarchy for Mixed-Use districts is as depicted in Figure 39.02.005.a-6, *Street Hierarchy*:

Figure 39.02.005.a-6
Street Hierarchy





B. *General Standards*. The design of new streets and modifications to existing streets shall adhere to the following requirements:

i. All thoroughfares shall connect to other streets with no dead-end streets permitted.

ii. Cul-de-sacs and T-turnarounds are not permitted.

iii. Dead-end streets are only permitted where the adjacent property has not been developed or redeveloped.

iv. All streets shall have a minimum of two travel lanes, one in each direction.

v. Where possible, there shall be parking lanes which, in addition to on-street parking, may be used for "drop off" areas, valet stands, or bus stops.

vi. On-street parking lanes shall not be closer than 20 feet to intersections measured from the intersecting property lines.

vii. All new thoroughfares shall have sidewalks on both sides of the travel lanes unless otherwise specified.

viii. All sidewalks shall have a minimum width of six feet and a continuous unobstructed width of no less than 60 inches. This area shall be unobstructed by utility poles, fire hydrants, benches, or any other temporary or permanent structures.

ix. Free and clear public use of sidewalk area outside of the right-of-way shall be protected by a public access easement.

x. With the exception of fire hydrants, utilities shall run underground, and above-ground projections of utilities shall be placed in or along rights-of-way of streets of lower street hierarchy, wherever practicable.

xi. No overhead or garage doors related to or for the purpose of automobile or parking use shall be allowed facing primary streets.

C. *Alleys*. Where possible, alleys shall be used for access to parking and services at the rear of lots.

i. Alleys providing access to residential buildings shall be built to residential alley standards.

ii. Alleys providing access to nonresidential uses shall be built to nonresidential alley standards.

iii. Alleys shall have a right-of-way width of 20 feet and a paved width of 10 feet.

iv. Where an alley provides access to a block with both residential and nonresidential uses, the alley shall be built to the nonresidential standard.

v. Alleys shall meet the street with a gutter pan, allowing the sidewalk to continue uninterrupted across a drive, with a fixed elevation for the pedestrian.

D. *Encroachments*. Awnings, balconies, roof eaves, signs, porches, stoops, outdoor dining, and ramps may encroach into Build-To Zones and /or setbacks with a Right-of-Way Use License and in accordance with the standards in Section 39.03.006, *Mixed-Use Frontage Types*.



Example of commercial use in residential building type in MU-1 West Broadway district



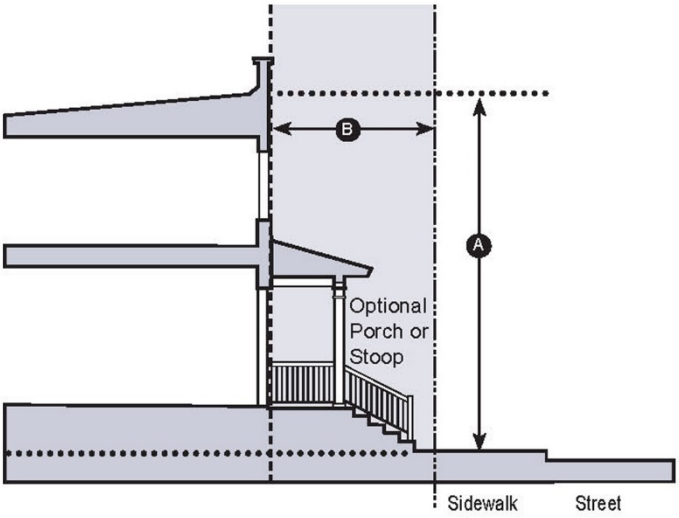
Existing conditions of MU-1 West Broadway district

1. Overview

The MU-1 West Broadway district encompasses the portion of the Broadway Corridor connecting Texas Tech University and downtown Lubbock. The district consists of primarily low-density residential buildings located on small to medium-sized lots mixed with large historic churches on larger lots. Greater flexibility is offered in setbacks and building placement to accommodate existing structures and to transition between surrounding, primarily residential neighborhoods and urban cores.

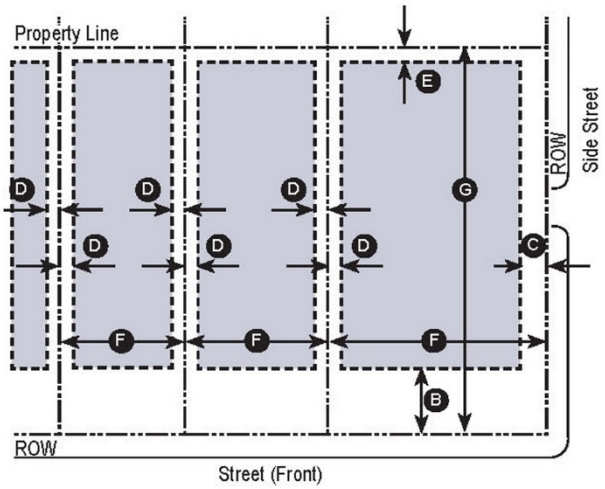


Existing setbacks of MU-1 West Broadway district



Key

Property Line
Buildable Area
Setback Line
Encroachment Area



Key

Property Line
Buildable Area
Setback Line

2. Building Form

Heights

Maximum Building Height	2 stories, not exceeding 45'	**A**

Notes:

A. Basements and attics shall not count as a story.

B. Towers, cupolas, and other rooftop features with a footprint smaller than 20 feet by 20 feet may extend up to 30 feet above the designated height limit.

4. Related Provisions

Title	Reference
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping, and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management

3. Building Placement

Setbacks

Minimum Front Setback[1]	25'	**B**
Minimum Side Street Setback[1]	10'	**C**
Minimum Side Setback	5'	**D**
Minimum Rear Setback	5'; 20' for garages	**E**

Frontage Build-out

Minimum Front Street Frontage	30%	**F**
Minimum Side Street Frontage	None	**G**

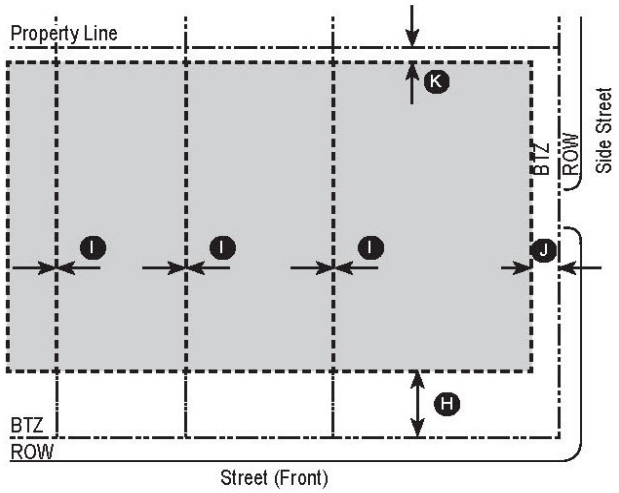
Block Standards

Maximum Block Perimeter	2,000 linear feet	-
Minimum Lot Width[2]	50'	**F**
Minimum Lot Depth	None	**G**
Minimum Lot Area	None	-
Maximum Lot Coverage	100%; 50% for Residential Uses	-

Notes:

[1] Where existing adjacent buildings are outside of the minimum front setback, the building may be set to align with the front building facade of the most immediately adjacent property in accordance with Section 39.02.023, *Specific Allowances*.

[2] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.



Key

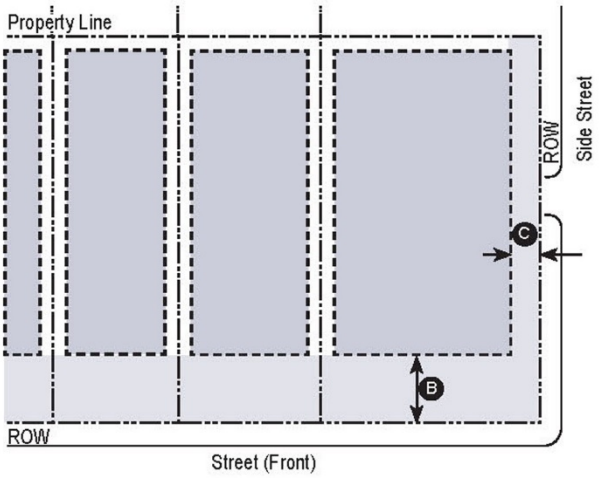
Property Line — Setback Line

Parking Area

5. Parking Location

Minimum Front Setback	25'	H
Minimum Side Setback	0'	I
Minimum Side Street Setback	5'	J
Minimum Rear Setback (lot)	5' for single-story structure; 10' for two-story structure; 20' for any garage or carport	K
Minimum Rear Setback (alley)		
Minimum Rear Setback (street)		

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.



Key

Property Line — Setback Line

Buildable Area — Encroachment Area

6. Allowed Encroachments

Frontage Types	Porch, Terrace, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy	B, C
Other	Bay windows, chimneys, outdoor dining, pedestrian streetlights, planters	

Notes:

A. Bay windows and chimneys may extend up to two feet forward of the setback. Frontage types, outdoor dining, pedestrian streetlights, and planters may encroach forward of the setback, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.



Example of tall building with arcade in MU-2 Broadway district



Example of shopfront, mixed-use, and tall buildings in MU-2 Broadway district



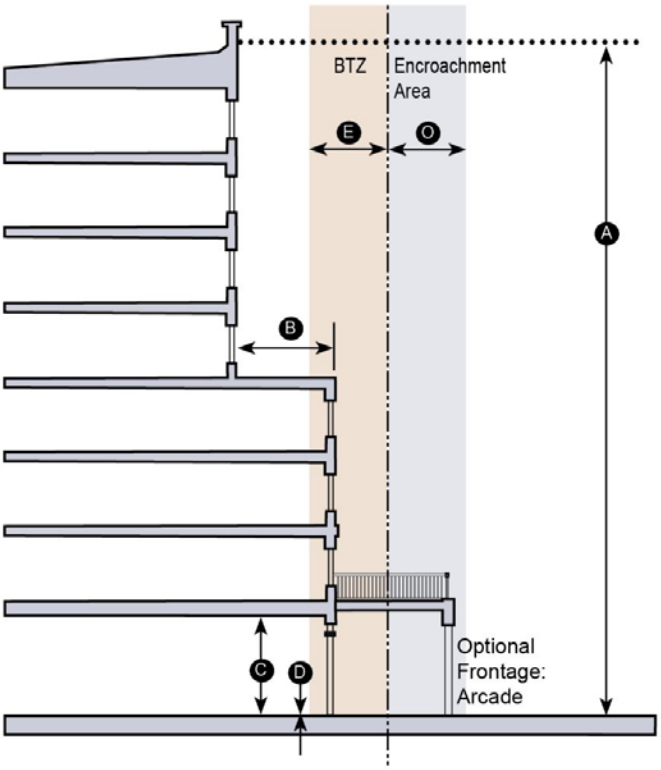
Example of civic and institutional building in MU-2 Broadway district

1. Overview

The MU-2 Broadway district is the urban core of Lubbock. The tallest buildings in the City are located here, providing space for local and regional services, civic, institutional, retail, office, lodging, and some residential uses. Priority is placed on optimizing the physical characteristics of the built environment for walkability and a vibrant center, building upon the historic character of Lubbock's downtown. To maximize vibrancy and walkability, this district permits an intensity and mix of uses that are already in existence along Broadway. High density multi-story mixed-used buildings of small to large footprints are located close to the sidewalk with predominately Shopfront frontages, small or no side setbacks, and parking lots screened from public spaces.

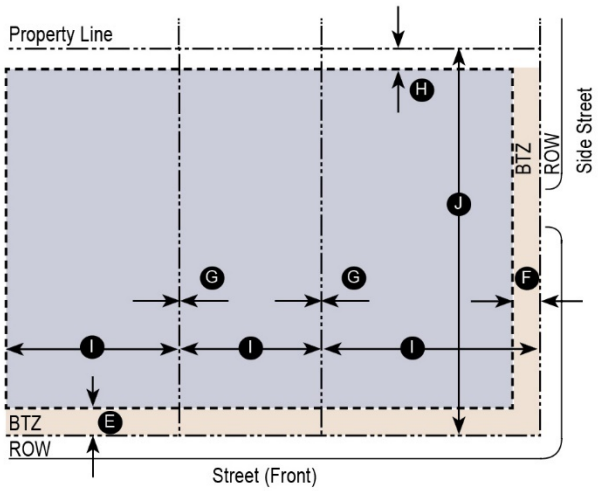


Example of general commercial building with building height setback in MU-2 Broadway district



Key

Property Line
Build-to Zone (BTZ)
Buildable Area
Encroachment Area



Key

Property Line
Buildable Area
Setback Line
Build-to-Zone

2. Building Form

Heights		
Maximum Building Height[1]	None	A
Building Height Stepback[2]	20' in depth, after 4th story or 40'	B
Minimum Ground Floor Elevation (floor to floor)	14' (commercial) 9' (residential)	C
Minimum Ground Finish Floor (above sidewalk or finished grade)	0' (commercial) 0' (residential)	D

Notes:

[1] Basements and attics shall not count as a story.

[2] The Building Height Stepback shall be measured from the primary facade to the exterior wall of the setback.

4. Related Provisions

Title	Reference
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping, and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management

3. Building Placement

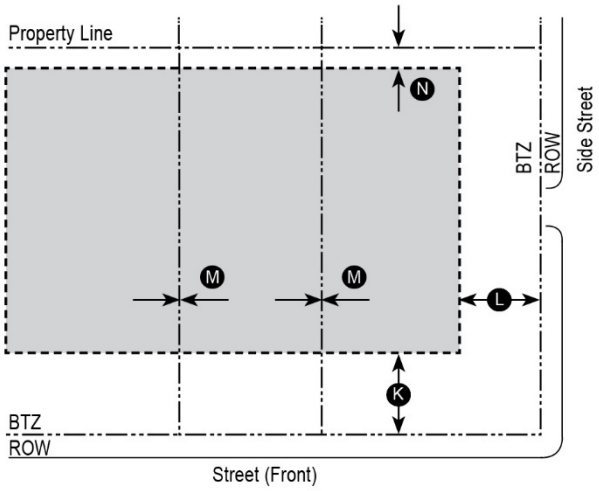
Setbacks		
Minimum / Maximum Front Build-to-Zone	0' / 10'	E
Minimum / Maximum Side Street Build-to-Zone	0' / 10'	F
Minimum Side Setback	0'	G
Minimum Rear Setback[1]	0'	H
Frontage Build-out		
Minimum Front Street Frontage[2]	90%	I
Minimum Side Street Frontage	30%	J
Block Standards		
Maximum Block Perimeter	2,000 linear feet	-
Minimum Lot Width[3]	25'	I
Minimum Lot Depth	30'	J
Minimum Lot Area	None	-
Maximum Lot Coverage	100%	-

Notes:

[1] If adjacent to residential district, minimum rear setback is 5'.

[2] Maximum distance between building entrances is 50'.

[3] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.



Key

Property Line — Setback Line

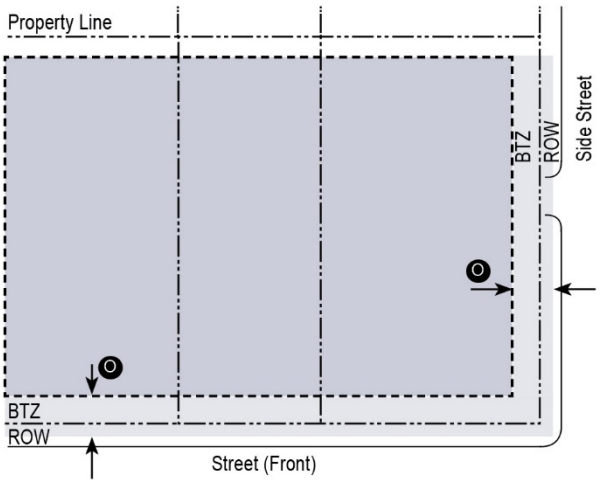
Parking Area

5. Parking Location

Minimum Front Setback	30'	**K**
Minimum Side Street Setback	30'	**L**
Minimum Side Setback	0'	**M**
Minimum Rear Setback (lot)	5'	
Minimum Rear Setback (alley)	0'	**N**
Minimum Rear Setback (street)	30'	

Notes:

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.



Key

Property Line — Setback Line

Buildable Area — Encroachment Area

6. Allowed Encroachments

Frontage Types	Forecourt, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	**O**
Other	Pedestrian streetlights, projecting wall signs, outdoor dining, planters	

Notes:

A. Frontage Types may encroach forward of the build-to zone and/or into the right-of-way, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.



Example of corner store near single-family residences



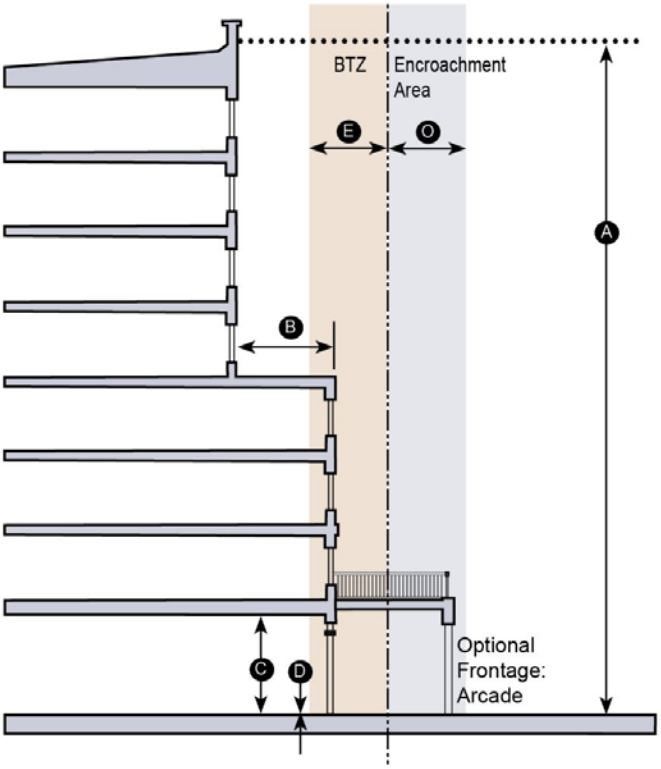
Example of townhouses with stepped private yards

1. Overview

The MU-3 General district is intended to accommodate a diverse range of uses and building types in order to reinforce the pattern of historic residential development and to encourage revitalization and investment into commercial, industrial, and civic development. Greater flexibility is offered in setbacks and building placement to accommodate existing structures and to transition surrounding, primarily residential, neighborhoods

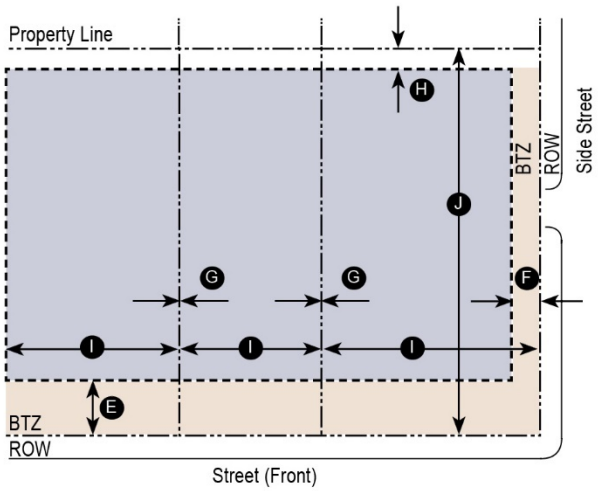


Example of traditional mixed-use urban



Key

Property Line
Build-to Zone (BTZ)
Buildable Area
Encroachment Area



Key

Property Line
Buildable Area
Setback Line
Build-to-Zone

2. Building Form

Heights		
Maximum Building Height[1]	None	A
Building Height Stepback[2]	After 4th story or 40'	B
Minimum Ground Floor Elevation (floor to floor)	12' (commercial) 9' (residential)	C
Minimum Ground Finish Floor (above sidewalk or finished grade)	0' (commercial) 0' (residential)	D

Notes:

[1] Basements and attics shall not count as a story.

[2] The Building Height Stepback shall be a minimum of 20 feet in depth measuring from the primary facade to the exterior wall of the setback.

4. Related Provisions

Title	Reference
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping, and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management

3. Building Placement

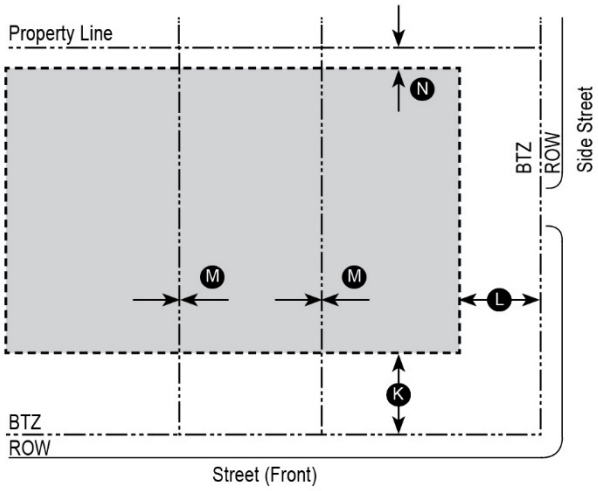
Setbacks		
Minimum / Maximum Front Build-to Zone[1]	0' / 25'	E
Minimum / Maximum Side Street Build-to-Zone	0' / 10'	F
Minimum Side Setback	0'	G
Minimum Rear Setback[2]	0'	H
Frontage Build-out		
Minimum Front Street Frontage	60%	I
Minimum Side Street Frontage	30%	J
Block Standards		
Maximum Block Perimeter	2,000 linear feet	-
Minimum Lot Width[3]	25'	I
Minimum Lot Depth	30'	J
Minimum Lot Area	None	-
Maximum Lot Coverage	100%	-

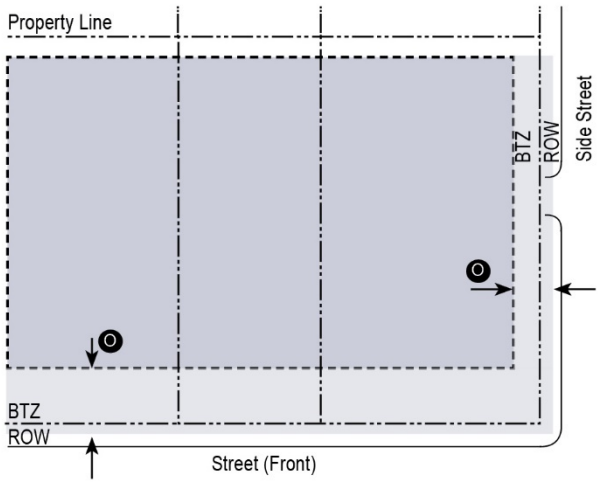
Notes:

[1] Where existing adjacent buildings are outside of the regulated front build-to zone, the building may be set to align with the front building facade of the most immediately adjacent property in accordance with Section 39.02.023, *Specific Allowances*.

[2] If adjacent to a residential district, minimum rear setback is 5'.

[3] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.





Key

Property Line
Parking Area
Setback Line

Key

Property Line
Buildable Area
Setback Line
Encroachment Area

5. Parking Location

Minimum Front Setback	30'	**K**
Minimum Side Street Setback	30'	**L**
Minimum Side Setback	0'	**M**
Minimum Rear Setback (lot)	5'	
Minimum Rear Setback (alley)	0'	**N**
Minimum Rear Setback (street)	30'	

Notes:

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.

6. Allowed Encroachments

Frontage Types	Forecourt, Porch, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	**O**
Other	Pedestrian streetlights, projecting wall signs, outdoor dining, planters	

Notes:

A. Frontage Types may encroach forward of the build-to zone and/or into the right-of-way, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.



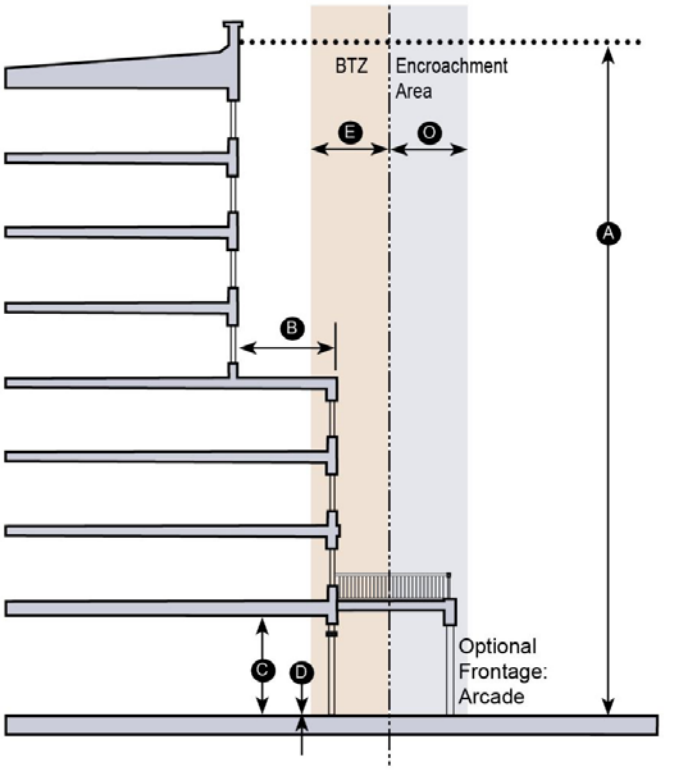
Example of restaurant with outdoor dining in MU-4 Depot district


Example of commercial storefronts in MU-4 Depot district

1. Overview

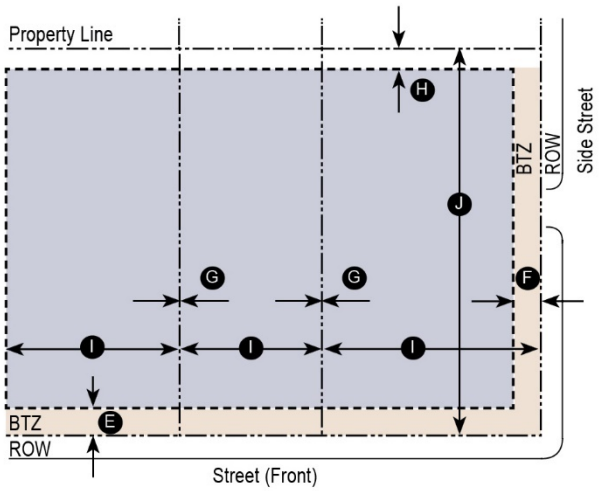
The MU-4 Depot district is a unique and diverse area of downtown Lubbock which primarily serves as an entertainment district with art galleries as well as artisan or micromanufacturing. Priority is placed on optimizing the physical characteristics of the built environment for increased walkability and a vibrant center building upon the historic character of Lubbock's neighborhood main streets. To maximize vibrancy and walkability, this district permits an intensity and mix of uses that are already in existence along Buddy Holly Avenue. This district supports the small-scale fine-grained character of the historic neighborhoods with a mix of attached and detached mixed-use buildings on small lots. Buildings are close to the sidewalk and off-street parking is screened from public spaces.


Example of outdoor dining and farmers' market in MU-4 Depot district



Key

Property Line
Build-to Zone (BTZ)
Buildable Area
Encroachment Area



Key

Property Line
Buildable Area
Setback Line
Build-to-Zone

2. Building Form

Heights		
Maximum Building Height[1]	None	**A**
Building Height Stepback[2]	After 4th story or 40'	**B**
Minimum Ground Floor Elevation (floor to floor)	12' (commercial) 9' (residential)	**C**
Minimum Ground Finish Floor (above sidewalk or finished grade)	0' (commercial) 0' (residential)	**D**

Notes:

[1] Basements and attics shall not count as a story.

[2] The Building Height Stepback shall be a minimum of 20 feet in depth measuring from the primary facade to the exterior wall of the setback.

4. Related Provisions

Title	Reference
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping, and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management

3. Building Placement

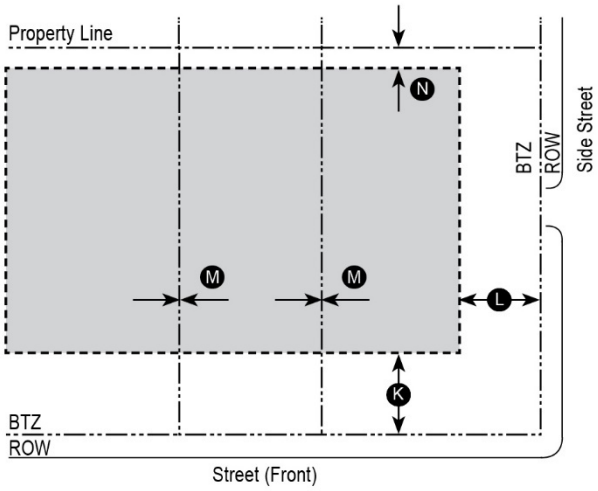
Setbacks		
Minimum / Maximum Front Build-to Zone[1]	0' / 10'	**E**
Minimum / Maximum Side Street Build-to-Zone	0' / 10'	**F**
Minimum Side Setback	0'	**G**
Minimum Rear Setback[2]	0'	**H**
Frontage Build-out		
Minimum Front Street Frontage	60%	**I**
Minimum Side Street Frontage	30%	**J**
Block Standards		
Maximum Block Perimeter	2,000 linear feet	-
Minimum Lot Width[3]	25'	**I**
Minimum Lot Depth	30'	**J**
Minimum Lot Area	None	-
Maximum Lot Coverage	100%	-

Notes:

[1] Where existing adjacent buildings are outside of the regulated front build-to zone, the building may be set to align with the front building facade of the most immediately adjacent property in accordance with Section 39.02.023, *Specific Allowances*.

[2] If adjacent to a residential district, minimum rear setback is 5'.

[3] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.



Key

Property Line — Setback Line

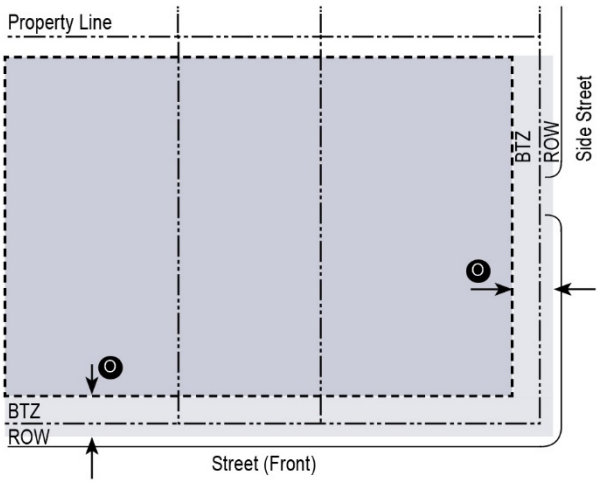
Parking Area

5. Parking Location

Minimum Front Setback	30'	**K**
Minimum Side Street Setback	30'	**L**
Minimum Side Setback	0'	**M**
Minimum Rear Setback (lot)	5'	
Minimum Rear Setback (alley)	0'	**N**
Minimum Rear Setback (street)	30'	

Notes:

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.



Key

Property Line — Setback Line

Buildable Area — Encroachment Area

6. Allowed Encroachments

Frontage Types	Forecourt, Porch, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	**O**
Other	Pedestrian streetlights, projecting wall signs, outdoor dining, planters	

Notes:

A. Frontage Types may encroach forward of the build-to zone and/or into the right-of-way, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.



Example of local large civic complex - Lubbock Memorial Civic Center



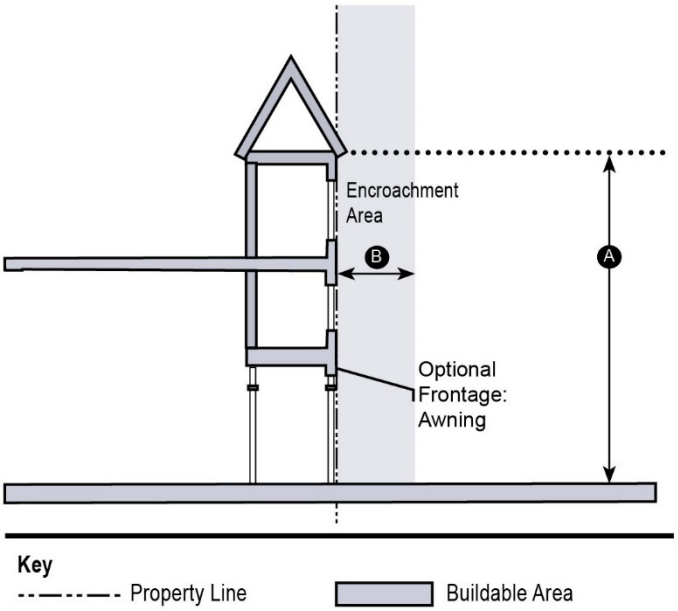
Example of local performing arts complex - Buddy Holly Hall of Performing Arts and Sciences

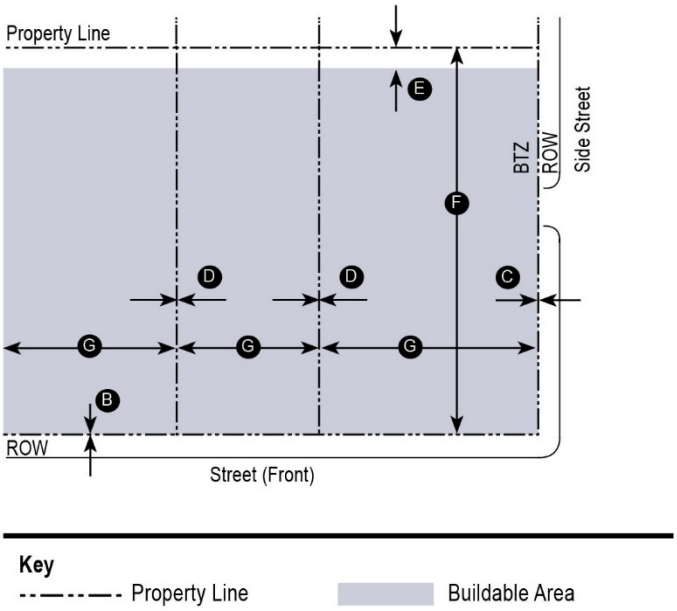
1. Overview

The MU-5 Civic Center district is the civic center for Lubbock, situated north of the urban core along Broadway Street. This district is dedicated to serving a public function and to preserving and enhancing the public well-being. This area may contain passive or active civic and institutional uses dedicated to arts, culture, education (including public and private schools and colleges), recreation, government, transit, and municipal parking. It is difficult to determine beforehand the multiplicity of potential uses that may occupy these civic spaces over time. Therefore, greater design flexibility shall be given to these sites. This zone supports large scale developments such as performing arts and civic complexes. The design and construction of civic buildings shall reflect the importance of these buildings within the community and with their function as landmarks in mind. Civic buildings may include but are not limited to, municipal buildings, religious facilities, libraries, schools, recreation facilities, and places of assembly.



Example of two-story building keeping with neighboring building heights but with a tall tower to show landmark prominence


Encroachment
Area
B
A
Optional
Frontage:
Awning
Key
Property Line
Buildable Area


Property Line
E
BTZ
ROW
Side Street
F
D
D
C
G
G
G
B
ROW
Street (Front)
Key
Property Line
Buildable Area

2. Building Form		
Heights		
Maximum Building Height	None	**A**

4. Related Provisions	
Title	**Reference**
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management

3. Building Placement[4]		
Setbacks		
Minimum Setback[1]	0'	B
Minimum Side Street Setback	0'	**C**
Minimum Side Setback	0'	**D**
Minimum Rear Setback[2]	0'	**E**
Frontage Build-out		
Minimum Side Street Frontage	40%	**F**
Minimum Front Street Frontage	30%	**G**
Block Standards		
Maximum Block Perimeter	None	-
Minimum Lot Width[3]	None	**F**
Minimum Lot Depth	None	**G**
Minimum Lot Area	None	-
Maximum Lot Coverage	100%	-

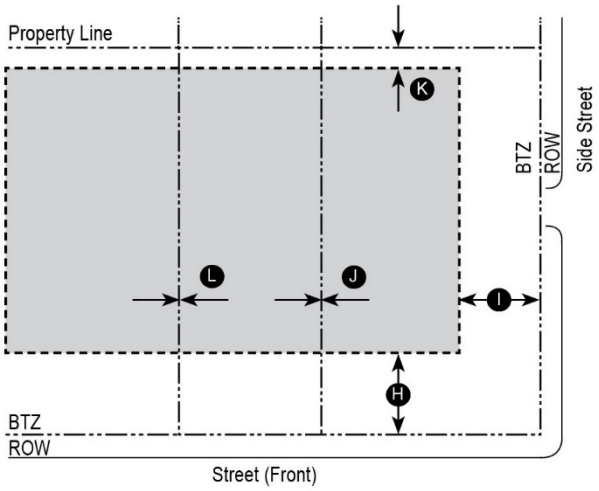
Notes:

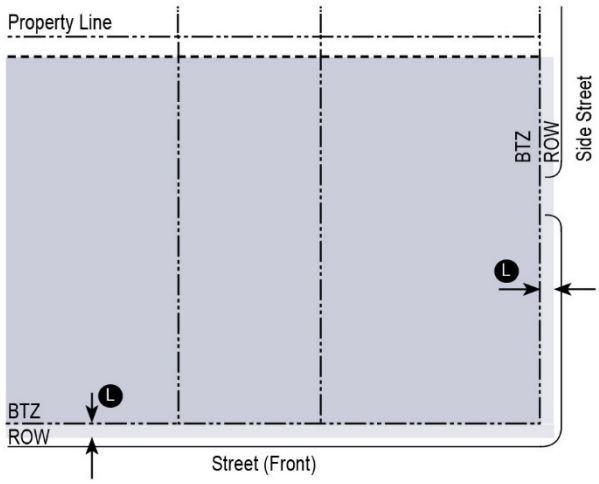
[1] Where existing adjacent buildings are outside of the regulated front build-to zone, the building may be set to align with the front building facade of the most immediately adjacent property in accordance with Section 39.02.023, *Specific Allowances*.

[2] If adjacent to a residential district, minimum rear setback is 5'.

[3] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross-block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.

[4] Civic Buildings shall be sited in locations of particular geometric importance, such as anchoring a major Civic Open Space or terminating a street vista. Flexibility in building placement allows Civic Buildings to be distinguished from surrounding residential and commercial buildings and to be prominent landmarks in the community.





Key

Property Line
Setback Line
Parking Area

Key

Property Line
Buildable Area
Encroachment Area

5. Parking Location

Minimum Front Setback	30'	**H**
Minimum Side Street Setback	30'	**I**
Minimum Side Setback	0'	**J**
Minimum Rear Setback (lot)	5'	
Minimum Rear Setback (alley)	0'	**K**
Minimum Rear Setback (street)	30'	

Notes:

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.

6. Allowed Encroachments

Frontage Types	Forecourt, Stoop, Shopfront, Gallery, Arcade, Awning, Canopy, Marquee	**L**
Other	Pedestrian streetlights, projecting wall signs, outdoor dining, planters	

Notes:

A. Frontage Types may encroach forward of the build-to zone and/or into the right-of-way, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.

Subsection 39.02.005.g Arts (MU-6)



Existing conditions with art galleries in MU-6 Arts District



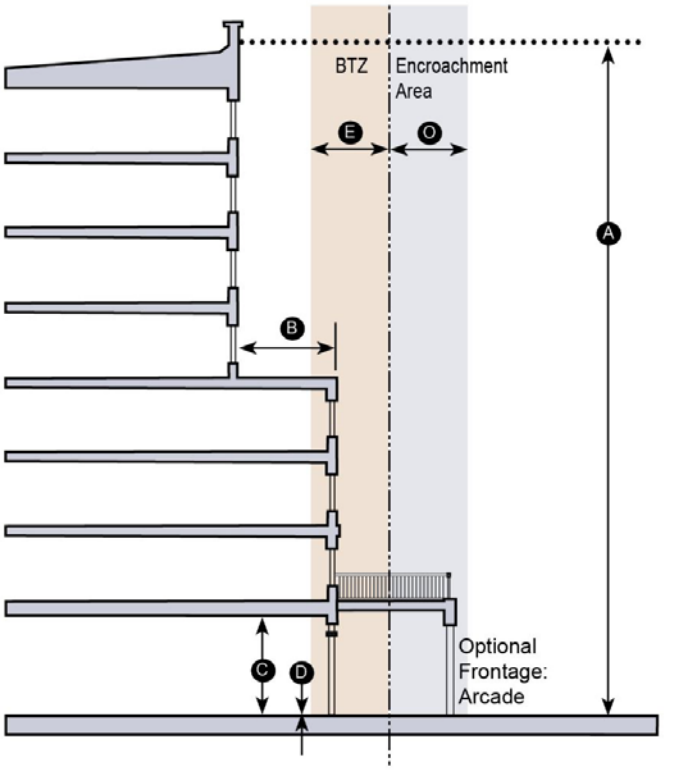
Existing conditions of MU-6 Arts district

1. Overview

The MU-6 Arts district is a unique and diverse area of downtown Lubbock which primarily serves as an arts district with galleries as well as artisan or micromanufacturing. Priority is placed on optimizing the physical characteristics of the built environment for increased walkability and a vibrant center. To maximize vibrancy and walkability, this district permits an intensity and mix of uses. This zone supports the small-scale fine-grained character of the historic neighborhoods with a mix of attached and detached mixed-use buildings on small lots, as well as large-scale civic complexes such as Louise Hopkins Underwood Center for the Arts. Buildings shall be close to the sidewalk and off-street parking is screened from public spaces.

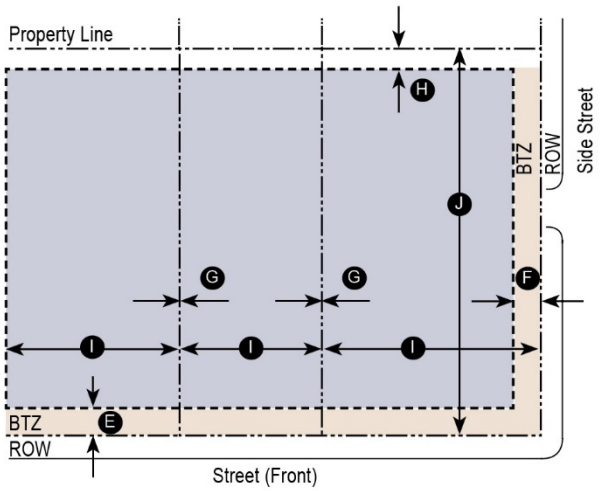


Examples of art gallery and functions in a historic warehouse district



Key

Property Line
Build-to Zone (BTZ)
Buildable Area
Encroachment Area



Key

Property Line
Buildable Area
Setback Line
Build-to-Zone

2. Building Form

Heights		
Maximum Building Height	None	A
Building Height Stepback[2]	After 4th story or 40'	B
Minimum Ground Floor Elevation (floor to floor)	14' (commercial) 9' (residential)	C
Minimum Ground Finish Floor (above sidewalk or finished grade)	0' (commercial) 0' (residential)	D

Notes:

[1] Basements and attics shall not count as a story.

[2] The Building Height Stepback shall be a minimum of 20 feet in depth measuring from the primary facade to the exterior wall of the setback.

3. Building Placement

Setbacks		
Minimum / Maximum Front Build-to-Zone[1]	0' / 10'	E
Minimum / Maximum Side Street Build-to-Zone	0' / 10'	F
Minimum Side Setback	0'	G
Minimum Rear Setback[2]	0'	H
Frontage Build-out		
Minimum Front Street Frontage	60%	I
Minimum Side Street Frontage	30%	J
Block Standards		
Maximum Block Perimeter	2,000 linear feet	-
Minimum Lot Width[3]	25'	I
Minimum Lot Depth	30'	J
Minimum Lot Area	None	-
Maximum Lot Coverage	100%	-

Notes:

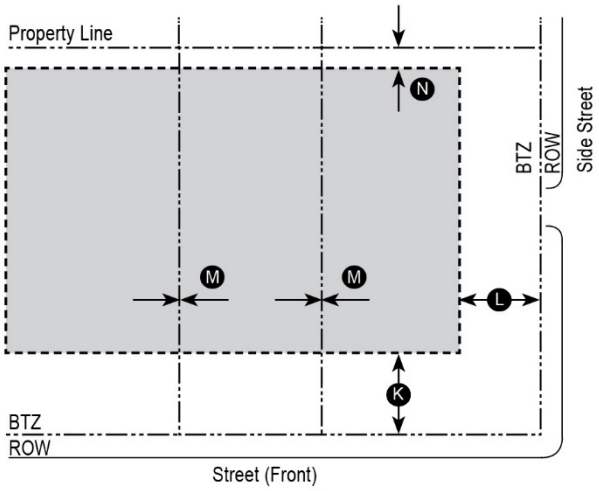
[1] Where existing adjacent buildings are outside of the regulated front build-to zone, the building may be set to align with the front building facade of the most immediately adjacent property in accordance with Section 39.02.023, *Specific Allowances*.

[2] If adjacent to a residential district, minimum rear setback is 5'.

[3] Any new lot that exceeds 750~~600~~ feet in length along the block face and whose depth fully extends from one street to another shall have a cross block passage or paseo. See Table 39.02.005.a-1, *Public Open Space Standards*, for paseo standards. This requirement shall apply to new development of the lot and shall not apply to building expansions, paved area expansions, or renovation of an existing building.

4. Related Provisions

Title	Reference
Article 39.02	Zoning Districts and Land Uses
- Division 2.4	- Land Use Standards
- Division 2.5	- Measurements and Allowances
Article 39.03	Building and Site Design
- Division 3.2	- Building Types and Design
- Division 3.3	- Parking, Loading, Stacking, and Access
- Division 3.4	- Trees, Landscaping, and Buffering
- Division 3.5	- Signs
- Division 3.6	- Outdoor Lighting
Article 39.04	Subdivision Standards
Article 39.05	Environmental Management



Key

Property Line — Setback Line

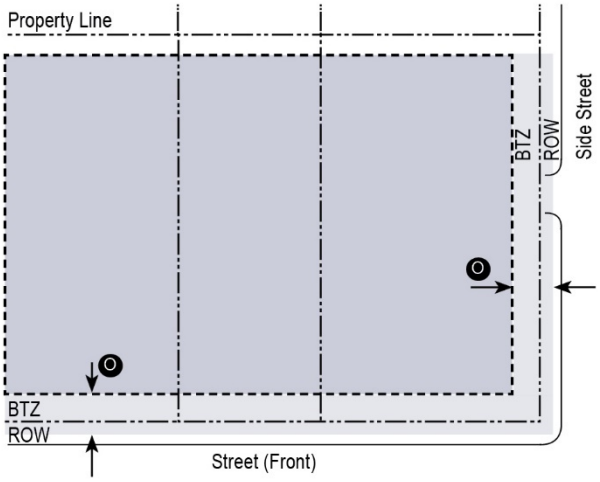
Parking Area

5. Parking Location

Minimum Front Setback	30'	**K**
Minimum Side Street Setback	30'	**L**
Minimum Side Setback	0'	**M**
Minimum Rear Setback (lot)	5'	
Minimum Rear Setback (alley)	0'	**N**
Minimum Rear Setback (street)	30'	

Notes:

A. For regulations concerning number of parking spaces, see Division 3.3, *Parking, Loading, Stacking, and Access*.



Key

Property Line — Setback Line

Buildable Area — Encroachment Area

6. Allowed Encroachments

Frontage Types	Forecourt, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	**O**
Other	Pedestrian streetlights, projecting wall signs, outdoor dining, planters	**O**

Notes:

A. Frontage Types may encroach forward of the build-to zone and/or into the right-of-way, barring any additional restrictions by the public entity that has control over the public right-of-way.

B. See Section 39.03.006, *Mixed-Use Frontage Types*, for frontage type requirements.

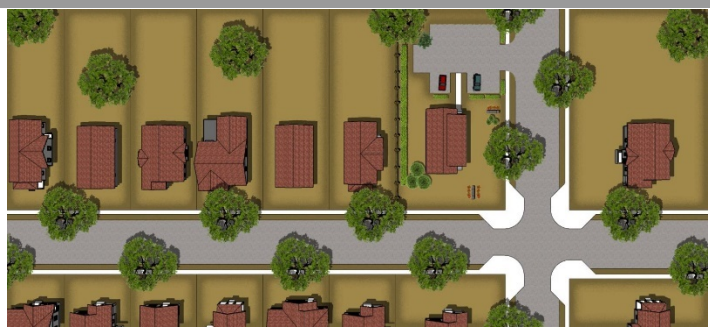
Subsection 39.02.006.a Neighborhood Commercial (NC)

1. **Purpose.** The purpose of this zoning district is to provide for small-scale retail and moderate density residential uses located away from major intersections (nodes), with building and site design standards that are compatible and have adjacent residential uses. Figure 39.02.006.a-1, *NC Examples*, provides a visual example of this district.

Figure 39.02.006.a-1
NC Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.a-1, *NC Permitted Uses,* shows the uses and use categories permitted in the NC district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.a-1 and Table 39.02.016-1, Permitted *Uses by District*, the latter shall control.

Table 39.02.006.a-1
NC Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Community Garden	L	39.02.018.b
Residential			
Single-Family	Short-Term Rental	L	39.02.018.c
Multiple-Family	Retirement Housing	L	39.02.018.c
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile Structured Parking (Primary Use)	L	39.02.018.d
Civic and Institutional			
Civic and Institutional Uses	Adult Care Center	P	
	Cemetery / Funeral Services	L	39.02.018.e
	Child Care, Day Care Center	L	39.02.018.e
	Club or Lodge	L	39.02.018.e

Table 39.02.006.a-1 NC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	L	39.02.018.e
	Library, Museum, or Gallery	P	--
	Medical and Diagnostic Laboratories	L	39.02.018.e
	Medical Office / Clinic	P	--
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	S	39.02.018.f
	Building Materials and Hardware Sales	L	39.02.018.f
	Fuel Sales	L	39.02.018.f
	Grocery (Food Sales)	L	39.02.018.f
	Home Furnishing Store	L	39.02.018.f
	Office, General	P	--
	Personal Service	P	--
	Repair Service	P	--
	Restaurant	P	--
	Retail Sales	P	--
	Self-storage, mini-warehouse	L	39.02.018.f
	Smoke Shop or Tobacco Store	S	39.02.019
	Studio (Arts, Crafts, or Recording)	L	39.02.018.f
	Veterinary Clinic and/or Service, Small Animal	L	39.02.018.f
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	S	39.02.018.h
	Commercial Amusement, Outdoor	P	--
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	P	--
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	L	39.02.020.d
	Community Garden	L	39.02.020.d
	~~Billboard~~	~~L~~	~~39.03.023~~

Table 39.02.006.a-1 NC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	L	39.02.020.d
	Outdoor Display of Merchandise	L	39.02.020.d
	Outdoor Storage	L	39.02.020.d
	Storm Shelter	P	--

3. **Lot Density and Dimensions.** All developments in the NC district shall be in accordance with Table 39.02.006.a-2, *NC Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.a-2, NC Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	6,000
Minimum Lot Width (feet)	60
Maximum Building Height (feet)	35
Minimum Front Setback (feet)	10
Minimum Side Setback (feet) (Adjacent to residential use/adjacent to nonresidential use or mixed-use)	15/0
Minimum Side Street Setback (feet)	10
Minimum Rear Setback (feet) (Adjacent to residential use/adjacent to nonresidential use or mixed-use)	20/10
Minimum Landscape Surface Ratio (% of site)	10

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.a-3, *NC Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.a-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.a-3 NC Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Agricultural Uses		
Community Garden	--	--
Residential Uses		
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Retirement Housing	0.75 per DU	--
Automobile Service Uses		

Table 39.02.006.a-3
NC Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Automobile Structured Parking (Primary Use)	--	--
Civic and Institutional Uses		
Adult Care Center	1 per 200 sq. ft. GFA	♦
Cemetery / Funeral Services	--	--
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Fuel Sales	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Home Furnishing Store	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Office, General	1 per 300 sq. ft. GFA	♦
Personal Service	1 per 300 sq. ft. GFA	♦
Repair Service	1 per 400 sq. ft. GFA	♦
Restaurant	1 per 100 sq. ft. GFA	♦

Table 39.02.006.a-3 NC Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Smoke Shop or Tobacco Store	1 per 300 sq. ft. GFA	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Entertainment Recreation Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Community Garden	--	
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--
Outdoor Display of Merchandise	1 per 1,000 sq. ft.	--
Outdoor Storage	1 per 2,000 sq. ft.	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.a-4, *NC Required Landscaping Types Summary*, provides general planting requirements in the NC district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, Screening, and Buffering*. In case of a conflict between Table 39.02.006.a-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.a-4 NC Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	Development Landscaping				Bufferyards
	Street Yard Trees	Foundation Plantings	Parking Lot Landscaping	Site Landscaping	
Residential, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦

6. **Signs.** Table 39.02.006.a-5, *NC Permitted Sign Types*, denotes sign types permitted in the NC district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.a-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.a-5 NC Permitted Sign Types		
P = Permitted | -- = Not Permitted		
Sign Type	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.b Office (OF)

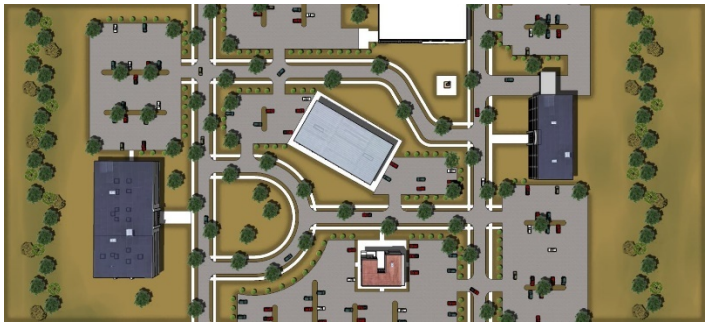
1. **Purpose.** The purpose of this zoning district is to provide for development of centers for professional employment. The district can be used as a transition between more intense uses and residential uses with site and building

compatibility required with adjacent residential uses. Figure 39.02.006.b-1, *OF Examples*, provides a visual example of this district.

Figure 39.02.006.b-1
OF Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.b-1, *OF Permitted Uses,* shows the uses and use categories permitted in the OF district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.b-1 and Table 39.02.016-1, Permitted *Uses by District*, the latter shall control.

Table 39.02.006.b-1
OF Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Residential			
Multiple-Family	Retirement Housing	L	39.02.018.c
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile Structured Parking (Primary Use)	L	39.02.018.d
	Automobile Parking Lot (Primary Use)	P	--
Civic and Institutional			
Civic and Institutional Uses	Cemetery / Funeral Services	P	39.02.018.e
	Child Care, Day Care Center	L	39.02.018.e
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Medical and Diagnostic Laboratories	L	39.02.018.e
	Medical Office / Clinic	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	L	39.02.018.f

Table 39.02.006.b-1 OF Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Office, General	P	--
Industrial			
Industrial and Manufacturing Uses	Micromanufacturing	L	39.02.018.g
Entertainment and Recreation			
Entertainment and Recreation Uses	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	L	39.02.018.i
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	L	39.02.020.d
	~~Billboard~~	~~L~~	~~39.03.023~~
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	L	39.02.020.d
	Helipad (Hospital/Public Safety)	P	--
	Storm Shelter	P	--

3. **Lot Density and Dimensions.** All developments in the OF district shall be in accordance with Table 39.02.006.b-2, *OF Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.b-2 OF Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	--
Minimum Lot Width (feet)	100
Maximum Building Height (feet)	45
Minimum Front Setback (feet) (With Parking in Front of Building / With Parking at Rear of Building)	40 / 25
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	20 / 5
Minimum Side Street Setback (feet)	30
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	20 / 10
Minimum Landscape Surface Ratio (% of site)	10

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.b-3, *OF Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.b-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.b-3 OF Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Residential Uses		
Retirement Housing	0.75 per DU	--
Automobile Uses		
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Civic and Institutional Uses		
Cemetery / Funeral Services	--	--
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Office, General	1 per 300 sq. ft. GFA	♦
Industrial Uses		
Micromanufacturing	1 per 1,000 sq. ft. GFA	--
Entertainment and Recreation Uses		
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--

Table 39.02.006.b-3 OF Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum ♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Helipad (Hospital/Public Safety)	--	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.b-4, *OF Required Landscaping Types Summary*, provides general planting requirements in the OF district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.b-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.b-4 OF Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
Residential, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦

6. **Signs.** Table 39.02.006.b-5, *OF Permitted Sign Types*, denotes sign types permitted in the OF district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.b-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.b-5 OF Permitted Sign Types		
P = Permitted | -- = Not Permitted		
Sign Type	**Multi-Family and Nonresidential Uses**	**Standards**
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;

ii. Division 3.3, *Parking, Loading, Stacking, and Access*;

iii. Division 3.4, *Trees, Landscaping, and Buffering*;

iv. Division 3.5, *Signs*; and

v. Division 3.6, *Outdoor Lighting*.

C. Article 39.04, *Subdivision Standards*; and

D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.c Auto-Urban Commercial (AC)

1. **Purpose.** The purpose of this zoning district is to provide for a broad range of single-use and multi-tenant centers that vary in scale, and that provide for retail, service, and office uses typically with on-site surface parking. The district may be located along major thoroughfares or at nodes with increased intensity. Figure 39.02.006.c-1, *AC Examples*, provides a visual example of this district.

Figure 39.02.006.c-1
AC Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.c-1, *AC Permitted Uses,* shows the uses and use categories permitted in the AC district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.c-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.006.c-1
AC Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Greenhouse / Nursery	P	--
Residential			
Single-Family	Short-Term Rental	L	39.02.018.c
Multiple-Family	Retirement Housing	L	39.02.018.c
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			

Table 39.02.006.c-1 AC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Automobile and Related Uses	Automobile and Vehicle Wash	P	--
	Automobile Structured Parking (Primary Use)	P	--
	Automobile Parking Lot (Primary Use)	P	--
	Automobile / Vehicle Parts and/or Accessories Sales	P	--
	Automobile / Vehicle Sales and Rental	P	--
	Automobile / Vehicle Repair and Auto Body	L	39.02.018.d
	Automobile / Vehicle Service	P	--
Civic and Institutional			
Civic and Institutional Uses	Adult Care Center	P	--
	Cemetery / Funeral Services	P	--
	Child Care, Day Care Center	P	--
	Club or Lodge	P	--
	Educational Services (excluding transportation-related instruction)	P	--
	Educational Services (transportation-related instruction)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	P	--
	Library, Museum, or Gallery	P	--
	Medical and Diagnostic Laboratories	P	--
	Medical Office / Clinic	P	--
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	S	39.02.019
	Building Materials and Hardware Sales	P	--
	Fuel Sales	P	--
	Grocery (Food Sales)	L	39.02.018.f
	Home Furnishing Store	P	--
	Hotel or Motel	P	--
	Kennel	P	--
	Manufactured Home Sales and Storage	P	--
	Office, General	P	--
	Pawn Shop	P	--
	Personal Service	P	--
	Repair Service	P	--
	Restaurant	P	--
	Retail Sales	P	--
	Self-storage, mini-warehouse	L	39.02.018.f
	Smoke Shop or Tobacco Store	S	39.02.019
	Studio (Arts, Crafts, or Recording)	P	--

Table 39.02.006.c-1 AC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Veterinary Clinic and/or Service, Small Animal	P	--
Industrial and Manufacturing			
Industrial and Manufacturing Uses	Micromanufacturing	L	39.02.018.g
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	L	39.02.018.h
	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	P	--
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	P	--
	~~Billboard~~	~~L~~	~~39.03.023~~
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	L	39.02.020.d
	Helipad (Hospital/Public Safety)	P	--
	Outdoor Display of Merchandise	L	39.02.020.d
	Outdoor Storage	L	39.02.020.d
	Storm Shelter	P	--
	Vehicle Charging Station	P	--

3. **Lot Density and Dimensions.** All developments in the AC district shall be in accordance with Table 39.02.006.c-2, *AC Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.c-2 AC Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	--
Minimum Lot Width (feet)	100
Minimum Front Setback (feet)	40
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	15 / 5
Minimum Side Street Setback (feet)	10
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	20 / 10

Table 39.02.006.c-2 AC Lot Intensity and Dimensions	
Standards	
Minimum Landscape Surface Ratio (% of site)	10

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.c-3, *AC Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.c-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.c-3
AC Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural Uses		
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Residential Uses		
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Retirement Housing	0.75 per DU	--
Automobile Uses		
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Automobile / Vehicle Parts and/or Accessories Sales	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	♦
Civic and Institutional Uses		
Adult Care Center	1 per 200 sq. ft. GFA	♦
Cemetery / Funeral Services	--	--
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	♦
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
Educational Services (including transportation-related instruction), except for school	1 per 500 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦

Table 39.02.006.c-3
AC Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Fuel Sales	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Home Furnishing Store	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Kennel	1 per 500 sq. ft. GFA	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	♦
Manufactured Home Sales and Storage	1 per 500 sq. ft. GFA of sales office	♦
Office, General	1 per 300 sq. ft. GFA	♦
Pawn Shop	1 per 300 sq. ft. GFA	♦
Personal Service	1 per 300 sq. ft. GFA	♦
Repair Service	1 per 400 sq. ft. GFA	♦
Restaurant	1 per 100 sq. ft. GFA	♦
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Smoke Shop or Tobacco Store	1 per 300 sq. ft. GFA	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Industrial and Manufacturing		
Micromanufacturing	1 per 1,000 sq. ft. GFA	♦

Table 39.02.006.c-3 AC Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Entertainment and Recreation Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Commercial Amusement, Indoor	1 per 250 sq. ft. GFA	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--
Helipad (Hospital/Public Safety)	--	--
Outdoor Display of Merchandise	1 per 1,000 sq. ft.	--
Outdoor Storage	1 per 2,000 sq. ft.	--
Vehicle Charging Station	--	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.c-4, *AC Required Landscaping Types Summary*, provides general planting requirements in the AC district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.c-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.c-4 AC Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required **Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping***					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
Residential, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦

6. **Signs.** Table 39.02.006.c-5, *AC Permitted Sign Types*, denotes sign types permitted in the AC district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.c-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.c-5 AC Permitted Sign Types		
P = Permitted | -- = Not Permitted		
Sign Type	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.d Heavy Commercial (HC)

1. **Purpose.** The purpose of this zoning district is to provide for development of heavy vehicle repair, wholesale trade, and warehousing and freight movement uses that typically are characterized by outside storage of materials or merchandise. The district should be located away from residential areas or, if unavoidable, should be heavily buffered. Figure 39.02.006.d-1, *HC Examples*, provides a visual example of this district.

Figure 39.02.006.d-1
HC Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.d-1, *HC Permitted Uses,* shows the uses and use categories permitted in the HC district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.d-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.006.d-1
HC Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Farming, Landscaping, and Horticultural Sales and Services	P	--
	Greenhouse / Nursery	P	--
Residential			
Single-Family	Short-Term Rental	L	39.02.018.c
Multiple-Family	Retirement Housing	P	--
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile and Vehicle Wash	P	--
	Automobile Structured Parking (Primary Use)	P	--
	Automobile Parking Lot (Primary Use)	P	--
	Automobile / Vehicle Parts and/or Accessories Sales	P	--
	Automobile / Vehicle Sales and Rental	P	--
	Automobile / Vehicle Repair and Auto Body	P	--
	Automobile / Vehicle Service	P	--
	Travel Plaza	P	--

Table 39.02.006.d-1 HC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Civic and Institutional			
Civic and Institutional Uses	Adult Care Center	P	--
	Cemetery / Funeral Services	P	--
	Child Care, Day Care Center	P	--
	Club or Lodge	P	--
	Educational Services (excluding transportation-related instruction)	P	--
	Educational Services (transportation-related instruction)	P	--
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	P	--
	Library, Museum, or Gallery	P	--
	Medical and Diagnostic Laboratories	P	--
	Medical Office / Clinic	P	--
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	L	39.02.018.f
	Building Materials and Hardware Sales	P	--
	Fuel Sales	P	--
	Grocery (Food Sales)	L	39.02.018.f
	Heavy Machinery Sales and Rentals	p	
	Home Furnishing Store	P	--
	Hotel or Motel	P	--
	Kennel	P	--
	Manufactured Home Sales and Storage	P	--
	Office, General	P	--
	Pawn Shop	P	--
	Personal Service	P	--
	Recreational Vehicle Parks and Campgrounds	L	39.02.018.f
	Repair Service	P	--
	Restaurant	P	--
	Retail Sales	P	--
	Self-storage, mini-warehouse	L	39.02.018.f
	Smoke Shop or Tobacco Store	S	39.02.019
	Studio (Arts, Crafts, or Recording)	P	--
	Veterinary Clinic and/or Service, Large Animal	P	--
	Veterinary Clinic and/or Service, Small Animal	P	--
Industrial and Manufacturing Uses			
Industrial and Manufacturing Uses	Bakery, Wholesale	P	--
	Contractor's Shop and/or Service Yard	P	--

Table 39.02.006.d-1 HC Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Industrial and Manufacturing Product Sales and Supply	P	--
	Manufacturing, Light (includes product assembly and processing)	L	39.02.018.g
	Micromanufacturing	L	39.02.018.g
	Publishing Services	P	--
	Warehousing and Storage	L	39.02.018.g
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	L	39.02.018.h
	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Outdoor Shooting / Archery Range	S	39.02.019
	Park & Recreation Facility or Center	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	P	--
	Utilities	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	P	--
	~~Billboard~~	~~L~~	~~39.03.023~~
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	P	--
	Helipad (Hospital/Public Safety)	P	--
	Outdoor Display of Merchandise	L	39.02.020.d
	Outdoor Storage	L	39.02.020.d
	Storm Shelter	P	--
	Vehicle Charging Station	P	--

3. **Lot Density and Dimensions.** All developments in the HC district shall be in accordance with Table 39.02.006.d-2, *HC Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.d-2 HC Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	10,000
Minimum Lot Width (feet)	100
Minimum Front Setback (feet)	40

Table 39.02.006.d-2 HC Lot Intensity and Dimensions	
Standards	
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	30 / 0
Minimum Side Street Setback (feet)	10
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	50 / 0
Minimum Landscape Surface Ratio (% of site)	10

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.d-3, *HC Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.d-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.d-3 HC Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Agricultural Uses		
Farming, Landscaping, and Horticultural Sales and Services	1 per 500 sq. ft. GFA	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Residential Uses		
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Retirement Housing	0.75 per DU	--
Automobile Uses		
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Automobile / Vehicle Parts and/or Accessories Sales	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	♦
Travel Plaza	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Civic and Institutional Uses		
Adult Care Center	1 per 200 sq. ft. GFA	♦
Cemetery / Funeral Services	--	--
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	♦
Club or Lodge	1 per 200 sq. ft. GFA	♦
Correctional Institution	1 per 1,000 sq. ft. GFA	♦

Table 39.02.006.d-3
HC Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
Educational Services (including transportation-related instruction), except for school	1 per 500 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Fuel Sales	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Heavy Machinery Sales and Rentals	1 per 1,000 sq. ft. GFA	♦
Home Furnishing Store	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	♦
Kennel	1 per 500 sq. ft. GFA	♦
Manufactured Home Sales and Storage	1 per 500 sq. ft. GFA of sales office	♦
Office, General	1 per 300 sq. ft. GFA	♦
Pawn Shop	1 per 300 sq. ft. GFA	♦
Personal Service	1 per 300 sq. ft. GFA	♦
Recreational Vehicle Parks and Campgrounds	1 per 4 recreational vehicles or camping spaces	--

Table 39.02.006.d-3
HC Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Repair Service	1 per 400 sq. ft. GFA	♦
Restaurant	1 per 100 sq. ft. GFA	♦
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Smoke Shop or Tobacco Store	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Large Animal	1 per 1,000 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Industrial and Manufacturing Uses		
Bakery, Wholesale	1 per 1,000 sq. ft. GFA	♦
Contractor's Shop and/or Service Yard	1 per 1,000 sq. ft. GFA	♦
Industrial and Manufacturing Product Sales and Supply	1 per 1,000 sq. ft. GFA	♦
Manufacturing, Light (includes product assembly and processing)	1 per 1,000 sq. ft. GFA	♦
Micromanufacturing	1 per 1,000 sq. ft. GFA	♦
Publishing Services	1 per 1,000 sq. ft. GFA	♦
Warehousing and Storage	1 per 4,000 sq. ft. GFA	♦
Entertainment and Recreation Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Commercial Amusement, Indoor	1 per 250 sq. ft. GFA	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Outdoor Shooting / Archery Range	4 spaces + 1 additional space per shooting lane	--
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Utilities	--	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--
Helipad (Hospital/Public Safety)	--	--
Outdoor Display of Merchandise	1 per 1,000 sq. ft.	--
Outdoor Storage	1 per 2,000 sq. ft.	--
Vehicle Charging Station	--	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.d-4, *HC Required Landscaping Types Summary*, provides general planting requirements in the HC district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.d-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.d-4
HC Required Landscaping Types Summary

♦ = Required landscaping type | -- = Landscape type not required
Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*

Zoning Districts and Land Uses	Development Landscaping				Bufferyards
	Street Yard Trees	Foundation Plantings	Parking Lot Landscaping	Site Landscaping	
Residential, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦

6. **Signs.** Table 39.02.006.d-5, *HC Permitted Sign Types*, denotes sign types permitted in the HC district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.d-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.d-5
HC Permitted Sign Types

P = Permitted | -- = Not Permitted

Sign Type	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.e Industrial Park (IP)

1. **Purpose.** The purpose of this zoning district is to provide for low-impact manufacturing, wholesaling, warehousing, and distribution activities that occur within enclosed buildings, typically within industrial park settings. Figure 39.02.006.e-1, IP Examples, provides a visual example of this district.

Figure 39.02.006.e-1
IP Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.e-1, *IP Permitted Uses,* shows the uses and use categories permitted in the IP district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.e-1 and Table 39.02.016-1, *Permitted Uses by District*, the latter shall control.

Table 39.02.006.e-1
IP Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Agricultural Uses			
Agricultural			
Agricultural Uses	Farming, Landscaping, and Horticultural Sales and Services	P	--
	Winery	P	--
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile and Vehicle Wash	P	--
	Automobile Structured Parking (Primary Use)	P	--
	Automobile Parking Lot (Primary Use)	P	--
	Automobile / Vehicle Parts and/or Accessories Sales	P	--
	Automobile / Vehicle Sales and Rental	P	--
	Automobile / Vehicle Repair and Auto Body	P	--
	Automobile / Vehicle Service	P	--
	Travel Plaza	P	--
	Truck Parking Lot (Primary Use)	P	--
Civic and Institutional			

Table 39.02.006.e-1 IP Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Civic and Institutional Uses	Cemetery / Funeral Services	P	--
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Educational Services (transportation-related instruction)	P	--
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	P	--
	Medical and Diagnostic Laboratories	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	L	39.02.018.f
	Building Materials and Hardware Sales	P	--
	Fuel Sales	P	--
	Heavy Machinery Sales and Rentals	P	--
	Hotel or Motel	P	--
	Manufactured Home Sales and Storage	P	--
	Office, General	P	--
	Pawn Shop	P	--
	Self-storage, mini-warehouse	L	39.02.018.f
	Studio (Arts, Crafts, or Recording)	P	--
	Veterinary Clinic and/or Service, Large Animal	P	--
	Veterinary Clinic and/or Service, Small Animal	P	--
Industrial and Manufacturing			
Industrial and Manufacturing Uses	Bakery, Wholesale	P	--
	Contractor's Shop and/or Service Yard	P	--
	Industrial and Manufacturing Product Sales and Supply	P	--
	Manufacturing, Light (includes product assembly and processing)	L	39.02.018.g
	Meat packing and Related Industries	L	39.02.018.g
	Micromanufacturing	L	39.02.018.g
	Publishing Services	P	--
	Warehousing and Storage	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	P	--
	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Outdoor Shooting / Archery Range	S	39.02.019
	Park & Recreation Facility or Center	P	--

Table 39.02.006.e-1 IP Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Cargo Terminal	P	--
	Passenger Terminal	P	--
	Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	P	--
	Utilities	P	--
	Water and Sewage Treatment	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	P	--
	~~Billboard~~	~~L~~	~~39.03.023~~
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Drive-In or Drive-Through Facility	P	--
	Helipad (Hospital/Public Safety)	P	--
	Storm Shelter	P	--

3. **Lot Density and Dimensions.** All developments in the IP district shall be in accordance with Table 39.02.006.e-2, *IP Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.e-2 IP Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width (feet)	200
Minimum Front Setback (feet)	50
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	100/50
Minimum Side Street Setback (feet)	20
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	100/50
Minimum Landscape Surface Ratio (% of site)	15

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.e-3, *IP Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.e-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.e-3
IP Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural		
Farming, Landscaping, and Horticultural Sales and Services	1 per 500 sq. ft. GFA	--
Winery	1 per 1,000 sq. ft. GFA	--
Automobile Uses		
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Automobile / Vehicle Parts and/or Accessories Sales	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	♦
Travel Plaza	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Truck Parking Lot (Primary Use)	--	--
Civic and Institutional Uses		
Cemetery / Funeral Services	--	--
Correctional Institution	1 per 1,000 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
Educational Services (including transportation-related instruction), except for school	1 per 500 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Heavy Machinery Sales and Rentals	1 per 1,000 sq. ft. GFA	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	♦
Manufactured Home Sales or Storage	1 per 500 sq. ft. GFA of sales office	♦
Office, General	1 per 300 sq. ft. GFA	♦

Table 39.02.006.e-3
IP Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Pawn Shop	1 per 300 sq. ft. GFA	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Large Animal	1 per 1,000 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Industrial and Manufacturing Uses		
Bakery, Wholesale	1 per 1,000 sq. ft. GFA	♦
Contractor's Shop and/or Service Yard	1 per 1,000 sq. ft. GFA	♦
Industrial and Manufacturing Product Sales and Supply	1 per 1,000 sq. ft. GFA	♦
Manufacturing, Light (includes product assembly and processing)	1 per 1,000 sq. ft. GFA	♦
Meat Packing and Related Industries	1 per 1,000 sq. ft. GFA	♦
Micromanufacturing	1 per 1,000 sq. ft. GFA	♦
Publishing Services	1 per 1,000 sq. ft. GFA	♦
Warehousing and Storage	1 per 4,000 sq. ft. GFA	♦
Entertainment and Recreation Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Commercial Amusement, Indoor	1 per 250 sq. ft. GFA	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Outdoor Shooting / Archery Range	4 spaces + 1 additional space per shooting lane	--
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	--
Transportation, Utility, and Communication Uses		
Cargo Terminal	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--
Passenger Terminal	1 per 500 sq. ft.	--
Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--
Utilities	--	--
Water and Sewage Treatment	1 per 1,000 sq. ft.	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Drive-In or Drive-Through Facility	--	--
Helipad (Hospital/Public Safety)	--	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.e-4, *IP Required Landscaping Types Summary*, provides general planting requirements in the IP district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.e-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.e-4
IP Required Landscaping Types Summary

♦ = Required landscaping type | -- = Landscape type not required
Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*

Zoning Districts and Land Uses	Development Landscaping				Bufferyards
	Street Yard Trees	Foundation Plantings	Parking Lot Landscaping	Site Landscaping	
Residential, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦

6. **Signs.** Table 39.02.006.e-5, *IP Permitted Sign Types*, denotes sign types permitted in the IP district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.e-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.e-5
IP Permitted Sign Types

P = Permitted | -- = Not Permitted

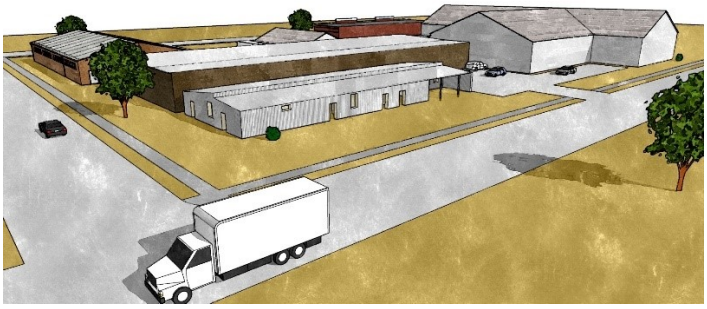
Sign Type	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.f Light Industrial (LI)

1. **Purpose.** The purpose of this zoning district is to provide for industrial uses (non-retail) that are less intensive than what can be accommodated into General Industrial and that may include office, warehousing, distribution, and light assembly of parts, materials, and equipment, with operations conducted primarily indoors without the creation of smoke, gas, odor, dust, soot, or other noxious elements. Figure 39.02.006.f-1, LI Examples, provides a visual example of this district.

Figure 39.02.006.f-1
LI Examples



Street View



Development Pattern

2. **Land Uses.** Table 39.02.006.f-1, *LI Permitted Uses,* shows the uses and use categories permitted in the LI district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.f-1 and Table 39.02.016-1, Permitted *Uses by District*, the latter shall control.

Table 39.02.006.f-1
LI Permitted Uses

Use Legend: P = Permitted | L = Limited | S = Specific

Use Category	Land Use	Use Permission	Use-Specific Standards
Residential Uses (including Agriculture)			
Agricultural			
Agricultural Uses	Farming, Landscaping, and Horticultural Sales and Services	P	--
	Greenhouse / Nursery	L	39.02.018.b
	Winery	P	--
Residential			
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile and Vehicle Wash	P	--
	Automobile Structured Parking (Primary Use)	P	--
	Automobile Parking Lot (Primary Use)	P	--
	Automobile / Vehicle Parts and/or Accessories Sales	P	--
	Automobile / Vehicle Sales and Rental	P	--
	Automobile / Vehicle Repair and Auto Body	P	--
	Automobile / Vehicle Service	P	--
	Travel Plaza	P	--

Table 39.02.006.f-1 LI Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Truck Parking Lot (Primary Use)	P	--
Civic and Institutional			
Civic and Institutional Uses	Cemetery / Funeral Services	P	--
	Correctional Institution	S	39.02.019
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Educational Services (transportation-related instruction)	P	--
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Hospital / Rehabilitative Care	P	--
	Library, Museum, or Gallery	P	--
	Medical and Diagnostic Laboratories	P	--
	Medical Office / Clinic	P	--
	Place of Public Assembly, Indoor	P	--
Commercial			
Commercial Uses	Bank, Credit Union, and Financial Services	P	--
	Brewpub, Microbrewery, Microdistillery, or Microwinery	L	39.02.018.f
	Building Materials and Hardware Sales	P	--
	Fuel Sales	P	--
	Grocery (Food Sales)	P	--
	Heavy Machinery Sales and Rentals	P	--
	Home Furnishing Store	P	--
	Hotel or Motel	P	--
	Kennel	P	--
	Manufactured Home Sales and Storage	P	--
	Office, General	P	--
	Pawn Shop	P	--
	Personal Service	P	--
	Recreational Vehicle Parks and Campgrounds	L	39.02.018.f
	Repair Service	P	--
	Restaurant	P	--
	Retail Sales	P	--
	Self-storage, mini-warehouse	P	--
	Studio (Arts, Crafts, or Recording)	P	--
	Veterinary Clinic and/or Service, Large Animal	P	--
	Veterinary Clinic and/or Service, Small Animal	P	--
Industrial and Manufacturing			
Industrial and Manufacturing Uses	Bakery, Wholesale	P	--
	Batch Plant	S	39.02.019
	Contractor's Shop and/or Service Yard	P	--

Table 39.02.006.f-1 LI Permitted Uses			
Use Legend: P = Permitted | L = Limited | S = Specific			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Industrial and Manufacturing Product Sales and Supply	P	--
	Manufacturing, Light (includes product assembly and processing)	L	39.02.018.g
	Micromanufacturing	L	39.02.018.g
	Publishing Services	P	--
	Warehousing and Storage	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	P	--
	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Outdoor Shooting / Archery Range	S	39.02.019
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Passenger Terminal	P	--
	Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	P	--
	Utilities	P	--
	Water and Sewage Treatment	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	P	--
	Billboard	~~L~~S	39.03.023.l
	Donation Bin / Recycling Collection, Drop-Off	L	39.02.020.d
	Helipad (Hospital/Public Safety)	P	--
	Outdoor Display of Merchandise	L	39.02.020.d
	Outdoor Storage	P	--
	Storm Shelter	P	--

3. **Lot Density and Dimensions.** All developments in the LI district shall be in accordance with Table 39.02.006.f-2, *LI Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.f-2 LI Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width (feet)	140
Minimum Front Setback (feet)	40

Table 39.02.006.f-2 LI Lot Intensity and Dimensions	
Standards	
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	100/20
Minimum Side Street Setback (feet)	40
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	100/20
Minimum Landscape Surface Ratio (% of site)	10

4. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.f-3, *LI Off-Street Parking and Loading Schedule.* Associated minimum off-street parking spaces apply to all subdivision types. See Division 3.3, *Parking, Loading, Stacking, and Access*, for more detailed provisions. In case of a conflict between Table 39.02.006.f-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.f-3 LI Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Residential Uses (Including Agriculture)		
Agricultural		
Farming, Landscaping, and Horticultural Sales and Services	--	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Winery	1 per 1,000 sq. ft. GFA	--
Residential		
Short-Term Rental	1 space (in addition to spaces required for residential use)	--
Nonresidential Uses		
Automobile Service Uses		
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Automobile / Vehicle Parts and/or Accessories Sales	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	♦
Travel Plaza	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Truck Parking Lot (Primary Use)	--	--
Civic and Institutional Uses		
Cemetery / Funeral Services	--	--
Correctional Institution	1 per 1,000 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦

Table 39.02.006.f-3
LI Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Educational Services (including transportation-related instruction), except for school	1 per 500 sq. ft. GFA	--
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Hospital / Rehabilitative Care	1 per 2 beds	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	♦
Place of Public Assembly, Indoor, except for religious institution	1 per 200 sq. ft. GFA	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	♦
Commercial Uses		
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	♦
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Fuel Sales	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Heavy Machinery Sales and Rentals	1 per 1,000 sq. ft. GFA	♦
Home Furnishing Store	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	♦
Kennel	1 per 500 sq. ft. GFA	♦
Manufactured Home Sales and Storage	1 per 500 sq. ft. GFA of sales office	♦
Office, General	1 per 300 sq. ft. GFA	♦
Pawn Shop	1 per 300 sq. ft. GFA	♦
Personal Service	1 per 300 sq. ft. GFA	♦
Recreational Vehicle Parks and Campgrounds	1 per 4 recreational vehicles or camping spaces	♦
Repair Service	1 per 400 sq. ft. GFA	♦
Restaurant	1 per 100 sq. ft. GFA	♦

Table 39.02.006.f-3
LI Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Large Animal	1 per 1,000 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Industrial and Manufacturing Uses		
Bakery, Wholesale	1 per 1,000 sq. ft. GFA	♦
Batch Plant	1 per 1,000 sq. ft. GFA	♦
Contractor's Shop and/or Service Yard	1 per 1,000 sq. ft. GFA	♦
Industrial and Manufacturing Product Sales and Supply	1 per 1,000 sq. ft. GFA	♦
Manufacturing, Light (includes product assembly and processing)	1 per 1,000 sq. ft. GFA	♦
Micromanufacturing	1 per 1,000 sq. ft. GFA	♦
Publishing Services	1 per 1,000 sq. ft. GFA	♦
Warehousing and Storage	1 per 4,000 sq. ft. GFA	♦
Entertainment and Recreation Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Commercial Amusement, Indoor	1 per 250 sq. ft. GFA	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Outdoor Shooting / Archery Range	4 spaces + 1 additional space per shooting lane	--
Transportation, Utility, and Communication Uses		
Passenger Terminal	1 per 500 sq. ft.	--
Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--
Utilities	--	--
Water and Sewage Treatment	1 per 1,000 sq. ft.	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Billboard	--	--
Donation Bin / Recycling Collection, Drop-Off	--	-
Helipad (Hospital/Public Safety)	--	--
Outdoor Display of Merchandise	--	--
Outdoor Storage	--	--

5. **Landscaping and Bufferyard Requirements.** Table 39.02.006.f-4, *LI Required Landscaping Types Summary*, provides general planting requirements in the LI district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.f-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.f-4
LI Required Landscaping Types Summary

♦ = Required landscaping type | -- = Landscape type not required
Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*

Zoning Districts and Land Uses	Development Landscaping				Bufferyards
	Street Yard Trees	Foundation Plantings	Parking Lot Landscaping	Site Landscaping	
Residential, Nonresidential, and Mixed Uses	--	--	♦	♦	♦

6. **Signs.** Table 39.02.006.f-5, *LI Permitted Sign Types*, denotes sign types permitted in the LI district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.f-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.f-5
LI Permitted Sign Types

P = Permitted | -- = Not Permitted

Sign Type	Agricultural, Multi-Family, and Nonresidential Uses	Standards
Monument	P	Div. 3.5
Canopy	P	
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

7. **Related Provisions**.
   A. Article 39.02, *Zoning Districts and Land Uses*:
      i. Division 2.4, *Land Use Standards*; and
      ii. Division 2.5, *Measurements and Allowances*.
   B. Article 39.03, *Building and Site Design:*
      i. Division 3.2, *Building Types and Design*;
      ii. Division 3.3, *Parking, Loading, Stacking, and Access*;
      iii. Division 3.4, *Trees, Landscaping, and Buffering*;
      iv. Division 3.5, *Signs*; and
      v. Division 3.6, *Outdoor Lighting*.
   C. Article 39.04, *Subdivision Standards*; and
   D. Article 39.05, *Environmental Management*.

Subsection 39.02.006.g General Industrial (GI)

a. **Purpose.** The purpose of this zoning district is to provide for more intensive industrial uses (non-retail) that are ideally located away from residential areas and that may include manufacturing of raw materials, fabrication, assembly, and warehousing with both indoor and outdoor storage, and may have heavy truck and/or rail traffic. Figure 39.02.006.g-1, *GI Examples*, provides a visual example of this district.

Figure 39.02.006.g-1
GI Examples



Street View



Development Pattern

b. **Land Uses.** Table 39.02.006.g-1, *GI Permitted Uses*, shows the uses and use categories permitted in the GI district. Uses not listed in this table are prohibited unless the Director of Planning interprets a use as functionally the same, as described in Section 39.02.017, *New and Unlisted Uses*. In case of a conflict between Table 39.02.006.g-1 and Table 39.02.016-1, Permitted *Uses by District*, the latter shall control.

Table 39.02.006.g-1
GI Permitted Uses

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Use Permission	Use-Specific Standards
Agricultural Uses			
Agricultural			
Agricultural Uses	Farming, Landscaping, and Horticultural Sales and Services	P	--
	Greenhouse / Nursery	L	39.02.018.b
	Winery	P	--
Residential Accessory Uses	Storm Shelter	P	--
Nonresidential Uses			
Automobile			
Automobile and Related Uses	Automobile and Vehicle Wash	P	--
	Automobile Structured Parking (Primary Use)	P	--
	Automobile Parking Lot (Primary Use)	P	--
	Automobile / Vehicle Parts and/or Accessories Sales	P	--
	Automobile / Vehicle Sales and Rental	P	--
	Automobile / Vehicle Repair and Auto Body	P	--
	Automobile / Vehicle Service	P	--
	Travel Plaza	P	--
	Truck Parking Lot (Primary Use)	P	--
Civic and Institutional			

Table 39.02.006.g-1 GI Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
Civic and Institutional Uses	Cemetery / Funeral Services	P	--
	Correctional Institution	S	39.02.019
	Educational Services (excluding transportation-related instruction)	L	39.02.018.e
	Educational Services (transportation-related instruction only)	L	39.02.018.e
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	--
	Medical and Diagnostic Laboratories	P	--
Commercial			
Commercial Uses	Brewpub, Microbrewery, Microdistillery, or Microwinery	L	39.02.018.f
	Building Materials and Hardware Sales	P	--
	Fuel Sales	P	--
	Heavy Machinery Sales and Rentals	P	--
	Hotel or Motel	P	--
	Manufactured Home Sales or Storage	P	--
	Office, General	P	--
	Pawn Shop	P	--
	Self-storage, mini-warehouse	P	--
	Sexually-Oriented Business	S	39.02.019
	Studio (Arts, Crafts, or Recording)	P	--
	Veterinary Clinic and/or Service, Large Animal	P	--
	Veterinary Clinic and/or Service, Small Animal	P	--
Entertainment and Recreation			
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	P	--
	Automobile / Motorcycle Race Track	S	39.02.019
	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Outdoor Shooting / Archery Range	S	39.02.019
Industrial and Manufacturing			
Industrial and Manufacturing Uses	Bakery, Wholesale	P	--
	Batch Plant	S	39.02.019
	Contractor's Shop and/or Service Yard	P	--
	Industrial and Manufacturing Product Sales and Supply	P	--
	Junkyard, Salvage Yard, and Wrecking Yard	S	39.02.019
	Manufacturing, Heavy (includes handling of explosive and/or foul materials)	L	39.02.018.g
	Manufacturing, Light (includes product assembly and processing)	L	39.02.018.g
	Meat Packing and Related Industries	L	39.02.018.g

Table 39.02.006.g-1 GI Permitted Uses			
P = Permitted | L = Limited | S = Specific | "--" Prohibited			
Use Category	**Land Use**	**Use Permission**	**Use-Specific Standards**
	Publishing Services	P	--
	Resource Extraction	S	39.02.019
	Stockyard	S	39.02.019
	Taxidermy Shop	S	39.02.019
	Warehousing and Storage	P	--
Transportation, Utility, and Communication			
Transportation, Utility, and Communication Uses	Cargo Terminal	P	--
	Landfill	S	39.02.019
	Passenger Terminal	P	--
	Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	P	--
	Utilities	P	--
	Water and Sewage Treatment	P	--
	Water Storage	P	--
	Wireless Telecommunications Tower	L	39.02.018.i
Nonresidential Accessory Uses			
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	P	--
	Billboard	~~L~~S	39.03.023
	Donation Bin / Recycling Collection, Drop-Off	P	--
	Helipad (Hospital/Public Safety)	P	--
	Outdoor Storage	P	--
	Storm Shelter	P	--

c. **Lot Density and Dimensions.** All developments in the GI district shall be in accordance with Table 39.02.006.g, GI *Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures.

Table 39.02.006.g-2 GI Lot Intensity and Dimensions	
Standards	
Minimum Lot Area (acres)	3
Minimum Lot Width (feet)	200
Maximum Building Height (feet)	140
Minimum Front Setback (feet)	50
Minimum Side Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	150 / 50
Minimum Side Street Setback (feet)	50
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use or Mixed-Use)	150 / 50
Minimum Landscape Surface Ratio (% of site)	10

d. **Off-Street Parking.** Except as otherwise provided in this UDC, the number of spaces in a required parking facility shall comply with the requirements in Table 39.02.006.g-3, *GI Off-Street Parking and Loading Schedule*. See Division 3.3, *Parking, Loading, Stacking, and Access,* for more detailed provisions. In case of a conflict between Table 39.02.006.g-3 and Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, the latter shall control.

Table 39.02.006.g-3
GI Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Agricultural		
Farming, Landscaping, and Horticultural Sales and Services	1 per 500 sq. ft. GFA	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--
Winery	1 per 1,000 sq. ft. GFA	--
Automobile Uses		
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--
Automobile Structured Parking (Primary Use)	--	--
Automobile Parking Lot (Primary Use)	--	--
Automobile / Vehicle Parts and/or Accessories Sales	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	♦
Travel Plaza	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Truck Parking Lot (Primary Use)	--	--
Civic and Institutional Uses		
Cemetery / Funeral Services	--	--
Correctional Institution	1 per 1,000 sq. ft. GFA	♦
Club or Lodge	1 per 200 sq. ft. GFA	♦
Educational Services (excluding transportation-related instruction), except for school	1 per 400 sq. ft. GFA	♦
Educational Services (transportation-related instruction only), except for school	1 per 500 sq. ft. GFA	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	♦
Commercial Uses		
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	♦

Table 39.02.006.g-3
GI Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Loading
Fuel Sales	1 space per 200 sq. ft. retail Floor Area, excluding fueling positions	♦
Heavy Machinery Sales and Rentals	1 per 1,000 sq. ft. GFA	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	♦
Manufactured Home Sales and Storage	1 per 500 sq. ft. GFA of sales office	♦
Office, General	1 per 300 sq. ft. GFA	♦
Pawn Shop	1 per 300 sq. ft. GFA	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--
Sexually-Oriented Business	1 per 500 sq. ft. GFA	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Large Animal	1 per 1,000 sq. ft. GFA	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	♦
Entertainment and Recreational Uses		
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	♦
Automobile / Motorcycle Race Track	1 per 4 persons based on maximum occupancy	--
Commercial Amusement, Indoor	1 per 250 sq. ft.	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	♦
Outdoor Shooting / Archery Range	4 spaces + 1 additional space per shooting lane	--
Industrial and Manufacturing Uses		
Bakery, Wholesale	1 per 1,000 sq. ft. GFA	♦
Batch Plant	1 per 1,000 sq. ft. GFA	♦
Contractor's Shop and/or Service Yard	1 per 1,000 sq. ft. GFA	♦
Industrial and Manufacturing Product Sales and Supply	1 per 1,000 sq. ft. GFA	♦
Junkyard, Salvage Yard, and Wrecking Yard	1 per 1,000 sq. ft. GFA	♦
Manufacturing, Heavy (includes handling of explosive and/or foul materials)	1 per 4,000 sq. ft. GFA	♦
Manufacturing, Light (includes product assembly and processing)	1 per 1,000 sq. ft. GFA	♦
Meat Packing and Related Industries	1 per 1,000 sq. ft. GFA	♦
Publishing Services	1 per 1,000 sq. ft. GFA	♦
Resource Extraction	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	♦
Stockyard	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	♦
Taxidermy Shop	1 per 1,000 sq. ft. GFA	♦
Warehousing and Storage	1 per 4,000 sq. ft. GFA	♦
Transportation, Utility, and Communication Uses		
Cargo Terminal	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--

Table 39.02.006.g-3 GI Off-Street Parking and Loading Schedule		
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum **♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities***		
Use Category	**Number of Required Parking Spaces**	**Required Loading**
Landfill	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--
Passenger Terminal	1 per 500 sq. ft.	--
Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--
Utilities	--	--
Water and Sewage Treatment	1 per 1,000 sq. ft.	--
Water Storage	--	--
Wireless Telecommunications Tower	--	--
Nonresidential Accessory Uses		
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--
Billboard	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--
Helipad (Hospital/Public Safety)	--	--
Outdoor Storage	1 per 2,000 sq. ft.	--

e. **Landscaping and Bufferyard Requirements.** Table 39.02.006.g-4, *GI Required Landscaping Types Summary*, provides general planting requirements in the GI district. For more details and specific standards, refer to Division 3.4, *Trees, Landscaping, and Buffering*. In case of a conflict between Table 39.02.006.g-4 and the provisions of Division 3.4, *Trees, Landscaping, and Buffering*, the latter shall control.

Table 39.02.006.g-4 GI Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required **Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping***					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
LI and GI District	--	--	♦	♦	♦

f. **Signs.** Table 39.02.006.g-5, *GI Permitted Sign Types*, denotes sign types permitted in the GI district. For more details and specific standards, refer to Division 3.5, *Signs*. Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.006.g-5 and the provisions of Division 3.5, *Signs*, the latter shall control.

Table 39.02.006.g-5 GI Permitted Sign Types		
P = Permitted | -- = Not Permitted		
Sign Type	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Monument	P	Div. 3.5
Canopy	P	

Table 39.02.006.g-5 GI Permitted Sign Types		
P = Permitted | -- = Not Permitted		
Sign Type	**Agricultural, Multi-Family, and Nonresidential Uses**	**Standards**
Wall	P	
Mural	P	
Pole	P	
Projecting (Blade)	P	

g. **Related Provisions**.

A. Article 39.02, *Zoning Districts and Land Uses*:

i. Division 2.4, *Land Use Standards*; and

ii. Division 2.5, *Measurements and Allowances*.

B. Article 39.03, *Building and Site Design:*

i. Division 3.2, *Building Types and Design*;

ii. Division 3.3, *Parking, Loading, Stacking, and Access*;

iii. Division 3.4, *Trees, Landscaping, and Buffering*;

iv. Division 3.5, *Signs*; and

v. Division 3.6, *Outdoor Lighting*.

C. Article 39.04, *Subdivision Standards*; and

D. Article 39.05, *Environmental Management*.

Section 39.02.007 [Reserved]

Division 2.3 Overlay Districts

Section 39.02.008 Airport Overlay (AO)

[Reserved]

Section 39.02.009 Historic Preservation Overlay (HPO)

a. **Purpose**. In addition to the purpose of this district established in Section 39.02.003, *Zoning District Establishment*, the purposes of the Historic Preservation Overlay (HPO) district are to:

1. *History*. Protect, enhance, and perpetuate historic landmarks and areas that represent or reflect distinctive and important elements of the City's and State's architecture, landscape architecture, archeology, culture, social, economic, ethnic, and political history, and to develop appropriate settings for such places;
2. *Heritage.* Safeguard the City's historic and cultural heritage, as embodied and reflected in such historic landmarks by appropriate regulations;
3. *Property Values.* Stabilize and improve property values in such locations;
4. *Civic Pride.* Foster civic pride in the beauty and accomplishments of the past;
5. *Tourism.* Protect and enhance the City's attractions to tourists and visitors and provide incidental support and stimulus to business and industry;
6. *Economy.* Strengthen the economy of the City;
7. *Utilization of Districts.* Promote the use of historic landmarks and historic preservation districts for the culture, prosperity, education, and general welfare of the citizens and visitors to the City;
8. *Education.* Provide educational opportunities to increase public appreciation of the City's unique heritage.

b. **Applicability.** The regulations of this Section apply to historic landmarks and all properties or structures wholly or partially contained within an HPO district.

c. **Zoning Designation.** The HPO district is applied to property in conjunction with a base zoning district.

d. **Certificates of Appropriateness Required.**

1. *Required.* Approval in accordance with Section 39.07.035, *Certificate of Appropriateness*, is required to alter, change, restore, remove, reconstruct, or demolish any exterior architectural feature of a contributing building in an HPO district or that is designated as a historic landmark, or to construct a new building in the HPO.
2. *Exemption.* Ordinary repair or maintenance that does not involve changes in architectural and historical value, style, or general design are exempt from requiring a Certificate of Appropriateness, as determined by the Director of Planning.

e. **General Standards.**

1. *Generally.* The following standards shall apply, as applicable, to work requiring a Certificate of Appropriateness in an HPO district or for a historic landmark.
2. *Drive-In and Drive-Through Uses.* Drive-in and drive-through facilities are prohibited after the effective date of this UDC.
3. *Reuse.* Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the contributing building, structure, or site and its environment, or to use a property for its originally intended purpose.

4. *Original Character.* The distinguishing original architectural features or character of a contributing building, structure, or site and its environment shall be maintained. The removal or alteration of any historic material or distinctive architectural feature shall be avoided to the maximum extent feasible.
5. *Anachronisms.* All contributing buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historic basis or that seek to create an earlier appearance shall be discouraged.
6. *Style and Craftsmanship.* The retention of distinctive stylistic features or examples of skilled craftsmanship that characterize a contributing building, structure, or site shall be encouraged.
7. *Repair and Replacement.* Generally, deteriorated architectural features shall be repaired rather than replaced to the maximum extent practicable. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historic physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other contributing buildings or structures. See Subsection f., *Exterior Rehabilitation Standards,* below.
8. *Cleaning.* The surface cleaning of structures shall be undertaken with the gentlest effective means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken without approval from the Urban Design and Historic Preservation Commission.
9. *Archeological Resources.* Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any project.
10. *Contemporary Design.* Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material and when such design is compatible with the size, scale, color, and material character of the property, neighborhood, or environment. Wherever possible, new additions or alterations to a structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

f. **Exterior Rehabilitation Standards.** In addition to the requirements of the Secretary of the Interior's Standards for Rehabilitation in 36 CFR 67.7, the Urban Design and Historic Preservation Commission shall consider these standards when taking action on a Certificate of Appropriateness for exterior rehabilitation of a contributing building within an HPO district.

1. *Foundations.*
   A. *Doors and Windows*. The size and shape of the original door and window openings in the foundation shall be maintained.
   B. *Materials*. Any repair or new construction shall match, to the maximum extent practicable, the original materials in size, color, texture, composition, and joint profile.
   C. *Paint*. Masonry or concrete foundations shall not be painted or covered with cement plaster or stucco.
2. *Masonry.*
   A. *Color*. Any repair, restoration, or new construction shall match, to the maximum extent practicable, the color of the original masonry and mortar.
   B. *Paint*. Historic masonry shall not be painted.
   C. *Removal*. Masonry features that are essential to the historic character of a contributing building and are structurally sound shall not be removed or significantly changed.
3. *Architectural Metals.* Architectural metal features that are in a condition that may be restored shall be retained and preserved, to the maximum extent practicable.

4. *Doorways and Windows.*
   A. *Repair or Replacement*. The repair or replacement of deteriorated doorways or windows shall match, to the maximum extent practicable, the size and appearance of the original doorways and windows.
   B. *Removal*. Original doorway and window openings shall not be removed or sealed off.
5. *Storefronts.*
   A. *Materials*. Non-historic materials (e.g., siding) shall not be used to cover or conceal the original historic materials.
   B. *Design*. Storefronts shall be rehabilitated using a palette of kickplates, piers, columns, pilasters, and/or trim to frame display windows.
   C. *Transparency*. Facades at street level shall have large window openings that comprise a minimum of 50 percent of the first floor wall area if not contrary to the original design of the contributing building.
   D. *Doors and Entries*. Doors and entryways shall be designed as an integral part of the storefront system.
6. *Signs.*
   A. *Generally*. The types, sizes, and locations of signs shall comply with the standards set forth in Division 3.5, *Signs*.
   B. *Visibility*. Signs shall not obscure any architectural features on historic contributing buildings.
   C. *Billboards Prohibited.* There shall be no billboards.
7. *Awnings.* All awnings shall:
   A. *Placement.* Not obscure original architectural features, such as a transom.
   B. *Installation.* Not damage original architectural features through the installation of the awning.
   C. *Extension*. Extend no more than seven feet from the contributing building facade;
   D. *Illumination*. Only be illuminated by indirect lighting;
   E. *Color*. Be compatible with the overall color scheme of the facade from which it projects; and
   F. *Encroachment*. Not encroach to within two feet of a curb line.
8. *Fire Exits.* Fire exits shall not be installed on a front contributing building facade, unless there is no technically feasible alternative for compliance with building and fire codes.

g. **Additions Standards**. The Urban Design and Historic Preservation Commission shall consider the standards of this Section when taking action on a Certificate of Appropriateness for additions to a contributing building within an HPO district.
1. *Contributing Building Additions*. Additions shall:
   A. *Compatibility*. Be wholly compatible with, yet distinguishable from, the contributing building in terms of the building materials, color(s), and the mass and proportion of windows and doors.
   B. *Location*. Only be located on the side or rear elevations, and shall be set back from the front facade of the contributing building to maintain the original wall plane.
   C. *Scale*. Be subordinate to the contributing principal building relative to its size and scale. Locate an addition that is taller than the historic structure to the rear of the contributing building.
   D. *Mass and Form.* Utilize a simple form that does not draw attention away from the contributing building.
   E. *Connector.* Incorporate a connector, where feasible, to separate an addition from the contributing building.
   F. *Foundation and Floor Height.* Match the foundation and floor height of the contributing building.

G. *Architectural Elements.* Incorporate simplified versions of building components to differentiate the addition from the original building.

H. *Roof Form.* Design the roof pitch of the addition to be similar to that of the contributing building.

I. *Building Material.* Utilize a building material and finish that is similar, but visually subordinate, to those of the original contributing building. Refer to Table 39.02.009-1 and Table 39.02.009-2 for more information.

J. *Accessibility Additions.* Incorporate an accessibility solution that does not permanently alter the original features of the contributing building.

i. Locate the accessibility solution on the side or rear facade of the contributing building.

ii. Install the accessibility solution to avoid disturbing character-defining features.

iii. Consider a solution that can be reversed, if needed.

h. **New Construction Standards.** The Urban Design and Historic Preservation Committee shall consider the standards of this Section when taking action on a Certificate of Appropriateness for new construction within an HPO district.

1. *Building Placement.*

A. *Location.* Maintain the setback pattern established by contributing historic buildings in the HPO. Where there is a range of setbacks, locate the front wall of the building within that range.

B. *Orientation.* Maintain the traditional orientation of a new building.

C. *Site Preservation.* Locate a new building to retain the overall historic character of the site including the topography, natural features, trees, and significant views.

2. *Mass and Scale.*

A. *Building Height*. Buildings shall not exceed 115 percent or be less than 85 percent of the average height of the buildings on the two nearest developed lots or buildings on either side of the subject lot or building. A greater variation requires approval by the Urban Design and Historic Preservation Commission.

B. *Roof Lines*. Roof lines of each building shall be individually distinguishable with variations of height of no less than two feet. Roofs shall relate to the articulations of the building facades.

C. *Front Wall Width.* The front wall of the new building shall be a similar width to that of the adjacent contributing buildings to the HPO. Where the adjacent buildings are not contributing structures, the width shall be similar to that of contributing buildings in the context of the block.

3. *Building Articulation.*

A. *Wall Offsets.* Where a new building is deeper or wider than an adjacent contributing building, a wall offset at least four feet in depth shall be incorporated to reduce the overall perceived mass of the new building and to better relate to the historic context.

B. *Height Location.* Where a new building incorporates a section taller than the adjacent historic buildings, the taller portion of the building shall be located away from the neighboring historic building to reduce the looming effect.

4. *Architectural Features.*

A. *Doorways.* The front door shall be positioned to continue the rhythm of historic front doors along the street, where the rhythm is a defining feature of the block and/or HPO.

B. *Window Ratio.* The placement of windows shall be designed to reflect the solid to void ratio on contributing historic structures in the HPO.

C. *Window Depth.* Windows shall create depth and shadow on the facade.

5. *Colors.* Colors shall be reviewed for their historic context for which the following may be considered:
   A. *Bright Colors*. Facade colors shall be non-reflective and subtle. The use of primary, high intensity or fluorescent colors is prohibited, other than for the sign face.
   B. *Metallic Colors*. Except for copper and silver metallic-colored roofs, metallic colors are prohibited on any facade or roof.
6. *Permitted Materials.*
   A. *Primary Materials Established.* Table 39.02.009-1, *Primary Materials*, establishes permitted primary materials for primary facades and ancillary exterior walls.

Table 39.02.009-1,
Primary Materials

Material	Image
Brick, including thin brick	
Glass	

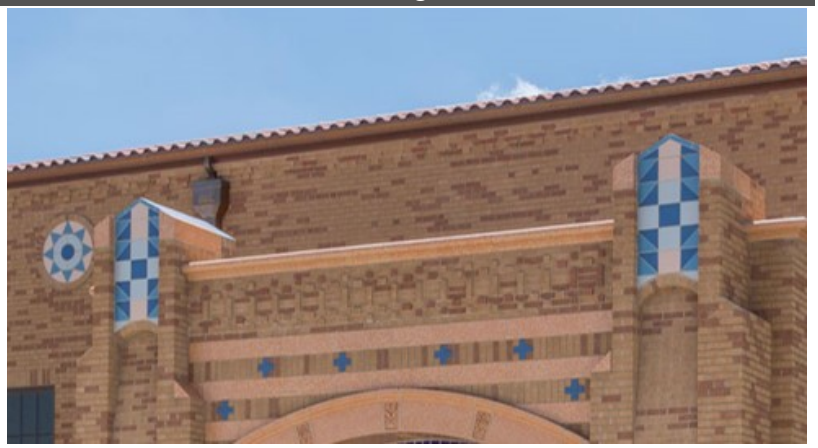
Table 39.02.009-1, Primary Materials	
Material	**Image**
Ceramic or other tile	
Stucco with a weather barrier layer and wall drainage system	
Terra cotta	

Table 39.02.009-1, Primary Materials	
Material	**Image**
Natural stone or cultured stone that simulates natural stone, limestone, granite, or marble	
Embossed or pre-finished architectural metal panel (26+ gauge), which has an appearance of masonry, stucco, or any other appearance that is approved by the Director of Planning	

B. *Secondary Materials Established*. Table 39.02.009-2, *Secondary Materials*, establishes permitted secondary materials for primary facades and ancillary exterior walls.

Table 39.02.009-2, Secondary Materials	
Material	**Image**
Architectural masonry units including split face, weathered face, sandblasted face and ground face blocks	
Stainless steel or chrome	
Smooth-faced, finished concrete masonry units	

C. *Minimum Primary Materials*. A minimum of 80 percent of the primary facade and 60 percent of the ancillary exterior walls shall be finished with primary materials.

D. *Minimum Secondary Materials*. The remaining percentages of the primary and ancillary exterior walls may be finished with secondary materials.

E. *Prohibited Materials*. The following exterior walls, siding, and cladding are prohibited:

i. Manufactured stone, and cementitious stucco.

ii. Unfired clay, sand, or shale rock;

iii. Plywood or wood fiber;

iv. Plastic siding;

v. Vinyl siding;

vi. Smooth-faced concrete block;

vii. Corrugated metal panel;

viii. Corrugated galvanized metal; and

ix. Aluminum siding or cladding.

7. *Facade Transparency.*

A. Where the Historic Preservation Overlay (HPO) district applies to a property in a Mixed-Use district, all building facades that face onto a public street (not including alleys) or public space shall meet the minimum transparency requirements outlined in Subsections i. through iv. below. The percentage of transparency per story is calculated within the area between finished floor and finished ceiling and is a total percentage of doors and windows along that portion of the facade. An example of appropriate facade transparency is shown in Figure 39.02.009-1, *Facade Transparency*.

i. Minimum building facade transparency for upper stories = 30 percent (A and B in Figure 39.02.009-1, *Facade Transparency*, below).

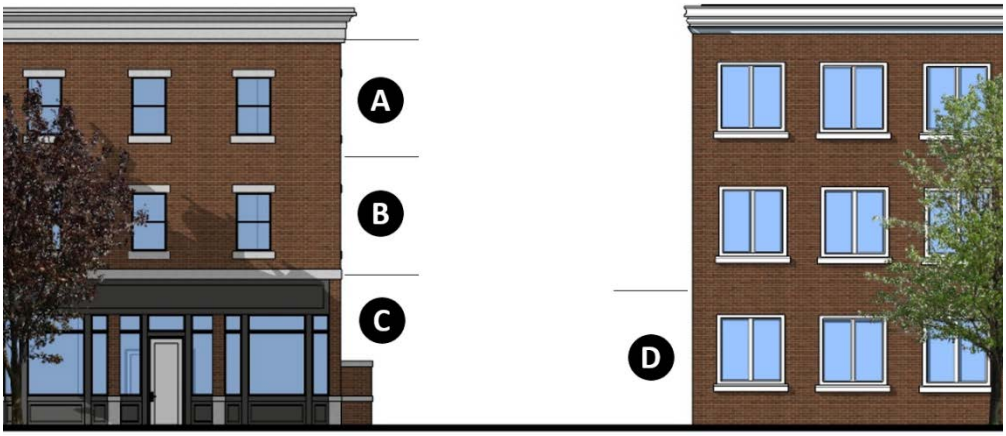
ii. Minimum building facade transparency for ground story (retail) = 60 percent (C in Figure 39.02.009-1).

iii. Minimum building facade transparency for ground story (uses other than retail) = 30 percent (D in Figure 39.02.009-1).

iv. For Shopfront frontage types, as established in Subsection 39.03.006.c, *Shopfront*, windowsills shall be located at a maximum of 30 inches above the finished grade at the building line.

B. Outside of the HPO, these requirements are optional, but encouraged.

Figure 39.02.009-1
Facade Transparency



8. *Roof Shape*.
   A. Original roof forms, profiles, and cornices shall be maintained to the maximum extent practicable.
   B. When a principal building has a roof surface with a rise of less than two inches to a run of 12 inches, and the principal use of the building is not categorized as Industrial and Manufacturing in Table 39.02.016-1, *Permitted Uses by District*, a parapet shall be constructed along each facade abutting a public street, and the design or height of the parapet shall include at least one change in setback or height of at least two feet along each 100 linear feet of a facade or part of a facade.
   C. In the MU-1 West Broadway district, pitched roofs are required, and shall be either hipped or gabled. Roofs shall have a rise of at least four inches to a run of 12 inches. Flat roofs shall be avoided unless the applicant can demonstrate that they are indicative of a particular style that is or was common in the district.
   D. In the MU-2 Broadway district, a projected cornice or other ornamentation at the top of the parapet shall be provided for the design of new buildings.
   E. Single-slope shed roofs, and mansard, vaulted, and exotic roofs such as onion domes are inappropriate, since they are styles not common to the architecture of downtown Lubbock.

a. **Applicability.** The regulations of this Section apply to all properties or structures wholly or partially contained within a Neighborhood Infill Overlay (NIO) district.

b. **Zoning Designation.** The NIO district may be applied to a single lot or a set of lots in conjunction with an SF-2 or MDR base zoning district.

c. **Permitted Uses.** In addition to the uses listed in Table 39.02.016-1, *Permitted Uses by District*, permitted in the base zoning district upon which the NIO overlay district is applied, the following uses shall be allowed by right within the NIO district:

1. *Residential Uses*. All residential uses permitted in the SF-2 or MDR base zoning districts, except manufactured home parks.
2. *Nonresidential Uses.* All nonresidential uses permitted in the HDR zoning district.

d. **Lot Density and Dimensions**.

1. *Single-Family Detached*. Lot density and dimensional requirements for single-family detached dwellings shall comply with the standards for conventional development in Subsection 39.02.004.c, *Low Density Single-Family (SF-2)*, except that the minimum lot area shall be 4,000 square feet and maximum density shall be 9.0 dwelling units per acre.
2. *Duplex*. Lot density and dimensional requirements for duplexes shall comply with Subsection 39.02.004.d, *Medium Density Residential (MDR),* except that the minimum lot area shall be 1,400 square feet per unit, the minimum common open space shall be five percent, and maximum density shall be 20.0 dwelling units per acre.
3. *All Other Residential and Mixed-Use*. Lot density and dimensional requirements for multiplexes, townhouses, live-work, and mixed-use shall comply with Subsection 39.02.004.e, *High Density Residential (HDR),* except that the minimum lot area shall be 700 square feet per unit, and the minimum common open space shall be 10 percent.
4. *Nonresidential*. For nonresidential developments, refer to Subsection 39.02.006.a, *Neighborhood Commercial (NC)*.

e. **Contextual Standards**. The requirements and allowances of Section 39.02.023.d, *Residential Infill Compatibility*, shall apply.

f. **Buffering**. Except as required in Sections 39.02.018, *Limited Use Standards*, and 39.02.019, *Specific Use Standards*, a bufferyard is not required along a street or parking area, or between base zoning districts.

g. **Parking**. The development may take advantage of the parking credits and reductions in Section 39.03.009, *Parking Ratios and Design*. Bicycle parking shall be provided in numbers required by Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, and shall comply with the standards described in Subsection 39.02.005.a.5.G, *Bicycle Parking*.

h. **Related Provisions**.

1. Article 39.02, *Zoning Districts and Land Uses;*
2. Article 39.03, *Building and Site Design*:

A. Division 3.2, *Building Types and Design*;

B. Division 3.3, *Parking, Loading, Stacking, and Access*;

C. Division 3.4, *Trees, Landscaping, and Buffering*;

D. Division 3.5, *Signs*; and

E. Division 3.6, *Outdoor Lighting*.

3. Article 39.04, *Subdivision Standards*; and
4. Article 39.05, *Environmental Management*.

i. **Procedures**. See Section 39.07.032, *Zone Change*.

Section 39.02.011 Community Infill Overlay (CIO)

a. **Applicability.** The regulations of this Section apply to all properties or structures wholly or partially contained within a Community Infill Overlay (CIO) district.

b. **Zoning Designation.** The CIO district may be applied to a single lot or a set of lots in conjunction with an HDR, NC, OF, or AC base zoning district.

c. **Permitted Uses.** In addition to the uses listed in Table 39.02.016-1, *Permitted Uses by District*, for each base zoning district within which the CIO overlay district is applied, the following uses shall be allowed by right:

1. *Residential Uses*. All residential uses permitted in the HDR, NC, OF, or AC base zoning districts, except single-family detached dwelling, duplex, or manufactured home park.
2. *Nonresidential Uses.*

A. In the NC, OF, and AC base zoning districts, all permitted nonresidential uses in Table 39.02.016-1, *Permitted Uses by District*, are permitted.

B. In the HDR base zoning district, in addition to the permitted nonresidential uses in Table 39.02.016-1, *Permitted Uses by District*, the following uses are permitted by right:

i. Adult care center;
ii. Home furnishing store;
iii. Veterinary Clinic and/or Service, Large Animal; and
iv. Veterinary Clinic and/or Service, Small Animal.

d. **Lot Density, Intensity, and Dimensions**.

1. *Residential and Mixed-Use*. Lot density and dimensional requirements for multiplexes, townhouses, live-work, and mixed-use shall comply with Subsection 39.02.004.e, *High Density Residential (HDR)*, except that the minimum lot area shall be 700 square feet per unit, and the minimum common open space shall be 10 percent.
2. *Nonresidential*. Lot intensity and dimensional requirements for nonresidential developments shall comply with Subsection 39.02.006.a, *Neighborhood Commercial (NC)*, except that the minimum lot area shall be 5,000 square feet, the minimum lot width shall be 50 feet, and the minimum landscape surface ratio shall be 10 percent.

e. **Contextual Standards**.

1. *Residential*. The requirements and allowances of Section 39.02.023.d, *Residential Infill Compatibility*, shall apply except as modified in this Subsection.
2. *Front and Side Street Setbacks.*

A. The front setback of a property in the CIO district shall be greater than or equal to the average of the front setbacks that exist on the lots that are adjacent to or on the same block face as the subject property, whichever results in a lesser required setback. For example, if lots immediately adjacent to the infill property have 14-foot and 18-foot setbacks from the front property line (an average of 16 feet) and the average for the entire block face is 15 feet, the minimum front setback for the infill property is 15 feet.

B. If the CIO property is a corner lot, the side street setback shall be greater than or equal to the average of the front setbacks that exist on the adjacent lot or of the front setbacks on the same block face as the side street of the subject property, whichever results in the more minimal required setback.

C. If a vacant lot shares a common property line with the CIO property, for purposes of computing a setback average, the setback on the vacant adjacent property shall be 85 percent of the minimum required setback for the district in which the lot is located.

3. *Height*. Any new, expanded, or reconstructed buildings, or adaptively reused buildings, shall have a height that does not exceed 115 percent of the average building heights on the two nearest developed lots on both sides of the CIO property.

A. If a CIO property is adjacent to a corner lot fronting on the same street, the average height shall include the building on the corner lot and the buildings on the nearest two developed lots on both sides of the CIO property.

B. Lots separated by a public street right-of-way may not be used in computing the average.

4. *Bufferyard*. When a new structure is proposed in this overlay district adjacent to an RE, SF-1, SF-2, or MDR district, on either side or to the rear, a Type ~~C~~A Bufferyard in accordance with Section 39.03.016, *Bufferyard Landscaping*, shall be provided. This requirement shall not apply to the reuse of an existing building.

5. *Outside Activities*. When proposed development in this overlay district is adjacent to an RE, SF-1, SF-2, or MDR district, on either side or to the rear, all business shall be conducted entirely within the building. Outside storage and/or display of any type shall be prohibited.

f. **Parking**. The development may take advantage of the parking credits and reductions in Section 39.03.009, *Parking Ratios and Design.* Bicycle parking shall be provided in numbers required by Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, and shall comply with the standards described in Subsection 39.02.005.a.5.G, *Bicycle Parking*.

g. **Related Provisions**.

1. Article 39.02, *Zoning Districts and Land Uses;*
2. Article 39.03, *Building and Site Design*:

A. Division 3.2, *Building Types and Design*;

B. Division 3.3, *Parking, Loading, Stacking, and Access*;

C. Division 3.4, *Trees, Landscaping, and Buffering*;

D. Division 3.5, *Signs*; and

E. Division 3.6, *Outdoor Lighting*.

3. Article 39.04, *Subdivision Standards*; and
4. Article 39.05, *Environmental Management*.

h. **Procedures**. See Section 39.07.032, *Zone Change*.

Section 39.02.012 Planned Unit Development District (PUD)

a. **Purpose.** In addition to the purpose of this district established in Section 39.02.003, *Zoning District Establishment*, the purposes of the Planned Unit Development District (PUD) district are:

1. *Regulatory Flexibility*. It is intended to permit regulatory flexibility to:

A. Achieve development that is in accordance with the City's Comprehensive Plan;

B. Achieve economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities;

C. Protect and preserve natural resources and natural features;

D. Encourage the creation of useful open space particularly suited to the proposed development and the parcel on which it is located; and

E. Provide appropriate development to satisfy the needs of residents of the City of Lubbock.

2. *Land Use Compatibility.* It is further intended that development permitted pursuant to this Section be laid out so that proposed uses, buildings, and site improvements relate to each other and to adjoining existing uses and to the public realm in such a way that they will be compatible, with no material adverse impact of one use on another.

3. *Redevelopment.* It is further intended that these regulations bring about reuse and/or redevelopment of sites where an orderly change of use is determined to be desirable, especially where reuse is restricted because of existing nonconformities, physical development, or the constraints of conventional zoning standards.

4. *Purpose Not Intended.* The PUD District shall not be used for the sole purpose of circumventing the zoning regulations, securing an agreement between an applicant and nearby property owners to receive zoning approval, nor to assign responsibility to the City for private deed covenants or restrictions.

b. **Applicability.**

1. *Generally.* Consideration of a proposed development pursuant to this Section may occur only if the proposed development site is at least two acres in total area where located within the area enclosed by Loop 289 and at least seven acres elsewhere.

2. *Land Area Reduction.* However, in the interest of making use of the PUD as a tool to implement the Comprehensive Plan, the City Council, upon recommendation from the Planning and Zoning Commission, may permit a 50 percent reduction in these minimum area requirements if:

A. The project has unique characteristics and benefits; or

B. The parcel in question has unique characteristics that significantly impact development, such as, for example, unusual shape or proportions, unusual topography, or potentially incompatible land uses on surrounding property.

c. **Zoning Designation.** The PUD district is applied to property in conjunction with a base zoning district.

d. **Permitted Uses**. A PUD development may contain any uses or combination of uses that are listed as Permitted Uses, Limited Uses, or Specific Uses in compatible zoning districts in Table 39.02.016-1, *Permitted Uses by District,* provided that the proposed uses are listed on the approved concept plan and the proposed uses satisfy the following criteria:

1. *Compatibility of Uses.* Uses within the PUD shall be compatible with one another and with adjacent uses, as determined by generally accepted planning principles. Problems with compatibility of uses shall be mitigated through appropriate site design and usage of development standards beyond minimums, such as extended buffer yards, berms, landscaping, screening fences, building design (form, massing, architectural design, and materials), or other suitable methods;

2. *Harmonious Relationship*. There shall be a reasonably harmonious relationship between the location of buildings and uses on the site relative to buildings and uses on lands in the surrounding area; and

3. *Combination of Residential and Nonresidential Uses*. Residential and nonresidential uses may be permitted together on the same site in a PUD development, provided that the residential and nonresidential uses are carefully integrated in a manner that is consistent with established site design and planning principles so as to create a sustainable overall development.

e. **Development Standards.**

1. *Generally.* The following design standards shall be used as a guide for the design of PUD developments to ensure that the physical and operational characteristics of proposed buildings and uses are compatible when considered in the context of the surrounding area.

2. *Modification of Standards*.

   A. Modifications to these standards may be approved by the City Council in conjunction with approval of the concept plan, upon receiving an advisory recommendation from the Planning and Zoning Commission, and upon making the determination that other standards would be more appropriate because of the particular design and orientation of buildings and uses, provided that any such modified standards shall be consistent with the purpose of the PUD provisions as stated in Subsection a., above.

   B. Design and zoning standards modifications approved in conjunction with the approval of a PUD concept plan shall not require approval of the Zoning Board of Adjustment.

3. *Setbacks*.

   A. *Generally.* PUD developments shall comply with the minimum setback requirements list in Table 39.02.012-1, *PUD Minimum Building Setbacks*.

   B. *Setback Reduction.* A smaller setback with a build-to line may be approved upon review of the concept plan in the interest of establishing a consistent relationship of the buildings to the street and sidewalk, so as to form a visually continuous pedestrian-oriented street front.

Table 39.02.012-1
PUD Minimum Building Setbacks

Setback Location	Minimum Setback
Along perimeter of PUD project, adjacent to public road	30 ft.
Along perimeter of PUD project, **not** adjacent to public road	20 ft.
Along internal road or driveway	Minimum setbacks within the development shall be based on established planning and design principles, taking into account the degree of compatibility between adjoining uses, compatibility between uses and roads and drives, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, compliance with building and fire codes, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space.
Setback between buildings within PUD project	

4. *Height*. Buildings and structures may be approved to be taller than the maximum height allowed in the base zoning district set forth in Division 2.2, *Zoning Districts and Standards*, upon making the following determinations:

   A. *Light and Shadow.* Buildings or structures taller than 40 feet shall be designed to not have an unreasonable adverse impact on adjacent property as a result of the shadows that are cast or glare created from reflected or artificial light;

   B. *Privacy.* Buildings or structures taller than 40 feet shall be designed to avoid infringing on the privacy of adjacent public and private property, particularly adjacent residential areas; and

   C. *Scale of Development.* Buildings or structures taller than 40 feet shall be compatible with the scale of the neighborhood or area in which they are situated in terms of relative height, height to mass, and building or structure scale to human scale.

5. *Parking and Loading.*

   A. *Generally.* Parking and loading facilities in PUD developments shall comply with the standards for the base zoning district set forth in Division 3.3, *Parking, Loading, Stacking, and Access*.

B. *Modification and Reduction of Required Parking.*

i. The minimum number of parking spaces required may be modified based on evidence that other standards would be more reasonable because of the level of current or future employment, the level of current or future customer traffic, shared parking by uses that have peak parking demands that do not overlap, and other considerations.

ii. A decision to reduce the number of parking spaces shall be based on technical information provided by a qualified planning, parking, or traffic consultant that verifies that the reduction will not impair the functioning of the developments served or have an adverse impact on traffic flow on or adjacent to the development.

6. *Access and Circulation.* The vehicular and pedestrian circulation system within each development shall safely and conveniently accommodate the movement of vehicles, bicycles, and pedestrians throughout the proposed development and to and from surrounding areas.

7. *Landscaping*.

A. *Generally.* Landscaping shall comply with the requirements of the base zoning district as detailed in Division 3.4 *Trees, Landscaping, and Buffering,* and a detailed landscape plan shall be included with the submittal for approval.

B. *Modification of Landscaping.* The landscaping requirements may be modified with respect to design, but not in regard to the total landscaping percentage, provision of live plant material, or the need for irrigation. Deviations to requirements must be based on evidence that other standards would be more reasonable or desirable due to the inherent design of the PUD Development, the benefit that would accrue to the end-user, as well as other considerations.

8. *Open Space.* PUDs with a residential component shall provide usable open space that is accessible to all residents of the development. Such usable open space shall not consist of required yard areas or stormwater retention or detention ponds (except as identified in Paragraph E., below) and shall be identified on the concept and detail plans. The amount, location, shape, and other characteristics of open space within a development shall be based on established planning and design principles, taking into account the following considerations:

A. The types and arrangement of uses on the site;

B. The proposed uses of the open space and types of improvements proposed within the open space;

C. The extent to which the leisure and recreation needs of all segments of the population residing in the development would be accommodated;

D. The manner in which the open space is integrated into the overall design of the development; and

E. Up to 50 percent of the surface area of stormwater management ponds, as determined by the City Engineer, may qualify as open space if the following conditions are met:

i. All stormwater management ponds shall be integrated into the overall development and shall serve as a visual and physical amenity to the site. A visual and physical amenity is easily accessible to pedestrians and/or non-motorized vehicles and is visually attractive.

ii. The maximum slope of stormwater management ponds in a PUD shall be 1:7.

iii. Fences around stormwater management ponds are not permitted.

iv. All stormwater management ponds shall have a natural appearance, and shall be round, oval, or kidney in shape with irregular edges.

v. Recreation facilities such as walking paths shall be provided near and/or around stormwater management ponds to allow users of the site to use and enjoy the ponds as an amenity.

9. *Signs.*

   A. *Generally*. Signage for each site and building within the PUD Development shall comply with Division 3.5, *Signs*.

   B. *Deviation from Sign Standards*.

      i. Deviations from the provisions of Division 3.5, *Signs,* other than prohibited signs and billboards, may be considered where a Master Sign Plan, in accordance with Subsection 39.07.024, *Sign Permit and Master Sign Plan.*

      ii. The master sign plan shall be prepared by a licensed architect, landscape architect, or sign consultant and shall contain a site plan with all proposed signs keyed to elevations of the individual signs that are fully dimensioned, and further keyed to a sign list in tabular format with individual and cumulative sign areas, in square feet, included thereon.

10. *Additional Considerations.*

   A. *Generally.* In their review of a proposed PUD development, the Planning and Zoning Commission and City Council may review other considerations that are found to be relevant to a particular project, including, but not necessarily limited to, road capacity, capacity and design of utility systems, achievement of an integrated development with respect to signage, lighting, landscaping, and building materials, and the extent to which noise reduction and visual screening are used, particularly in cases where nonresidential uses adjoin residential uses. When reviewing any such additional considerations, the Staff, Planning and Zoning Commission and City Council may refer to applicable standards in this UDC.

   B. *Waiver Not Authorized.* While it is the intent of this Section that the City Council be empowered with the ability to exercise flexibility in the application of regulations where deemed appropriate, it is not the intent of this Section to authorize a waiver or lessening of design or construction standards otherwise prescribed for any public infrastructure proposed or required within a PUD project.

Section 39.02.013 South Overton Overlay (SOO)

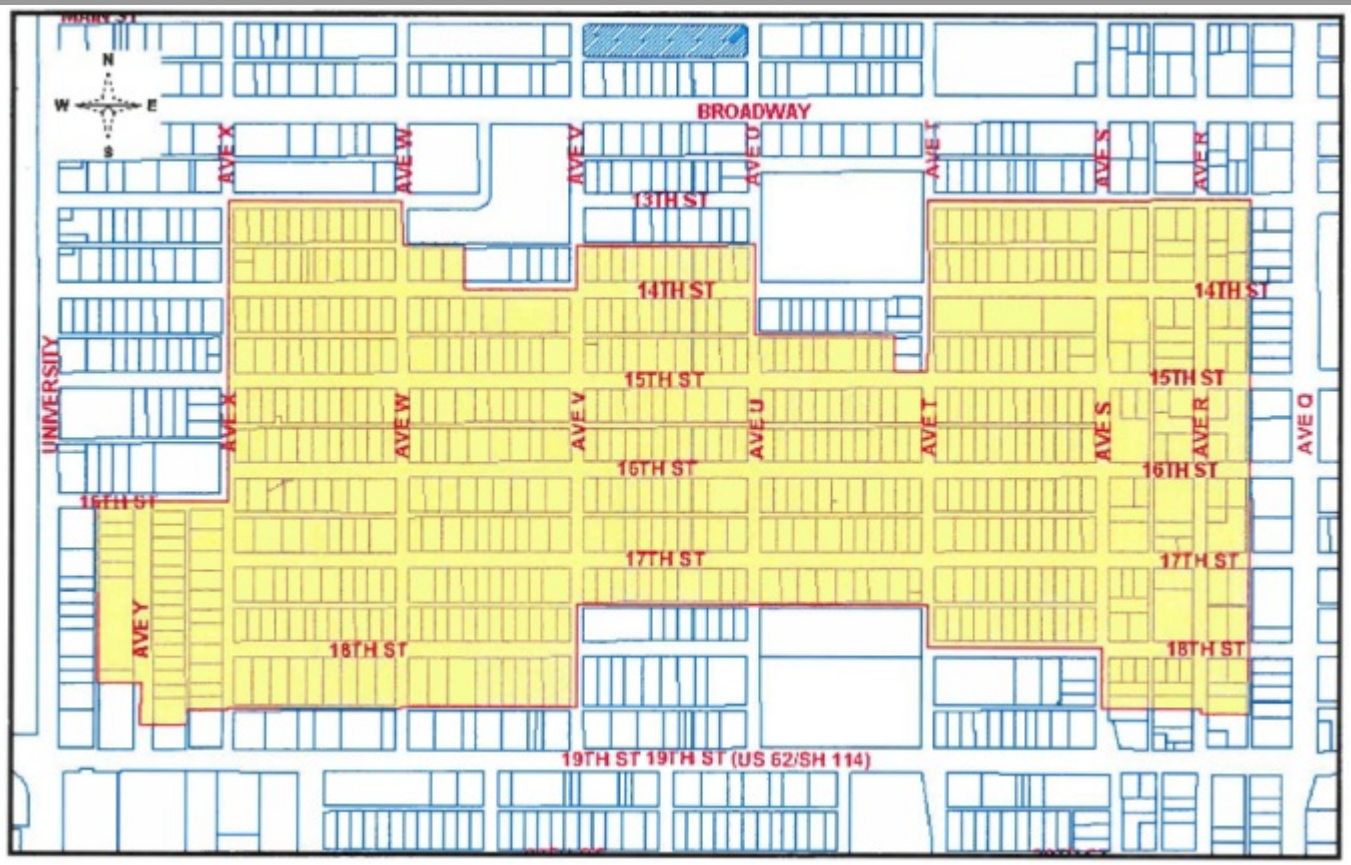
a. **Purpose**. The purpose of the South Overton Overlay (SOO) is to promote the preservation of the unique character of the South Overton National Residential Historic District by overlaying certain conditions on the existing and future land use zoning. The character of this grouping of early 20th-century structures is derived from the diverse mix of architectural styles found in early Lubbock.

b. **Applicability.** The SOO does not require anyone to make changes to existing properties to conform to the standards of this Section, nor does it change the permitted land uses within the SOO. To maintain compatibility with the historic residential and public structures within the South Overton Residential Historic District (Historic District), listed on the National Register of Historic Places (NRHP) in 1996, the standards of this Section apply to the following activities:

   1. *New Construction.* New primary structure construction exceeding 350 square feet.
   2. *Alterations, Additions, and Replacement.*
      A. Structural alterations;
      B. Replacement of windows and exterior doors;
      C. Additions to existing structures; and
      D. Replacement of roofs.

c. **Boundary.** Figure 39.02.013-1, *South Overton Overlay Boundary*, shows the boundary of the SOO.

Figure 39.02.013-1, *South Overton Overlay Boundary*



d. **Site Requirements.**

1. *Building Orientation*. Primary structures shall face the front of the lot adjacent to a street. On comer lots, a duplex may front on both streets.

2. *Setbacks.*

A. *Side and Rear Setback*. The side and rear setbacks shall meet the requirements of base zoning district.

B. *Front Setback.* The front setback shall be even with the average existing front setback of the immediately adjacent structures.

e. **Building Requirements**

1. *Maximum Size.*

A. A residential structure shall contain at least 600 square feet of floor space.

B. A single-family residential structure shall not exceed 5,000 square feet of gross floor area.

C. A duplex structure shall not exceed 2,700 square feet of total living area (conditioned space) including basements, ground floor, and second floor and shall not exceed 900 square feet of garage (450 square feet per "side"), non--conditioned space.

2. *First Floor Elevation.*

A. *Above Street Curb*. To maintain the typical existing elevations that resulted from pier and beam construction, the elevation of the first floor shall be at least 18 inches and shall not exceed 24 inches above the highest elevation of the street curb in front of the structure.

B. *Above Lot.* The elevation of the first floor shall also be at least 14 inches above the elevation of the lot at the entrance to the structure.

3. *Roof Attachments.* Any antenna on the roof shall be located on that part of the roof that is least visible from the street. No flagpole shall be attached to the roof.

4. *Mechanical Units* Mechanical units shall not be located in the front of the structure and mechanical units located on the side of a structure shall be screened by a fence sufficient to block the view of the unit from the street. Mechanical units located on a roof must be located on that part of the roof that is least visible from the street.

5. *Fences.* Front yard fences are prohibited.

f. **Design Requirements.**

1. *Windows and Doors.*

A. *Materials.*

i. Windows and doors shall be made of wood, glass, painted, or pre-finished metal or architectural decorative material consistent with the architectural style of the building. Unpainted wood and clear mill-finished or unfinished aluminum windows and storm doors are prohibited.

ii. Windows on new construction should be double-paned insulated glass.

B. *Storm Windows and Doors*.

i. Storm windows are discouraged on existing properties, and if used should represent the same size and configuration of existing windows, except on additions to existing structures where storm windows are already present. Storm windows on new construction are prohibited.

ii. Storm doors must reveal as much of the door behind it as possible. Replacement windows must be of the same size and configuration as the historic windows.

2. *Building Materials*.

A. *New Construction.* Materials and colors for new structures should be contributing to the historic character of the district and be similar in size, scale, and color to historic materials.

B. *Replacement.* Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials.

C. *Additions, Structural Changes, and Roof Replacement.* All additions, exterior structural changes to existing structures, and roof replacements shall be of the same design and materials as the primary structure. If the original materials are no longer available, then compatible materials as near the original materials and color as possible and practical shall be considered during the plan review process.

D. *Prohibited Materials.* The following materials shall not be used on any exterior wall or roof:

i. Diagonal or vertical siding;

ii. Unpainted wood;

iii. Exposed concrete masonry units;

iv. Vinyl siding;

v. Plywood or other composite sheet or panel materials;

vi. Metal siding;

vii. Corrugated sheet iron; and

viii. Cement Board Siding. Smooth cement board siding with a reveal of no more than six inches is permitted to simulate wood lap siding and wood trim.

E. *Roof Materials.* Roofing materials and roofing colors shall be compatible with the architectural style of the structure. Metal roofing is permitted only if it is in keeping with the architectural style of the structure.

F. *Accent and Trim Materials*. Accent and trim materials and colors must be in keeping with the architectural style of the structure.

3. *Addition Design Requirements for New Structures*.

A. *Generally.* The objective of the design requirements is that any new structure in the SOO is compatible with the South Overton National Residential Historic District and shall embody the distinctive stylistic elements and materials of one of the early 20th-century architectural styles listed in paragraph C., below. The nomination for listing of the South Overton Residential Historic District to the National Register of Historic Places includes references to, photographs of, and descriptions of the design elements and characteristics of significant homes and other structures in the South Overton National Historic District, as does A Guide to Lubbock's Architectural Heritage (City of Lubbock, 1993) and Architecture in Lubbock: A Guide for Identification and Preservation (City of Lubbock, 1979) all available in the Planning Department and on the Planning Department website.

B. *Distinctive Elements.* A new structure must contain all of the distinctive elements generally recognized for its style of architecture, provided that, in the opinion of the Planning Staff and/or the Urban Design and Historic Preservation Commission, the structure will be a contributing structure and will be in harmony with the existing contributing structures in the Historic District.

C. *Permitted Architectural Styles.* Any of the following architectural styles are permitted for new construction of a primary structure:

i. American Foursquare;

ii. Bungalow, Craftsman or Arts and Crafts;

iii. Classical Revival;

iv. Colonial Revival;

v. Federal Revival;

vi. Folk Victorian;

vii. Georgian Revival;

viii. Greek Revival;

ix. Mission Revival;

x. Moderne;

xi. Prairie;

xii. Queen Anne;

xiii. Spanish Revival (Spanish Colonial, Monterey, Pueblo);

xiv. Spanish Renaissance Revival;

xv. Tudor Revival; or

xvi. Victorian.

D. *Prohibited Designs.* No structure shall be constructed pursuant to an experimental design including, but not limited to, geodesic dome, A-frame, or inflatable structures. Tents, boxcars, portable dwellings, mobile homes, and modular, pre-built, or prefabricated structures are prohibited.

E. *Distinctive Elements.* A new structure must contain all of the distinctive elements generally recognized for its style of architecture, provided that, in the opinion of the Planning Staff and/or the Urban Design and Historic Preservation Commission, the structure will be a contributing structure and will be in harmony with the existing contributing structures in the Historic District.

F. *Architectural Variety.* To promote architectural variety within the district, the same floor plan or building elevation shall not be used twice in any one block.

G. *Accessory Structures.* New accessory structures larger than 350 square feet constructed on a lot with an existing primary building must conform to the historical style of the primary structure.

g. **Off-Street Parking, Driveways, and Pedestrian Access.**

1. *Off-Street Parking and Driveways.*

A. *Vehicles Permitted.* No commercial vehicles or equipment shall park on the lot, except for up to a one-ton pickup truck or van, and one trailer of less than 18 feet in length shall. All trailers, recreational vehicles, boats, and motorcycles shall be parked on the back half of the lot.

B. *Off-Street Parking Location.* All off-street parking shall be located in the back half of the lot.

C. *Access.*

i. Off-street parking that is accessible from the street, shall be accessed using accessible by a driveway 12 feet in width. On corner lots, off-street parking on the rear half of the lot may be accessible from the side street.

ii. Off-street parking may be accessible from the alley.

D. *Visibility Triangle.* No driveway shall be allowed within the visibility triangle at the intersection of two streets established in Section 39.02.022, *Measurements*. A drive from the side street and parking in the back yard may be a substitute if the front drive would be in the vision triangle.

2. *Driveways.*

A. *Driveway Opening*. On lots less than 75 feet wide, one driveway opening with a maximum width of 12 feet is permitted.

B. *Circular Drives*. Circular drives are prohibited.

3. *Pedestrian Access.*

A. *Sidewalks*. A sidewalk shall be constructed adjacent to any street frontage and in line with existing sidewalks on the same side of the street in the same block and shall be four feet wide. Curb back walks are prohibited.

B. *Connecting Walkway.* A walkway shall be constructed to connect the public sidewalk and the front porch. The walkway shall be at least four feet wide and constructed of concrete or brick pavers set in sand and contained by a metal or concrete border.

C. *Construction Specifications*. Concrete sidewalks and walkways shall meet the City's construction specifications for public sidewalks.

h. **Landscaping**

1. *Parkway Area*. At least 90 percent of the parkway area between the street side edge of the sidewalk and the street curb shall be landscaped and permanently maintained with grass or other living plant materials.
2. *Front Yard. E*xcluding the required sidewalks, and if applicable, a single-lane driveway to the rear of the lot, at least 90 percent of the remaining front yard shall be landscaped and permanently maintained with grass or other living plant material.
3. *Corner Lots.* On comer lots, if the side yard nearest the side street is not enclosed with a screening fence of at least six feet high, at least 90 percent of the side yard and parkway, excluding the required sidewalk, shall be landscaped and permanently maintained with grass or other living plant materials.
4. *Landscaping Materials*. No more than ten (10) percent of this required landscaping can be composed of hard surfaced landscaping material, such as exposed aggregate, brick, concrete masonry, rock or gravel. Trees are encouraged in the parkway.
5. *Planting Spacing and Visibility Triangle.* Trees in the parkway must be separated by at least 25 feet and a tree may not be planted in the visibility triangle or where it may grow into any overhead public utility line.
6. *Pruning.* As trees mature in the parkway, they shall be pruned to provide at least nine (9) feet of clearance above the street to permit mechanical street sweepers. Trees on the lot overhanging the parkway shall be pruned to a minimum of six (6) feet.
7. *Dead Trees and Plant Materials.* Dead trees and plant material must be removed from the property and the adjoining parkway.

i. **National Register Designation.** Although the National Register designation does not have a direct effect on zoning, the historic architectural elements identified in the nomination are an excellent guide for this zone case. In addition, staff and commissions reviewing new construction, alterations and additions under the standards of this section shall use The [U.S.] Secretary of the Interior's Standards for Rehabilitation (36 CFR 67) as a guide in decision making (Attachment B). All requirements of the respective underlying zone district shall apply.

j. **The Secretary Of The Interior's Standards For Rehabilitation.**

1. The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.
2. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
3. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
4. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
5. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
6. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
7. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

8. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
9. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
10. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
11. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
12. Source: http://www.nps.gov/hps/tps/tax/rhb/stand.htm

k. **Plan Review Process and Procedures**. Persons building, adding to, making structural alterations or structural repairs to, or roofing residences in the SOO shall follow the site development plan review procedures as set out in Article 39.07, *Development Review Procedures*, along with the following:

1. If the Director of Planning or a designated representative determines the proposal contains unique circumstances which cannot be accommodated by the Zoning Ordinance and the *Design and Development Regulations, South Overton National Register Historic District*, the plans will be placed on the next available agenda of the Urban Design and Historic Preservation Commission for recommendations. The commission shall use the zoning ordinance and the design standards to determine whether the development meets the intent of each document. Factors to be considered by the commission in making their recommendation and attaching conditions include: the extent to which the proposal differs from the design standards or the standards of the ordinance, the impact of these modifications on the existing and future development in the area, and the public purpose to be served by permitting the requested modifications.
2. Upon recommendation by the Urban Design and Historic Preservation Commission, the Director of Planning may vary the requirements of the design standards so long as the requirements of the base zoning district of the property are not altered. Variances from the requirements of the base zoning district, even if recommended by the Urban Design and Historic Preservation Commission must be approved by the Zoning Board of Adjustment. All recommendations by the Urban Design and Historic Preservation Commission must be provided in writing to the applicant and to the Zoning Board of Adjustment.

Division 2.4 Land Use Standards

Section 39.02.015 Purpose and Applicability

a. **Purpose.** The purpose of this Division is to promote compatibility among land uses in the City by establishing required standards for the establishment of:

1. *Principal Uses*. Permitted, limited, and specific uses as indicated in the use table in Section 39.02.016, *Land Use Matrix*; and
2. *Accessory and Temporary Uses*. Accessory and temporary uses and structures.

b. **Applicability.**

1. *Approval of Limited Uses*. For limited uses (L), the Director of Planning shall consider the criteria set out in Section 39.02.018, *Limited Use Standards,* to determine whether to approve or disapprove a Use Verification Form in accordance with Section 39.07.017, *Use Verification.*

2. *Approval of Specific Uses*. For specific uses (S), the Planning and Zoning Commission and City Council shall consider the criteria set out in Section 39.02.019, *Specific Use Standards,* to determine whether to approve, approve with conditions, or disapprove a Specific Use Permit in accordance with Section 39.07.033, *Specific Use Permit*.
3. *Timing of Compliance.* The standards of this Division apply when an applicant requests an applicable use be established in an existing or new structure, or when an existing indoor or outdoor applicable use is proposed to be expanded by more than 10 percent of the existing square footage currently devoted to the use.
4. *Other Applicable Standards.* The standards of this Division are applied in addition to the other applicable standards of this UDC, specifically including, but not limited to, Article 39.02, *Zoning Districts and Land Uses* and Article 39.03, *Building and Site Design*.
5. *Use Table*. All development, or use, within each zoning district must be in compliance with Table 39.02.016-1, *Permitted Uses by District*.

Section 39.02.016 Land Use Matrix

a. **Prohibited Use**. Mobile homes are prohibited in the City and shall not be interpreted as being allowed in any zoning district.

b. **Land Use Table.** All development and uses of land and buildings within the City of Lubbock, and within each zoning district, shall be as set forth in Table 39.02.016-1, *Permitted Uses by District.*

c. **Accessory and Temporary Use**. For accessory uses, see Section 39.02.020, *Accessory Use and Structure Standards*. For temporary uses, see Section 39.02.021, *Temporary Use and Structure Standards*.

d. **Legend.** The land uses in Table 39.02.016-1, *Permitted Uses by District*, below, are classified and symbolized by the following:
   1. Permitted (P);
   2. Permitted subject to approval by the Director of Planning and limited use standards (L) (See Section 39.02.018, *Limited Use Standards*);
   3. Permitted subject to approval of a Specific Use Permit by the City Council (S) (See Section 39.07.033, *Specific Use Permit*); and
   4. Prohibited (--).

e. **Additional Density**. Additional density may be allowed in the HDR district for apartments, multiplexes, townhouses, and live-work units with approval of a Specific Use Permit in accordance with Section 39.07.033, *Specific Use Permit*.

Table 39.02.016-1
Permitted Uses by District

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
Residential Uses (including Agriculture)																				
Agricultural																				
Agricultural Uses	Community Garden	P	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	--	--	39.02.018.b
	Farm, Ranch, or Orchard	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Table 39.02.016-1
Permitted Uses by District

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
	Farming, Landscaping, and Horticultural Sales and Services	S	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	39.02.018.b~~9~~
	Greenhouse / Nursery	L	L	--	--	--	--	--	--	--	--	--	--	--	--	P	--	L	L	39.02.018.b
	Riding Stables	L	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	39.02.018.b
	Winery	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--
Residential (Refer to Sec. 39.04.017, *Subdivision Types by District*, for permitted subdivision types within each residential district)																				
Single-Family	Single-Family Cottage	--	--	L	L	L	--	--	--	--	--	--	--	--	--	--	--	--	--	39.02.018.c
	Single-Family Detached Dwelling	P	P	L	L	L	P	P	P	--	--	--	--	--	--	--	--	--	--	39.02.018.c
	Single-Family Garden Home	--	--	L	L	L	--	--	--	--	--	--	--	--	--	--	--	--	--	39.02.018.c
	Duplex (2 du)	--	--	L	L	L	P	P	P	P	--	P	--	--	--	--	--	--	--	39.02.018.c
	Townhouse (3 to 10 du)	--	--	L	L	L	P	P	P	P	--	P	--	--	--	--	--	--	--	39.02.018.c
	Industrialized Housing	P	P	L	L	L	P	P	P	--	--	--	--	--	--	--	--	--	--	39.02.018.c
	Manufactured Home Park or Manufactured Home Subdivision	S	S	S	S	S	--	--	--	--	--	--	--	--	--	--	--	--	--	39.02.019
	Short-Term Rental	L	L	L	L	L	L	L	L	L	L	--	L	--	L	L	--	--	--	39.02.018.c
Multiple-Family	Apartment (>4 du)	--	--	--	L	L	P	P	P	P	P	P	--	--	--	--	--	--	--	39.02.018.c
	Boarding or Rooming House	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	--	--	--	--
	Dormitory	--	--	--	--	P	--	P	P	P	P	P	--	--	--	--	--	--	--	--
	Fraternity/Sorority House	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	Group Home	L	L	L	L	L	L	L	L	--	--	--	--	--	--	--	--	--	--	39.02.018.c
	Live-Work Unit	--	--	--	--	L	L	L	L	L	L	L	-	--	--	--	--	--	--	39.02.018.c
	Multiplex (3 - 4 du)	--	--	L	L	L	P	P	P	P	P	P	--	--	--	--	--	--	--	39.02.018.c
	Retirement Housing	L	--	L	P	P	P	P	P	P	P	P	L	L	L	P	--	--	--	39.02.018.c
	Vertical Mixed-Use	--	--	--	--	L	P	P	P	P	P	P	--	--	--	--	--	--	--	39.02.018.c
Residential Accessory Uses	Accessory Dwelling Unit	L	L	L	L	L	--	--	--	--	--	--	--	--	--	--	--	--	--	39.02.020.e
	Accessory Structure	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	--	--	--	39.02.020.c
	Community Garden	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	--	--	--	39.02.020.c
	Home Occupation	L	L	L	L	L	P	P	P	P	P	P	--	--	--	--	--	--	--	39.02.020.c
	Outdoor Swimming Pool	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	--	--	--	39.02.020.c

Table 39.02.016-1
Permitted Uses by District

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
	Storm Shelter	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P--	P	P--	--
Nonresidential Uses																				
Automobile																				
Automobile and Related Uses	Automobile and Vehicle Wash	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--
	Automobile Structured Parking (Primary Use)	--	--	--	--	L	--	L	L	L	L	L	L	L	P	P	P	P	P	39.02.018.d
	Automobile Parking Lot (Primary Use)	--	--	--	--	--	--	L	L	L	L	L	--	P	P	P	P	P	P	39.02.018.d
	Automobile / Vehicle Parts and/or Accessories Sales	--	--	--	--	--	--	--	L	--	--	--	--	--	P	P	P	P	P	39.02.018.d
	Automobile / Vehicle Sales and Rental	--	--	--	--	--	--	--	L	--	--	--	--	--	P	P	P	P	P	39.02.018.d
	Automobile / Vehicle Repair and Auto Body	--	--	--	--	--	--	--	L	--	--	--	--	--	L	P	P	P	P	39.02.018.d
	Automobile / Vehicle Service	--	--	--	--	--	--	--	L	--	--	--	--	--	P	P	P	P	P	39.02.018.d
	Travel Plaza	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--
	Truck Parking Lot (Primary Use)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--
Civic and Institutional																				
Civic and Institutional Uses	Adult Care Center	--	--	--	--	--	P	P	P	P	P	--	P	--	P	P	--	--	--	--
	Cemetery / Funeral Services	--	--	--	--	--	P	P	P	P	P	--	L	P	P	P	P	P	P	39.02.018.e
	Child Care, Day Care Center	--	--	--	--	L	P	P	P	P	P	P	L	L	P	P	--	--	--	39.02.018.e
	Club or Lodge	L	L	L	L	L	P	P	P	P	P	P	L		P	P	--	--	--	39.02.018.e
	Correctional Institution	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	39.02.019
	Educational Services (excluding transportation-related instruction)	L	L	L	L	L	P	P	P	P	P	P	L	L	P	P	L	L	L	39.02.018.e
	Educational Services (transportation-related instruction only)	--	--	--	--	--	--	--	--	--	--	--	--	--	L	P	P	P	L	39.02.018.e

Table 39.02.016-1
Permitted Uses by District

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Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
	Governmental Service Facility (Police, Fire, Emergency Medical Services)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
	Hospital / Rehabilitative Care	S	S	S	S	S	P	P	P	P	P	--	L	--	P	P	P	P	--	39.02.018.e
	Library, Museum, or Gallery	--	--	L	L	L	P	P	P	P	P	P	P	--	P	P	--	P	--	39.02.018.e
	Medical and Diagnostic Laboratories	--	--	--	--	L	L	L	L	L	L	--	L	L	P	P	P	P	P	39.02.018.e
	Medical Office / Clinic	--	--	--	--	L	P	P	P	P	P	--	P	P	P	P	--	P	--	39.02.018.e
	Place of Public Assembly, Indoor	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	--	P	--	--
Commercial																				
Commercial Uses	Bank, Credit Union, and Financial Services	--	--	--	--	L	P	P	P	P	P	--	P	P	P	P	P	P	--	39.02.018.f
	Brewpub, Microbrewery, Microdistillery, or Microwinery	--	--	--	--	--	L	L	L	L	L	L	S	L	S	L	L	L	L	39.02.018.f
	Building Materials and Hardware Sales	--	--	--	--	--	--	--	--	--	--	--	L	--	P	P	P	P	P	39.02.018.f
	Fuel Sales	--	--	--	--	--	--	--	--	--	--	--	L	--	P	P	P	P	P	39.02.018.f
	Grocery (Food Sales)	--	--	--	--	L	P	P	P	P	P	P	L	--	L	L	--	P	--	39.02.018.f
	Heavy Machinery Sales and Rentals	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	39.02.018.f
	Home Furnishing Store	--	--	--	--	--	P	P	P	P	P	P	L	--	P	P	--	P	--	39.02.018.f
	Hotel or Motel	--	--	--	--	--	--	P	P	P	P	--	--	--	P	P	P	P	P	--
	Kennel	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	--	--
	Manufactured Home Sales and Storage	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--
	Office, General	--	--	--	--	L	P	P	P	P	P	--	P	P	P	P	P	P	P	39.02.018.f
	Pawn Shop	--	--	--	--	--	--	P	P	P	P	P	--	--	P	P	P	P	P	
	Personal Service	--	--	--	--	L	P	P	P	P	P	P	P	--	P	P	--	P	--	39.02.018.f
	Recreational Vehicle Parks and Campgrounds	S	--	--	--	--	--	--	--	--	--	--	--	--	--	L	--	L	--	39.02.018.f
	Repair Service	--	--	--	--	L	L	L	L	L	L	L	P	--	P	P	--	P	--	39.02.018.f

Table 39.02.016-1
Permitted Uses by District

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Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
	Restaurant	--	--	--	--	L	P	P	P	P	P	P	P	--	P	P	--	P	--	39.02.018.f
	Retail Sales	--	--	--	--	L	P	P	P	P	P	P	P	--	P	P	--	P	--	39.02.018.f
	Self-storage, mini-warehouse	--	--	--	--	--	--	--	--	--	--	--	L	--	L	L	L	P	P	39.02.018.f
	Sexually-Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
	Smoke Shop or Tobacco Store	--	--	--	--	--	--	--	--	--	--	--	S	--	S	S	--	--	--	39.02.019
	Studio (Arts, Crafts, or Recording)	--	--	--	--	L	P	P	P	P	P	P	L	--	P	P	P	P	P	39.02.018.f
	Veterinary Clinic and/or Service, Large Animal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	
	Veterinary Clinic and/or Service, Small Animal	--	--	--	--	--	P	P	P	P	P	--	L	--	P	P	P	P	P	39.02.018.f
Industrial and Manufacturing																				
	Bakery, Wholesale	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--
	Batch Plant, Permanent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	39.02.019
	Contractor's Shop and/or Service Yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--
	Industrial and Manufacturing Product Sales and Supply	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--
	Junkyard, Salvage Yard, and Wrecking Yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
Industrial and Manufacturing Uses	Manufacturing, Heavy (includes handling of explosive and/or foul materials)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	39.02.018.g
	Manufacturing, Light (includes product assembly and processing)	--	--	--	--	--	L	L	L	L	L	L	--	--	--	L	L	L	L	39.02.018.g
	Meat Packing and Related Industries	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	--	L	39.02.018.g
	Micromanufacturing	--	--	--	--	--	L	L	L	L	L	L	--	L	L	L	L	L	--	39.02.018.g
	Publishing Services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--
	Resource Extraction	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
	Stockyard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019

Table 39.02.016-1
Permitted Uses by District

P = Permitted | L = Limited | S = Specific | "--" Prohibited

Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
	Taxidermy Shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
	Warehousing and Storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	P	P	P	39.02.018.g
Entertainment and Recreation																				
Entertainment and Recreation Uses	Alcoholic Beverages, Off-Site Consumption (Package Store)	--	--	--	--	--	--	P	P	P	P	--	P	--	P	P	P	P	P	--
	Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	--	--	--	--	--	L	L	L	L	L	L	S	--	L	L	P	P	P	39.02.018.h
	Automobile / Motorcycle Race Track	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
	Commercial Amusement, Indoor	--	--	--	--	L	P	P	P	P	P	P	--	--	P	P	P	P	P	39.02.018.h
	Commercial Amusement, Outdoor	L	L	L	L	L	L	L	L	L	L	L	P	--	P	P	P	P	P	39.02.018.h
	Outdoor Shooting / Archery Range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	S	39.02.019
	Park & Recreation Facility or Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--
Transportation, Utility, and Communication																				
Transportation, Utility, and Communication Uses	Cargo Terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	P	--
	Landfill	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	39.02.019
	Passenger Terminal	--	--	L	L	L	P	P	P	P	P	P	P	L	P	P	P	P	P	39.02.018.i
	Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--
	Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
	Water and Sewage Treatment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--
	Water Storage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
	Wireless Telecommunications Tower	L	L	L	L	L	--	L	L	L	L	L	L	L	L	L	L	L	L	39.02.018.i
Nonresidential Accessory Uses																				

Table 39.02.016-1 Permitted Uses by District																			
P = Permitted | L = Limited | S = Specific | "--" Prohibited																			
Use Category	Land Use	Base Residential					Base Mixed-Use						Base Public and Nonresidential Districts							Use-Specific Standards
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	NC	OF	AC	HC	IP	LI	GI	
Nonresidential Accessory Uses	Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--	--	--	L	P	P	P	P	P	P	L	L	P	P	P	P	P	39.02.020.d
	Community Garden	--	--	--	--	--	L	L	L	L	L	L	L	--	--	--	--	--	--	39.02.020.d
	Billboard	--	--	--	--	--	--	--	--	--	--	--	~~L--~~	~~L--~~	~~L--~~	~~L--~~	~~L--~~	~~LS~~	~~LS~~	39.03.023.I
	Donation Bin / Recycling Collection, Drop-Off	--	--	--	--	L	P	P	P	P	P	P	L	L	L	L	L	L	P	39.02.020.d
	Drive-In or Drive-Through Facility	--	--	--	--	L	--	--	--	--	--	--	L	L	L	P	P	--	--	39.02.020.d
	Helipad (Hospital/Public Safety)	--	--	--	--	--	P	P	P	P	P	P	--	P	P	P	P	P	P	--
	Outdoor Display of Merchandise	--	--	--	--	--	L	L	L	L	L	L	L	--	L	L	--	L	--	39.02.020.d
	Outdoor Storage	--	--	--	--	--	L	L	L	L	L	L	L	--	L	L	--	P	P	39.02.020.d
	Storm Shelter	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
	Vehicle Charging Station	--	--	--	--	--	P	P	P	P	P	P	--	--	P	P	--	--	--	--

Section 39.02.017 New and Unlisted Uses

a. **Authorization of Unlisted Uses**. If a proposed use is not specified in Section 39.02.016, *Land Use Matrix,* and the Director of Planning has made a determination that the use is either a subcategory of a permitted, limited, or specific use, or a use that is functionally similar to a permitted, limited, or specific use, the Director of Planning may authorize the proposed use, and apply all standards that would have applied to the similar use.

b. **If Not Authorized, Then Prohibited**. If the Director of Planning determines that a proposed use does not fit within a given use type and is not functionally the same as a permitted, limited, or specific use, then the use is a prohibited use.

c. **Decision Criteria**. In making such determinations, the Director of Planning may consider but shall not be limited to the following criteria:

1. The actual or projected characteristics of the activity in relation to those of the use type;
2. The amount of site area or floor space and equipment devoted to the activity;
3. Vehicle parking demand;
4. Average daily and peak hour trip generation (people, personal vehicles, and delivery vehicles);
5. Types of vehicles used and their parking requirements;
6. Building impervious surface coverage;
7. Regulated air or water emissions;
8. Noise, lighting, dust, and odors;

9. Solid waste generation;
10. The number of employees on a typical shift;
11. Use and storage of hazardous materials;
12. Character of associated buildings and structures;
13. How the use is advertised;
14. Nature and impacts of operation; and
15. Hours of operation.

d. **Appeal**. An aggrieved party may appeal the determination of the Director of Planning in accordance with Section 39.07.039, *Appeal of Administrative Decision*.

Section 39.02.018 Limited Use Standards

Subsection 39.02.018.a Generally

1. **Purpose**. The purpose of this Section is to establish standards for limited uses denoted with an "L" in Table 39.02.016-1, *Permitted Uses by District*.
2. **Standards.** In determining whether to approve or disapprove a limited use, the Director of Planning shall consider the provisions of this Section to decide if the use complies with its associated particular standards.
3. **All Standards Apply.** Unless otherwise specifically stated, an applicant shall meet all of the limited use standards for a specific use.

Subsection 39.02.018.b Agricultural Uses

1. **All Agricultural Uses**. Any agricultural use with animals shall meet all the requirements of Article 4.07, *Livestock and Other Animals*, of the City of Lubbock Code of Ordinances.
2. **Community Garden**.
   A. *Registration.* Community gardens must register with the Director of Planning. The registration packet shall include:
      i. Authorization from the property owner;
      ii. Governance structure of the garden;
      iii. Hours of operation;
      iv. Maintenance and security requirements and responsibilities;
      v. Contact information for a garden coordinator/manager; and
      vi. Garden site plan.
   B. *Lighting.* Any lighting shall be shielded so that all directly emitted light stays on the property.
   C. *Stormwater.* Water that has been used on-site shall not flow onto adjacent property, including water used for irrigation purposes. In addition, the City Engineer may determine the appropriateness of a Community Garden location due to potential impacts on the stormwater system.
   D. *Nuisances.* All gardens shall be maintained to be free of odors, pests, rodents, trash, and/or anything else that might be considered a nuisance. Trash and recycling receptacles or any such other containers must be kept outside of all applicable building setbacks for the associated property. Composting containers shall be located in accordance with paragraph I., *Composting*, below.
   E. *Prohibited Plants*. The planting and/or growing of illegal or invasive plant species, as listed in Table A-6, *Prohibited Plants*, is prohibited.

F. *Permits.* Applicable permits for buildings, fences, and/or utilities may be required. All other applicable City of Lubbock Code of Ordinances shall apply to Community Gardens.

G. *Fences.* Fences are permitted pursuant to the allowances for the associated district.

H. *Buildings.* A shed structure may be utilized on-site for storage of materials and tools used for garden cultivation, subject to the following:

i. Maximum square footage of shed structure is 200 square feet.

ii. Maximum height of buildings is 10 feet.

iii. All buildings shall meet zoning setback requirements.

iv. This requirement may be split into one shed and one greenhouse, neither structure to exceed 100 square feet.

I. *Composting.* Composting may be performed on-site, within a composting container, subject to the following:

i. Composted materials shall be generated on-site or contributed by members of the community garden; and

ii. All composting containers shall be located a minimum of 20 feet from side and rear property lines and a minimum of 40 feet from the front property line.

J. *Signs*. One 18" x 24" sign is permitted per lot.

K. *As An Accessory Use.*

A. *Accessory to Residential Use*. A community garden located on a lot with an existing residential use shall meet standards in paragraphs A. through F., above, and applicable standards in Subsection 39.02.020.c, *Residential Accessory Uses and Structures.*

B. *Accessory to Nonresidential Use*. A community garden located on a lot with an existing nonresidential use shall meet standards in paragraphs A. through G., above, and applicable standards in Subsection 39.02.020.d, *Nonresidential and Mixed-Use Accessory Uses and Structures*.

3. **Greenhouse / Nursery**.

A. *Accessory Structures*. If housed in an accessory structure, the accessory structure shall not be greater than one-half of the square footage of the primary structure.

B. *Personal Use*. The use shall be limited to personal use only with no commercial activity occurring on-site.

4. **Riding Stables***.* The use is limited to the following:

A. *Permitted Animals.* Only horses, mules, or donkeys shall be allowed.

B. *Lot Size.* Each property approved for a riding stable, boarding stable, or facility for breeding, raising, or training horses shall be a minimum of two acres in area.

C. *Number of Animals.* The maximum number of animals stabled on any property shall be:

i. 2 acres to 2.99 acres - Maximum of four permitted animals.

ii. 3 acres to 3.99 acres - Maximum of five permitted animals.

iii. 4 acres to 4.99 acres - Maximum of six permitted animals.

iv. 5 acres to 5.99 acres - Maximum of seven permitted animals.

v. 6 acres to 6.99 acres - Maximum of eight permitted animals.

vi. 7 acres to 7.99 acres - Maximum of nine permitted animals.

vii. 8 acres to 8.99 acres - Maximum of ten permitted animals.

viii. Additional animals shall be permitted at a ratio of two animals per acre.

D. *Stalls Required.* Each property shall provide stables with stalls and other suitable facilities within a structure constructed and inspected within the authority and requirements of a construction permit and applicable City Building Codes.

E. *Maintenance of Property.* The owner, tenant, or manager of a riding stable shall conduct business in a prudent, safe, and hygienic environment.

F. *Feed Storage.* Feed grains or all other animal foods with the exception of hay shall be stored in metal or other rodent-proof receptacles. Feed stored on the property shall only be an amount for the immediate consumption needs of the resident animals.

G. *Feed Sales*. No sales of feed, grain, or hay shall be permitted from a riding stable.

H. *Nuisance.* The owner of each animal allowed under this Section shall use reasonable and prudent care to ensure the health, protection, and safety, not only of each animal but also of persons at the residence and in surrounding areas. The owner shall maintain the entire property and control all animals so as to not become a nuisance.

I. *City of Lubbock Code of Ordinances.* All riding stables shall meet all the requirements of Article 4.07, *Livestock and Other Animals*, of the City of Lubbock Code of Ordinances.

Subsection 39.02.018.c Residential

1. **Residential Uses in the SF-2, MDR, and HDR Districts.**

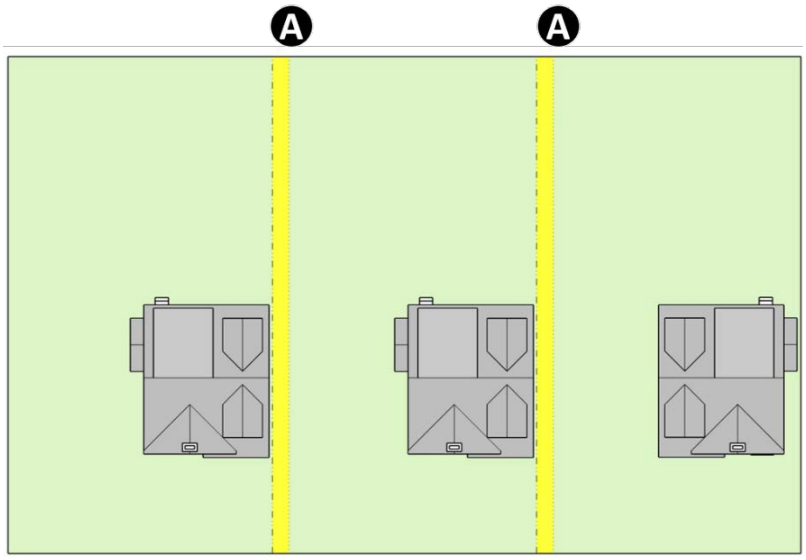
A. *Housing Types*. Only a single permitted housing type (Single-Family Cottage, Single-Family Detached Dwelling (including industrialized housing), Single-Family Garden Home, Duplex, Multiplex, Apartment, and Townhouse) may occupy a given block face. Newly constructed Duplexes, Multiplexes, Apartments, and Townhouses shall not be permitted across the street from existing or proposed Single-Family Cottages, Single-Family Detached Dwellings, or Single-Family Garden Homes.

B. *Common Areas*. Common areas, where provided, shall be under the control and jurisdiction of a homeowners' association or public improvement district. Such association shall provide proof of incorporation prior to issuance of a construction permit.

C. *Additional Density in HDR*. Additional density may be allowed in the HDR district for apartments, multiplexes, townhouses, and live-work units with approval of a Specific Use Permit in accordance with Section 39.07.033, *Specific Use Permit*.

D. *Garden Home*. A perpetual easement related to maintenance, eaves, and drainage of at least five feet shall be provided on the lot adjacent to the zero-foot setback property line which, with the exception of walls and/or fences, shall be kept clear of structures, as depicted with the letter "A" in Figure 39.02.018.c-1, *Garden Home Maintenance Easement*. This easement shall be shown on the face of the Final Plat and incorporated into each deed transferring title on the property. The building wall along the zero-foot setback property line shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two affected lot owners.

Figure 39.02.018.c-1
Garden Home Maintenance Easement



2. **Group Home**

A. A group home shall provide as a minimum, the following square footage in each bedroom:

i. To house one person per bedroom, the dwelling unit must provide 100 square feet of space per bedroom utilized for this purpose.

ii. To house two or more persons per bedroom, the dwelling unit must provide at least 80 square feet of space per handicapped person housed in the bedroom utilized for this purpose. For example, two handicapped persons would require a 160-square-foot bedroom.

B. A group home shall provide for a separate bedroom for the care provider or providers.

C. A group home shall have an exterior character that maintains or retains compatibility with the surrounding residential dwellings.

D. A group home shall have installed and permanently maintained a six-foot solid screening fence around the rear and side yards, except that when, in the opinion of the Director of Planning, all or portions of such fence do not serve the public interest, this provision shall not apply. Landscaped outdoor areas shall be provided for the enjoyment of residents. Ramps, walkways, and steps must be of slip-resistive texture and uniform, without irregularities. Ramps must not exceed 1:12 slope and shall meet standards for width of the Texas Accessibility Standards. All outside areas, grounds, adjacent buildings, etc. on site must be maintained in good condition and kept free of nuisances, including, but not limited to, rubbish, garbage, and untended growth, that may constitute a fire or health hazard.

E. A group home shall be required to have all of the following provisions for fire safety:

i. *Portable Fire Extinguishers*. In all new and existing group housing, at least one portable fire extinguisher (type 2-A:10-B:C) shall be provided for each 3,000 square feet and at least one additional portable fire extinguisher for each level.

ii. *Smoke Alarms*. In new and existing group housing for less than six handicapped persons and classified by the State of Texas as a Type A or Type B assisted living facility, multiple-station smoke alarms shall be installed and maintained. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit, the smoke alarms shall be interconnected in such a manner that

the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection. When the installation of the alarm devices is complete, each detector and interconnecting wiring for multiple-station alarm devices shall be tested in accordance with the household fire warning equipment provisions of National Fire Protection Association 72. Smoke alarms shall be installed and maintained at all of the following locations:

a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms;

b. In each room used for sleeping purposes;

c. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwelling units with split-levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level; and

d. May be required to be installed in living areas at the discretion of the fire code official.

iii. *Rescue Windows*. Refer to the City's Building Code.

iv. *Automatic Sprinkler Systems*. In new group housing classified as a Type B facility proposed to house six or more handicapped persons, an automatic sprinkler system shall be provided in accordance with the adopted Fire Code.

v. *Fire Alarm Systems (existing group homes)*. In existing group housing for six or more handicapped persons, a fire alarm system shall be installed unless:

a. There are interconnected smoke alarms meeting the provisions of Paragraph E.ii., above; or

b. Other manually activated, continuously sounding alarm is approved by the fire code official.

vi. *Fire Alarm Systems (new group homes)*. In new group housing proposed to house six or more handicapped persons, a fire alarm shall be installed in which:

a. Notification appliances activate upon sprinkler flow; and

b. At least one manual fire alarm box per floor is installed at an approved location and arranged to sound continuously interconnected smoke alarms meeting the provisions of Paragraph E.ii., above.

F. A group home shall be required to have a kitchen meeting the following requirements:

i. The facility must have a kitchen or dietary area to meet the general food service needs of the residents. It must include provisions for the storage, refrigeration, preparation, and serving of food; for dish and utensil cleaning; and for refuse storage and removal;

ii. Facilities that house eight or more residents must comply with 25 TAC Chapter 229 and local health ordinances or requirements must be observed in the storage, preparation, and distribution of food; in the cleaning of dishes, equipment, and work area; and in the storage and disposal of waste.

G. A group home shall be required to comply with the following requirements regarding facility construction:

i. The facility must meet the provisions and requirements concerning accessibility for individuals with disabilities in the following laws and regulations: the Texas Accessibility Standards; Title 28 Code of Federal Regulations, Part 35; Texas Civil Statutes, Article 9102; and Title 16, Texas Administrative Code, Chapter 68;

ii. The Illumination Engineering Society of North America recommendations must be followed to achieve proper illumination characteristics and lighting levels throughout the facility. Minimum illumination must

be 10 foot-candles in resident rooms during the day and 20 foot-candles in corridors, dining rooms, lobbies, toilets, bathing facilities, laundries, stairways, and elevators during the day. Minimum illumination for medication preparation or storage areas, kitchens, and staff desks must be 50 foot-candles during the day. Illumination requirements for these areas apply to the task performed and should be measured on the tasks.

iii. Heating, ventilating and air-conditioning systems must be designed and installed in accordance with the International Mechanical Code, NFPA 90A Standard for the Installation of Air Conditioning and Ventilating Systems, and NFPA 90B Standard for the Installation of Warm Air Heating and Air Conditioning Systems, as applicable, and the American Society of Heating, Ventilating, and Air Conditioning Engineers (ASHRAE).

iv. Floors must be free of irregularities and substantially level; they must have a resilient, nonabrasive and slip-resistant surface; exposed floor surfaces and floor coverings should promote mobility in areas used by residents and promote maintenance of sanitary conditions. If carpeted, the area used by residents should have nonabrasive carpeting.

H. An inspection shall be conducted by the City of Lubbock Health Department using as its criteria the standards of Texas Health and Human Services Bureau of Long Term Care, or the Minimum Licensing Standards for Personal Care Facilities as established and amended under Texas Health and Safety Code, Chapter 247. In the event that the facility is licensed by the State of Texas, the Director of Planning may waive all or any portion of the City Health Department's inspection. The Health Department shall prepare a report describing the property and any remedial improvements which must be completed in order for the property to meet the minimum standards. The report shall be forwarded to the applicant and to the Director of Planning, and no permit shall be issued until the proposed home has met the minimum standards.

I. A separate dumpster in addition to that ordinarily furnished to single-family dwelling units shall be required for waste disposal by the shared group housing facility.

J. In addition to those specific requirements in this Subsection, the facility shall comply with all adopted model codes of the City of Lubbock.

K. If later adopted codes or ordinances of the City of Lubbock are more stringent than these standards for assisted living, the more stringent requirements will govern.

L. No other group living arrangements shall be located within a radius of 1,000 feet of the home for which the permit is requested. Such measurements shall be measured from property line to property line. Other group living arrangements shall include, but not be limited to, community homes for disabled persons, personal care facilities, adult foster care homes, and group housing for handicapped persons. In making the determination that no home exists within 1,000 feet, the Director of Planning shall consider information provided by the applicant, information contained in the records of the City of Lubbock, and information obtained by physical inspection of the premises, if any.

M. The holder of the permit shall be in charge of and responsible for the operation of the dwelling unit for shared group housing.

N. The permit shall be renewed annually so long as the facility continues to comply with the standards described in this Subsection. Permits are nontransferable.

O. City of Lubbock inspection personnel shall have the right to conduct inspections to ensure continued compliance with standards at any time (pursuant to a valid search warrant or consent) and in the event a home is found to be in violation of the standards, the inspector shall forward to the Director of Planning a report describing the violations and that the Director of Planning may withdraw the permit. Following the withdrawal of the permit and issuance of a vacate order, an aggrieved party may appeal the decision in accordance with 39.07.039, *Appeal of Administrative Decision*.

P. The permit shall be prominently displayed in the facility at all times. The permit shall include the following statement:
"The City does not license facilities as to the quality of care. This structure has been inspected and has met the minimum requirements for Group Homes specified in the City of Lubbock Code of Ordinances."

Q. Any permit issued under this Subsection shall become void and of no further effect in the event the use of the premises is discontinued for a period of one year or if the property is restored to use as a single-family residence.

R. Nothing in this Subsection shall be construed as attempting to regulate or affect the right of handicapped individuals to purchase their own housing for single-family residences or to affect the right of individuals to care for handicapped family members.

S. A Specific Use Permit shall be required for a Group Home for seven or more residents.

3. **Live-Work Unit**. The use shall:
   A. *Nonresidential Floor Area*. Not exceed a nonresidential floor area of 3,500 square feet;
   B. *Residential Character*. Maintain a residential character;
   C. *Uses*. Consist of a single residential dwelling unit combined in the same structure with one of the following uses:
      i. Office, general;
      ii. Micromanufacturing;
      iii. Personal services;
      iv. Repair service; or
      v. Studio (Arts, Crafts, or Recording).
   D. *Drive-Ins or Drive-Throughs*. Have no drive-in or drive-through; and
   E. *Tenant*. Have the same tenant for both the residential and commercial portion of the use.
4. **Retirement Housing**. The gross floor area shall not exceed 50,000 square feet.
5. **Vertical Mixed-Use**. The use shall be a combination of land uses that are permitted, permitted with limitations, or permitted by Specific Use Permit, in the zoning district within the residential, civic and institutional, and commercial uses as categorized in Section 39.02.016, *Land Use Matrix*.
6. **Short-Term Rental**.
   A. *Owner Responsibilities.* The use shall have an owner, operator, or agent who shall:
      i. Obtain a Short-Term Rental Permit (See Section 39.07.029, *Short-Term Rental Permit*);
      ii. Assess and collect the hotel property tax in accordance with Chapter 351, *Municipal Hotel Occupancy Taxes*, of the Texas Tax Code; and
      iii. Timely remit to the City of Lubbock accounting department, or designee, all City hotel occupancy taxes collected pursuant to state law and in compliance with Article 18.03 of the City of Lubbock Code of Ordinances.
   B. *Accommodations*. The use shall only occur in:
      i. A legal accessory dwelling unit; or
      ii. Within a primary residence.

Subsection 39.02.018.d Automobile and Related Uses

1. **Automobile Structured Parking (Primary Use)**. The use shall comply with the Automobile Structure Parking standards of Section 39.03.009, *Parking Ratios and Design*.
2. **Automobile / Vehicle Repair and Auto Body**.
   A. *Bufferyard*. A Type B Bufferyard in accordance with Section 39.03.016, *Bufferyard Landscaping,* shall be required when adjacent to a residentially zoned or used property.
   B. *Outdoor Storage*. Vehicles and vehicle parts shall not be stacked to a height above the bufferyard wall, fence, or berm within 50 feet of the wall, fence, or berm.
3. **Automobile Uses in MU-3**. Automobile uses in the MU-3 district shall have a minimum of one property frontage on 19th Street.

Subsection 39.02.018.e Civic and Institutional Uses

1. **Cemetery / Funeral Services**. A Type B Bufferyard, in accordance with Section 39.03.016, *Bufferyard Landscaping,* shall be required when adjacent to a residentially zoned or used property.
2. **Child Care, Day Care Center**. The gross floor area shall not exceed 15,000 square feet.
3. **Club or Lodge**. The use shall be:
   A. *Non-Profit*. Prohibited from being used as a for-profit commercial business; and
   B. *For Residential Developments Only*. Operated as a private community center for the recreational and social use of the residents of a subdivision or a residential development.
4. **Educational Services (excluding transportation-related instruction).**
   A. *Residential (RE, SF-1, SF-2, MDR, HDR), Neighborhood Commercial (NC), and Office (OF).* Educational Services shall be limited to pre-primary through high school age students.
   B. *Industrial Zones (IP, LI, GI).* Educational Services shall be limited to adult education.
5. **Educational Services (transportation-related instruction only)**.
   A. *Auto-Urban Commercial (AC).* Educational Services shall not include outdoor practice facilities for truck driving.
   B. *General Industrial (GI).* Educational Services shall be limited to adult education and shall be in conjunction with a permitted industry operating within the district.
6. **Hospital / Rehabilitative Care**. The property shall be a maximum of five acres in area.
7. **Library, Museum, or Gallery**. The gross floor area shall not exceed 15,000 square feet.
8. **Medical and Diagnostic Laboratories**. The use shall:
   A. *Testing*. (In the HDR, Mixed-Use, and NC districts) have all testing conducted on-site;
   B. *Enclosed Building*. Be within a fully enclosed building;
   C. *Screening*. Have a Type B Bufferyard, in accordance with Section39.03.016, *Bufferyard Landscaping,* where materials and equipment are stored in areas visible to the public; and
   D. *Gross Floor Area*. (In the HDR, Mixed-Use, and NC districts) not exceed 15,000 square feet of gross floor area.
9. **Medical Office / Clinic**. The gross floor area shall not exceed 3,500 square feet.

Subsection 39.02.018.f Commercial Uses

1. **Bank, Credit Union, and Financial Services**.
   A. *Mixed-Use Development.* The use shall be part of a mixed-use development, either connected to another use or freestanding, and designed to support surrounding residential uses.

B. *Total Floor Area.* The gross floor area shall not exceed 3,500 square feet.

2. **Brewpub, Microbrewery, Microdistillery, or Microwinery**. Any brewpub, microbrewery, microdistillery, microwinery, wine tasting facility, beer tasting facility, or alcohol tasting facility shall meet all state and other separation requirements and be located a minimum of 300 feet, measured from property line to property line, from any property zoned RE, SF-1, SF-2, or MDR zoning district.
3. **Building Materials and Hardware**. The gross floor area shall not exceed 15,000 square feet.
4. **Fuel Sales.**
   A. *Intensity*. The use shall:
      i. Not have more than two fuel dispenser islands and not more than six total fuel dispensers; and
      ii. Not exceed 1,500 square feet of gross floor area.
   B. *Repair and Service*. Automobile/vehicle repair and auto body and automobile/vehicle service shall all be prohibited.
5. **Grocery (Food Sales)**.
   A. *High Density Residential (HDR).* The use shall:
      i. Be accessory to a principal use (including, but not limited to, a food store on the first floor of an apartment building, or as an individual business, either connected or freestanding, or as part of a mixed-use development that is designed to support surrounding residential uses); or
      ii. Not exceed 3,500 square feet of gross floor area.
   B. *Neighborhood Commercial (NC).* The gross floor area shall not exceed 15,000 square feet of gross floor area.
6. **Heavy Machinery Sales and Rentals**. The use shall:
   A. *Repair and Service.* Have no mechanical or maintenance work completed on-site; and
   B. *Sales and Rental*. Be limited to sales and rentals only.
7. **Home Furnishing Store**. The gross floor area shall not exceed 15,000 square feet.
8. **Office, General**. The gross floor area shall not exceed 3,500 square feet.
9. **Personal Services**. The gross floor area shall not exceed 3,500 square feet.
10. **Recreational Vehicle Parks and Campgrounds.**
    A. *Minimum Site Area*. Initial development of a recreational vehicle park shall not be less than two acres fully improved with serviced spaces.
    B. *Sanitation Facilities*. Recreational vehicle parks shall provide toilets, baths or showers, and other sanitation facilities which shall conform to the following requirements:
       i. The toilet and other sanitation facilities for males and females shall be either in separate buildings or shall be separated, if in the same building, by a soundproof wall. Such service buildings shall be well lighted and ventilated at all times with screened openings. These service buildings shall be maintained in clean and sightly condition and kept free of any condition that could menace the health of any occupant. Service buildings shall be located not closer than five feet or farther than 200 feet from any recreational vehicle space.
       ii. An adequate supply of hot water shall be provided at all times in any required service buildings, and for all bathing, washing, cleansing, and laundry facilities.
    C. *Toilet Facilities*.

i. *Males*. Toilet facilities for males shall consist of not less than one flush toilet for every 15 recreational vehicles, one urinal for every 15 recreational vehicles, and one shower with individual dressing accommodations for every 10 recreational vehicles.

ii. *Females*. Toilet facilities for females shall consist of not less than one flush toilet for every 10 recreational vehicles and one shower with individual dressing accommodations for every 10 recreational vehicles.

D. *Density*. Recreational vehicle parks shall have a maximum density of 12 vehicles per acre.

E. *Generally*.

i. *Mobile Homes Prohibited*. Mobile homes are prohibited within a recreational vehicle park.

ii. *Location*. It shall be unlawful for any person to locate a recreational vehicle park within the City limits except as provided in this UDC.

iii. Building Permits and Code Compliance.

a. All new construction permitted by this Subsection shall comply with the requirements and standards set out in all relevant sections of the City of Lubbock Code of Ordinances, including, but not limited to, Subdivision Regulations, Building Code, Plumbing Code, Electrical Code, Sidewalk Ordinance, and Zoning Ordinance.

b. Recreational vehicle parks in existence upon the effective date of this article shall comply with this Paragraph and Paragraphs F., *Supervision*, through H., *Fire Protection,* and I.iii., *Patio Roofs and Carports*, through I.viii., *Lighting,* when updating their existing facilities.

c. Updating shall mean major remodeling or replacement of existing facilities but shall not include normal maintenance.

F. *Supervision*. A responsible attendant or supervisor, owner, or operator shall be in charge at all times to keep the manufactured home and recreational vehicle park, its facilities, and equipment in a clean, orderly, and sanitary condition and shall be answerable, with the licensee, for any violation of the provisions of this Subsection.

G. *Disposal of Garbage and Rubbish*. Recreational vehicle parks shall provide a sufficient number of dumpsters to handle the refuse generated by their occupants. Such dumpsters shall be located in designated areas where pickup will be made by the City.

H. *Fire Protection*.

i. *Fire Lanes*. No recreational vehicle space, not including driveway or access, shall be located more than 100 feet from a street without a fire lane being provided. Such fire lane shall be a minimum of 20 feet in width, shall be hard-surfaced, and shall be kept open and unobstructed at all times. The required driveway or access, as specified in Paragraph I.xii, *Driveway or Accessway*, may serve as such fire lane provided it meets the standards as set forth in this Subsection.

ii. *Manufactured Homes*.

i. Fire hydrants shall be installed so that no manufactured home space will be over 600 feet from a hydrant as measured along and approved access road, sitting on a water main that is appropriately sized as determined by the City Engineer.

ii. There shall not be any storage under the manufactured home.

iii. Fences around manufactured homes shall not be over 34 inches high across the front of the space.

iv. Visible approved addresses (including lot numbers) shall be visible from the frontage roads.

I. *Construction Standards for New Parks*.

i. *Requirements Generally*. All recreational vehicle parks constructed in whole or in part after ~~August 14, 1969~~the effective date of this UDC~~,~~ shall conform to the requirements of this Subsection.

ii. *Setbacks; Spacing.*

a. Spacing:
Between manufactured structures: 10 feet
End to end parking: 6 feet

b. Setbacks:
From permanent structures (excluding individual storage structures, patio roofs, and carports): 5 feet

From patio roof or carport of one manufactured structure to adjacent manufactured structures: 3 feet
Rear and side park property lines: 5 feet
Front park property lines: 15 feet
From interior streets: 10 feet
From cul-de-sac streets: 10 feet

c. Space Width: 25 feet

iii. *Patio Roofs and Carports*. Recreational vehicle spaces may have open unenclosed patio roofs and carports of metal, fiberglass, or other incombustible materials.

iv. *Water Supply*. An adequate supply of potable water for domestic and fire protection purposes shall be supplied to meet the requirements of the park. Recreational vehicle spaces shall be provided with a water hookup at least four inches above the ground and a hose connection for lawn maintenance.

v. *Sewage Disposal*. Waste from showers, bathtubs, toilets, and lavatories in recreational vehicles and service or other buildings within the park shall be discharged into a public wastewater system in compliance with applicable ordinances. In the event public services are not available, such waste shall be discharged into a private disposal system approved by the health and environmental inspector of Lubbock County, Texas.

vi. *Natural Gas*. Recreational vehicle space shall be provided with a natural gas hookup at least four inches above the ground.

vii. *Electrical Service*. Underground service shall be provided throughout recreational vehicle parks and service to individual recreational vehicles shall meet the requirements as set forth in Chapter 22 of the City of Lubbock Code of Ordinances. All electric meters shall be permanently installed in a location accessible from an interior street, alley, or all-weather walkway.

viii. *Lighting*.

a. Entrances and exits to recreational vehicle parks shall be lighted with one or more luminaires (or fixtures) totaling 7,700 lumens.

b. The interior area of the recreational vehicle park shall be lighted to five-tenths foot-candle average maintained. All luminaires shall be mounted 15 feet to 25 feet above ground level.

ix. *Walks*. All interior walks of recreational vehicle parks shall be all-weather and not less than four feet in width. Walks provided adjacent to interior streets shall be three-foot concrete gutter-walks. Walks provided adjacent to public streets shall comply with Article 39.04, *Subdivision Standards*.

x. *Interior Streets*. Interior asphalt streets shall be provided to service each recreational vehicle space. All spaces shall abut upon such paved interior street which shall connect with a public street. Interior streets where on-street parking is permitted shall not be less than 35 feet in width. In recreational vehicle parks where no on-street parking is permitted, the interior streets shall not be less than 20 feet in width. All

streets shall have standard curb and gutter except where three-foot gutter-walks or drives are stipulated. No cul-de-sac streets shall be over 250 feet from center of the turnaround to the nearest curb line of the street it abuts. Turnarounds shall have a minimum forty-foot radius at the edge of the paved surface or to the face of the curb.

xi. *Ingress and Egress*. All recreational vehicle parks shall have a double drive entrance separated by a thirty-foot median and a secondary access street at least 300 feet from this double entrance. Such streets shall have standard curb and gutter and shall not be less than 20 feet in width. Secondary access street can be chained for control as long as a breakaway lock is used. Entrances and exits must comply with the provisions of Chapter 36 of the City of Lubbock Code of Ordinances.

xii. *Driveway or Accessway*. A driveway or accessway shall be reserved from the street to the manufactured home stand.

xiii. *Parking*. In addition to the off-street parking requirements in Section 39.03.009, *Parking Ratios and Design*, recreational vehicle parks shall provide one additional guest parking space in a common area for each four recreational vehicle spaces in the park. Such parking spaces shall not be over 200 feet from the travel trailers they serve.

J. *Other Standards*.

i. Each recreational vehicle shall contain a five-pound CO_2 fire extinguisher at all times.

ii. Fire hydrants shall be installed so that no recreational vehicle space will be over 200 feet from a hydrant sitting on an eight-inch water main.

iii. There shall not be any storage under the recreational vehicle.

iv. The recreational vehicle park licensee shall be responsible for maintaining the conditions of this Subsection. The Fire Marshal shall make periodic inspections of these parks to ensure the above conditions are maintained.

11. **Repair Service**. The use shall:

A. Be accessory to a principal use (for example, a phone repair service on the first floor of an apartment building, as an individual business, either connected or freestanding, or as part of a mixed-use development designed to support surrounding residential uses); and

B. *Floor Area*. Not exceed 3,500 square feet of gross floor area.

12. **Restaurant**. The gross floor area shall not exceed 3,500 square feet.

13. **Retail Sales**.

A. *High Density Residential (HDR).* The use shall:

i. Be accessory to a principal use (for example, a boutique on the first floor of an apartment building, as an individual business, either connected or freestanding, or as part of a mixed-use development designed to support surrounding residential uses); and

ii. Not exceed 3,500 square feet of gross floor area.

B. *Neighborhood Commercial (NC*). The gross floor area shall not exceed 15,000 square feet.

14. **Self-Storage, Mini-Warehouse**. The use shall be limited to the following:

A. *Prohibited Items.* The storage of goods that are explosive, highly flammable, or produce noxious odors shall be prohibited.

B. *Buffering.*

i. A Type B Bufferyard, in accordance with Section 39.03.016, *Bufferyard Landscaping,* shall be required along any street that also borders a residential zoning district.

ii. A Type B Bufferyard shall be required abutting a residentially zoned or used property, unless Section 39.03.016, *Bufferyard Landscaping*, requires a greater bufferyard.

15. **Studio (Arts, Crafts, or Recording)**.

A. *High Density Residential (HDR).* The use shall:

i. Be accessory to the principal use (i.e., a studio on the first floor of an apartment building, or as an individual business, either connected or freestanding, as part of a mixed-use development designed to support surrounding residential uses); and

ii. Not exceed 3,500 square feet of gross floor area.

B. *Neighborhood Commercial (NC).* The use shall not exceed 15,000 square feet of gross floor area.

16. **Veterinary Clinic and/or Service, Small Animal**. The use shall:

A. *Enclosed Facilities*. Have treatment rooms, cages, pens, or kennels that are maintained within a completely enclosed, soundproof building and operated in such a way as to produce no objectionable noise or odors outside its walls;

B. *Boarding*. If it has kennels, kennels shall be limited to short-time boarding and accessory to such clinic;

C. *Noise Mitigation*. Have sound transmission loss that is equivalent to an eight-inch block wall filled with insulating material; and

D. *City of Lubbock Code of Ordinances*. Meet all of the requirements of Article 4.05, *Animal Establishments*, of the City of Lubbock Code of Ordinances.

Subsection 39.02.018.g Industrial and Manufacturing Uses

1. **Manufacturing, Heavy**.

A. *Truck Access*. The use shall be located such that associated truck traffic can access a collector or arterial street without traveling on a street adjacent to a residentially zoned or used property.

B. *Indoor Operations*. All operations within 500 feet of a residentially zoned or used property shall be conducted completely within a building.

C. *Nuisances*. No impacts or by-products of the use, including noise, dust, or odor shall be discernible from an abutting residentially zoned or used property.

D. *Bufferyard*. A Type C Bufferyard, in accordance with Section 39.03.016, *Bufferyard Landscaping* shall be required when abutting a residentially zoned or used property.

2. **Manufacturing, Light and Warehousing and Storage**.

A. *Indoor Operations*. All operations shall be conducted completely within a building, except limited daily outdoor operations and storage may occur behind the building and, in all districts except for the Base Mixed-Use districts, shall occur a minimum of 50 feet from any property line. In the Base Mixed-Use districts, such activities shall occur a minimum of 20 feet from any property line.

B. *Nuisances*. No impacts or by-products of the use, including noise, dust, or odor shall be discernible from abutting property.

C. *Outdoor Storage*. Outdoor storage shall be screened from view from the public right-of-way and adjacent properties with a Type C Bufferyard, in accordance with Section 39.03.016, *Bufferyard Landscaping*.

D. *Mixed-Use Districts*. In addition to complying with Paragraphs A. through C., above, light manufacturing in the Mixed-Use Districts shall take place in a Shop building type, as established in Subsection 39.03.005.h, *Shop*.

3. **Micromanufacturing**.

A. *Gross Floor Area*. The gross floor area shall not exceed 3,500 square feet.

B. *Indoor Operations and Outdoor Storage*. All operations shall be conducted completely within a building and no outdoor storage is permitted.

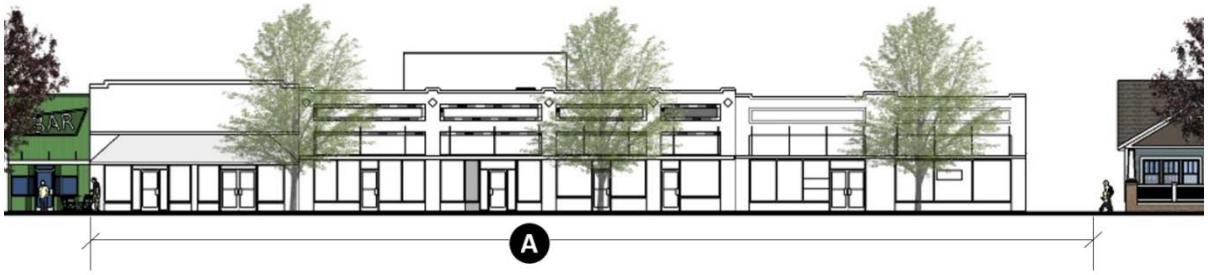
Subsection 39.02.018.h Entertainment and Recreation Uses

1. **Commercial Amusement, Indoor**. The gross floor area shall not exceed 3,500 square feet.
2. **Commercial Amusement, Outdoor**.
   1. *Residential Districts*. The use shall be limited to being an athletic field or athletic facility that is part of a larger educational services complex or a golf course.
   2. *Mixed-Use Districts*. The use shall be limited to a farmers' market.
3. **Alcoholic Beverages, On-Site Consumption** (**Nightclub or Bar)**.
   A. *Minimum Distance from Same Use*. In all applicable districts except for the Base Mixed-Use districts, the use shall be located a minimum of 600 feet from an existing location of the same use, measured in a direct line from front door to front door, as depicted with letter "A" in Figure 39.02.018.h-1, *On-Site Alcoholic Beverage Consumption Separation from Same Use*. There shall be no separation requirement in the Base Mixed-Use districts.
   B. *Minimum Distance from Residential*. The use shall be located a minimum of 300 feet from a residential district, measured as a radius from property lines of the limited use, as depicted with letter "A" in Figure 39.02.018.h-2, *On-Site Alcoholic Beverage Consumption Separation from Residential Use*.

Figure 39.02.018.h-1
On-Site Alcoholic Beverage Consumption Separation from Same Use



Figure 39.02.018.h-2
On-Site Alcoholic Beverage Consumption Separation from Residential Use



Subsection 39.02.018.i Transportation, Utility, and Communication Uses

1. **Passenger Terminal**. The use shall:

A. *Multimodal Services*. Have a facility stop for multimodal transportation services; and

B. *Storage*. Not accommodate any storage facility designed for a bus, van, or other passenger vehicle.

2. **Wireless Telecommunications Tower**. The use shall have an antenna, tower, or alternative tower structure other than a radio, television, or microwave broadcasting or transmitting antenna or facility when the antenna is co-located on an existing tower or does not add more than 20 feet to the height of an existing alternative tower structure with units that are located inside of an accessory structure.

A. *Purpose*. The purpose of these standards is to establish regulations for the siting of towers and antennas on public and private property and to:

i. Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the community;

ii. Encourage strongly the joint use of new and existing tower sites;

iii. Require users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

iv. Require users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas; and

v. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

B. *Application Requirements*. The applicant of a new tower site other than a radio, television, or microwave broadcasting or transmission facility shall provide the following documentation for review by the Director of Planning:

i. *Inventory of Existing Sites*. Each applicant of one or more towers shall provide to the planning department an inventory of its existing towers, including specific information about the location, height, and design of each tower. The planning department shall maintain an inventory of existing towers, including specific information about the location, height, and design of each tower. The City may share such information with other persons, organizations or governmental authorities seeking to locate antennas within the City.

ii. *Availability of Suitable Existing Towers or Other Structures*. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the planning department 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 applicant's proposed antenna and related equipment and cannot be reinforced to provide sufficient structural strength.

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 interference with the applicant's proposed antenna.

e. The fees or costs required to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs below new tower development are presumed reasonable.

f. Property owners or owners of existing towers or structures are unwilling to accommodate the applicant's needs.

g. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

iii. *Site Development Plan*. Each applicant requesting a permit for a Wireless Telecommunication Tower shall submit a scaled Site Development Plan and a sealed elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate professional engineers, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information necessary to assessment of compliance with this UDC.

iv. *Residential Setback*. Towers must be set back a distance equal to the height of the tower from any off-site residential structure.

v. *Yard Setback*. Towers and accessory facilities must satisfy the minimum yard setback requirements for the zoning district in which they are located.

vi. *Security Fencing*. Towers shall be enclosed by security fencing not less than six feet in height and shall be equipped with an appropriate anticlimbing device.

vii. *Aesthetics*. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted sky blue or gray, so as to reduce visual obtrusiveness. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. 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.

viii. *Federal Requirements*. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations.

ix. *Building Codes and Safety Standards*. To ensure the structural integrity of towers, the owner of a tower shall ensure that is it maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the tower fails to comply with such codes and standards and constitutes a danger to persons and property, then, upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such codes and standards. If the owner fails to bring such tower into compliance within 30 days, the Building Official may remove such tower or cause such tower to be removed at the owner's expense.

C. *Removal of Abandoned Antennas and Towers*. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the planning department notifying the owner of such abandonment. If such antenna or tower is not removed within said 90 days, the Director of Planning may cause such antenna or tower to be removed at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

D. *Refusal to Grant Request*. Rejection of an application for a permitted use request for an antenna, tower or alternative tower structure by the Director of Planning shall require the applicant to submit a Specific Use Permit application in accordance with Section 39.07.033.

a. **Generally**. Specific use review is a legislative procedure whereby the Planning and Zoning Commission recommends and the City Council makes a final decision on allowing a specific use, as denoted in each zoning district in Section 39.02.016, *Land Use Matrix*. Refer to Article 39.07, *Development Review Procedures*, for more information on the process to apply for, obtain, or appeal a final decision related to a Specific Use Permit.

b. **Purpose.** The purpose of a specific use approval is to ensure that a use that is generally deemed incompatible with permitted uses in a given zoning district can be considered for approval with certain conditions placed on the use as denoted in this Section.

c. **Applicability**. An application is required for the establishment of a new specific use, a change to a specific use, or the expansion of a specific use.

d. **Specific Standards for Specific Use.** The following requirements shall be prerequisites to granting approval of each use as a specific use:

1. *Automobile / Motorcycle Race Track.* To establish and operate a motorcycle race track the operation shall not:
   A. Disseminate dust, fumes, gas, noxious odors, trash, smoke, glare, or other atmospheric influences beyond the boundaries of the property;
   B. Produce a level of noise at the boundary of the property that is of greater intensity of the level of noise of street traffic; and
   C. Create a fire hazard on surrounding property.

2. *Batch Plant*.
   A. The use shall be located a minimum of 600 feet from any civic and Institutional use or a residentially used or zoned property;
   B. Hours of operation shall be not earlier than 8:00 a.m. nor later than 8:00 p.m. if the use is within 1,000 feet of residentially used or zoned property, or not earlier than 6:00 a.m. nor later than 10:00 p.m. in all other locations;
   C. The facility shall only be used for a development project within the City ~~and shall be located no more than one mile from the project site~~ (refer to Section 39.02.021, *Temporary Uses and Structure Standards*, for provisions related to temporary batch plants); and
   D. The duration of the use shall coincide with the use of the facility for a specified construction project. The use shall be removed immediately upon project completion.

3. *Billboard*. Refer to Subsection 39.03.023.l, *Billboards*.

4. *Correctional Institution.* To operate a correctional institution, the facility shall first be reviewed and found to be in compliance and compatible with the standards of the Texas Department of Criminal Justice.

5. *Junkyard, Salvage Yard, and Wrecking Yard.* To establish and operate a junkyard, salvage yard, or wrecking yard:
   A. *Size.* The site shall be at least five acres at the time of application.
   B. *Display Area.* A display area may be provided adjacent to the fronting street provided the following conditions are met:
      i. The display area shall be setback a minimum of 25 feet;
      ii. A screening fence shall be constructed on the sides and rear of such display area;
      iii. The total area to be used for display shall not exceed five percent of the total development lot area; and

iv. Display of parts and/or used cars which are for resale may be displayed in this area. Said used cars shall be complete with no parts removed and no more than five used cars may be displayed.

C. *Stacking.* No item of junk, salvage, or other merchandise shall be stacked or permitted to be stacked or stored in excess of the height of the enclosing fence or wall nor nearer than two feet thereto except that wrecked vehicles may be stacked two vehicles high provided said vehicles are stacked a minimum of 75 feet from any property line.

D. *Arrangement of Materials.* Such junk, salvage, or other merchandise on the premises shall be arranged to provide reasonable inspection of, or access to, all parts of the premises. The premises shall be open for inspection and meet the requirements of the fire, police, health, and building authorities at all times.

6. *Landfill.* To establish and operate a landfill, an operator/owner shall provide proof of all certificates and permitting required by state law.

7. *Manufactured Home Park or Manufactured Home Subdivision*.

A. *Restrictions on Placement of Manufactured Housing.*

i. All manufactured homes placed within a manufactured home park or subdivision shall conform with the standards established for manufactured homes by the National Mobile Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.), and any subsequent modification or amendments to such standards. Except as otherwise allowed by Section 28.09.131 of the City of Lubbock Code of Ordinances, manufactured homes may not be installed within the corporate limits. All other structures, on site, shall comply with all City codes and ordinances. In addition, compliance shall be made with the appropriate sections of this UDC concerning foundations, supports and utility connections.

ii. An application to install a new HUD-code manufactured home for use as a dwelling is considered to be granted unless the City, in writing, denies the application and states the reason for the denial not later than the 45th day after the date the application is received.

iii. Subsections i. and ii., above, do not affect the validity of an otherwise valid deed restriction. However, the City of Lubbock will not enforce any private deed restriction.

iv. A permit, fee, bond, or policy of insurance is not required for the transportation and installation of manufactured housing by a licensed retailer or installer, except as approved by the Texas Department of Housing and Community Affairs, operating through its manufactured housing division. This Subsection does not prohibit the collection by the City of the actual costs which result from the transportation of a manufactured home.

v. Notwithstanding any zoning or other law, in the event that a manufactured home occupies a lot, the owner of the manufactured home 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.

vi. An owner's ability to replace a manufactured home as a result of a fire or natural disaster is not restricted; however, other than in the case of a fire or natural disaster, the ability of an owner to replace a manufactured home is limited to a single replacement.

B. *Inspection and Permit*.

i. Inspection shall be made of manufactured homes and manufactured home sites by the Building Official, in accordance with the inspections required in Sections 28.05.231 of the City of Lubbock Code of Ordinances and this UDC, and the required inspection fees shall be paid.

ii. A permit shall be secured from the Building Official by any person desiring to place a manufactured home within a manufactured home park or subdivision following the procedures in Articles 28.05

and/or 28.07 of the City of Lubbock Code of Ordinances, as applicable. Such permit shall be secured before any preparation of the lot is started prior to moving in a manufactured home or making an addition to a manufactured home in accordance with the Building Code.

iii. Permits required for the placement or installation of manufactured homes include those necessary for movement and placement of the home, as well as to accommodate the connection of electrical, plumbing, and fuel gas systems, including all necessary inspections associated therewith. Any addition to a manufactured home shall require permits in accordance with the Building Code, the Electrical Code, the Plumbing Code, and the Mechanical Code in accordance with Article 28.05 of the City of Lubbock Code of Ordinances.

8. *Outdoor Shooting / Archery Range.* To operate an outdoor shooting/archery range:

   A. The minimum area of the parcel proposed for development shall be 30 acres;

   B. The range shall be a minimum of 2,500 feet from residential zoning districts, schools, places of public assembly, day care centers, and parks used for active recreation, which shall be measured along a straight line between the closest property lines in all directions; and

   C. The use shall be designed to prevent projectiles from leaving the site and shall be approved by the City of Lubbock Police Department and a third-party, independent inspector who shall certify the site is in compliance with this regulation.

9. *Resource Extraction.* To establish and operate a mine or any other facility that extracts natural resources from the ground:

   A. *Site Plan.* A survey and legal description of the property shall be submitted showing a north arrow, scale, and date. It shall also show the owner of property in question and ownership of all adjacent property, typical features, existing, and proposed, such as property line, streets, alleys, easements, buildings or other structures, driveways, screening, and landscaping on the property and within 200 feet of the property;

   B. *Statement of Depth.* The application shall designate the depth to which excavation or fill will be made and the angle of all side slopes;

   C. *Dust.* The application shall include a statement describing provisions for controlling dust;

   D. *Traffic.* The application shall include a statement of precautions to be taken to guide traffic movements safely in, around, and by said operation; and

   E. *Oil and Gas Drilling*. If the resource extraction is for oil and/or gas, the requirements of Article 8.07, *Oil and Gas Drilling,* of the City of Lubbock Code of Ordinances shall be met.

10. *Sexually-Oriented Business.* To operate a sexually-oriented business, the following standards shall be met, in addition to the standards in Article 8.09, *Sexually-Oriented Businesses*, in the City of Lubbock Code of Ordinances:

    A. *Testimony.* Testimony before the Planning and Zoning Commission and City Council shall establish that:

       i. The proposed use will not be injurious or otherwise detrimental to the public health, safety, morals, and general welfare of the public;

       ii. Approval of the proposal will not be injurious to the property or improvements in the vicinity of the proposed use; and

       iii. Consideration of a request shall take into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working adjacent to the proposed use, and the impact of the proposed use on traffic in the vicinity.

B. *Notice to Adjacent Owners.* Written notice of public hearings shall be given as required to all owners of real property lying within 1,000 feet of the property in accordance with the mailed notice provisions within Section 39.07.007, *Public Notice*.

11. *Smoke Shop or Tobacco Store*.

A. *Minimum Distance from Same Use*. In all applicable districts, the use shall be located a minimum of 1,000 feet from property line to property line.

B. *Minimum Distance from Other Uses*. The use shall be located a minimum of 600 feet from the following uses, measured as a radius from property line to property line.

i. Public or private elementary or secondary schools;

ii. City parks;

iii. Child care or day care centers;

iv. Adult care centers;

v. Hospitals; and

vi. Places of worship.

12. *Stockyards.* To operate a stockyard, the following standards shall be met:

A. *Slaughter.* No killing or dressing of animals for human or animal consumption shall be permitted on any lot, tract, or parcel.

B. *Setbacks*. No accessory building associated with keeping animals shall be located closer than 30 feet from the side property lines, 40 feet from the rear property line, or closer than 40 feet from the front property line.

C. *Fencing.* All animals kept shall be confined within pens or fences of suitable materials and substantial construction sufficient to restrain the animals.

D. *Shelter*. Each animal allowed by this Section shall be properly stabled or housed in a shelter suitable for protection from the elements. Such shelters shall comply with the requirements of a construction permit, if such is required, to be obtained from the Building Official.

E. *Feed Storage.* Feed grains or all other animal foods with the exception of hay shall be stored in metal or other rodent-proof receptacles.

F. *Parking.* Adequate parking shall be provided for all uses on the property, as determined by staff and required as part of the specific use approval.

Section 39.02.020 Accessory Use and Structure Standards

Subsection 39.02.020.a Purpose and Applicability

1. **Purpose**. The purpose of this Section is to outline standards for accessory uses and structures, which apply to all uses in all districts to:

A. *Economic Development*. Promote economic development by making the community a more desirable place to live, conduct business, and recreate.

B. *Property Values*. Protect property values and lessen the impact that some accessory structures may have on residential properties;

C. *Aesthetics*. Enhance and protect the aesthetic interests of the community; and

D. *General Welfare*. Advance the general welfare of the community.

2. **Applicability**.
   A. *Districts*. Standards are organized by the following:
      i. Accessory uses, generally;
      ii. Accessory uses in residential districts;
      iii. Accessory uses in nonresidential and mixed-use districts; and
      iv. Accessory dwelling units.
   B. *Construction and Expansion*. The standards of this Section apply when:
      i. An accessory use or structure is established or constructed;
      ii. An existing accessory structure is expanded by more than 10 percent of its gross floor area; or
      iii. There is an expansion of an accessory use to or within an existing building or in an outdoor area devoted to the use.

Subsection 39.02.020.b General Accessory Uses and Structures

1. **Generally.** Accessory structures include, but are not limited to, garages, tool houses, greenhouses, and storage houses.
2. **Applicability.** The standards of this Subsection are for accessory uses and structures that are permitted in any zoning district in association with a principal use or uses.
3. **All Accessory Uses and Structures**. The following standards shall apply to all accessory uses and structures in all zoning districts except as indicated otherwise:
   A. *Subordination*. The accessory use or structure shall be subordinate to and serve a primary use or primary structure. Except as provided in this Subsection, a non-agricultural accessory structure shall be subordinate in height to the primary structure or residence.
   B. *Same Property*. An accessory use or structure shall be located on the same parcel or lot as the primary use or structure.
   C. *Timing of Use*. No accessory structure may be used unless the primary structure is also being used.
   D. *Residential Use.* Accessory structures shall not be used as dwellings.
   E. *Commercial Use*. Accessory structures located on residentially zoned or used property shall not be used for commercial purposes other than a permitted home occupation or home business.
   F. *Setbacks*.
      i. *Generally.* Unless otherwise noted, detached accessory structures shall have minimum interior side and rear setbacks of five feet. Attached accessory structures shall comply with the setbacks that apply to the primary use or structure but shall not be less than five feet.
      ii. *Residential Accessory Structures.* In addition to the standards in Paragraph i. above, the following shall apply to residential accessory structures:
         a. An accessory structure shall be located to the rear of the front facade of the principal structure. In the case of a through lot, the accessory structure shall meet the required setback from the rear street.
         b. An accessory building with vehicular access that fronts an alley shall be set back a minimum of 20 feet from the alley right-of-way or easement.
         c. Refer to Paragraph 39.02.020.c.2.B, *Setbacks*, for additional provisions for residential accessory structures.

G. *Easements*. Accessory structures permanently affixed to the ground shall not encroach into an easement.

H. *Size*. Accessory buildings shall not occupy more than 10 percent of the total square footage of the lot and shall not exceed the floor area of the primary building on properties that are less than one-half acre in the lot area.

I. *Fence and Wall Height*. Fence and wall height shall be measured as described in Section 39.02.022, *Measurements*.

J. *Quantity.* The number of accessory structures permitted per lot (based on lot size) shall be the following:

i. *One Acre or Greater.* Lots with an area of one acre (43,560 square feet) or greater shall not have more than four accessory structures.

ii. *20,000 to 43,559 Square Feet.* Lots with an area between 20,000 square feet and 43,559 square feet shall not have more than three accessory structures.

iii. *Less than 20,000 Square Feet*. Lots with an area of less than 20,000 square feet shall not have more than two accessory structures.

4. **Carports and Porte-Cocheres**. Detached and attached carports and porte-cocheres, as depicted in Figure 39.02.020.b-2, *Carport and Porte-Cochere*, are allowed subject to the following:

A. *Permitted*. A carport or porte-cochere may be permitted as an accessory structure to:

i. A Single-family detached dwelling;

ii. A Duplex;

iii. A Townhouse dwelling;

iv. A Multiple-family dwelling;

v. Automobile and Related Uses;

vi. Civic and Institutional Uses; and

vii. Commercial Uses.

Figure 39.02.020.b-2
Carport and Porte-Cochere



Residential Carport



Residential Porte-Cochere

B. *Prohibited*. Temporary or pre-assembled carports or porte-cocheres are prohibited.

C. *Building Permit Required.* As permanent structures, carports and porte-cocheres are subject to the City's Building Code, including wind load requirements, and shall require a building permit prior to construction.

D. *Encroachment.* Carports and porte-cocheres shall not encroach into required setbacks, except as listed below.

E. *Construction Methods*. Carports, porte-cocheres, and their support structures shall be firmly anchored to the ground. Drainage runoff from the structure shall not create a greater amount of water runoff and/or drainage than pre-existed the structure onto adjacent properties.

F. *Residential Carport or Porte-Cochere Location.*

A. *Rear Yard.* The Director of Planning may approve a Site Development Plan for a carport or porte-cochere located in the rear yard of a townhouse building type if it complies with all of the following standards:

i. *Alley Access.* The carport or porte-cochere shall be accessed only from an alley.

ii. *Design and Appearance.* A carport or porte-cochere shall be constructed so that supporting posts, fascia, soffits, roof, and roof slope are of the same color, materials, and architectural style as the principal structure;

iii. *Length and Width*. Carports and porte-cocheres shall have dimensions no greater than 20 feet in length by 20 feet in width;

iv. Setback. The carport or porte-cochere shall obey all setbacks for the district in which it is located.

B. *Front Yard and Side Yard*. The Director of Planning may approve a Site Development Plan for a carport or porte-cochere located in the front yard or side yard of single-family detached or multi-family dwelling if it complies with all of the following standards:

i. *Applicability.* Carports or porte-cocheres located in the required front yard and/or side yard shall be limited to lots where the principal structure was originally constructed on or before November 20, 1980;

ii. *Design and Appearance*. A carport or porte-cochere shall be constructed so that supporting posts, fascia, soffits, roof, and roof slope are of the same color, materials, and architectural style as the principal structure;

iii. *Length and Width*. Carports and porte-cocheres shall have dimensions no greater than 20 feet in length by 20 feet in width;

iv. *Interior Side Setback.* Be setback a minimum of five feet from an interior side property line;

v. *Front Setback.* Be setback a minimum of five feet from the front property line; and

vi. *Street Side Setback.* Be setback a minimum of five feet on the street side yard of the property.

5. **Residential and Agricultural Fences and Walls**.

A. *Subdivision Perimeter Fences or Walls*. A fences or wall may be provided along the perimeter of a new subdivision adjacent to public right-of-way. If a fence or wall is provided, it shall:

i. Be of a consistent design for the entirety of the subdivision with a Type B Bufferyard, as detailed in Section 39.03.016 *Bufferyard Landscaping*, provided along the fence where adjacent to an arterial street or highway;

ii. Be maintained by a homeowners' association, property owners' association, public improvement district, or tax increment financing reinvestment zone;

iii. Include stone or brick columns spaced a maximum of 30 feet apart;

iv. Not encroach into the public right-of-way;

v. Be a minimum of six feet in height; and

vi. Be installed by the subdivider, the subdivider's contractor, or other entity approved by the Director of Planning.

B. *Prohibited Fence Materials*. Residential fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:

i. Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence, such as, but not limited to:

a. Plywood or particleboard;

b. Rope, string, or wire products (except as where provided); and

c. Fiberglass panels.

ii. Barbed wire or concertina;

iii. Razor wire;

iv. Electrified components (except as where provided in Paragraph C., *Keeping of Livestock*, below);

v. Embedded glass shards; or

vi. Damaged, deteriorated, or unsafe materials.

C. *Keeping of Livestock*. In addition to the material requirements above, the following may be used for restraining livestock where permitted:

i. Chicken wire, hog wire, wire fabric and similar welded or woven wire fabrics; and

ii. Electrified fencing provided that warning signs shall be posted.

D. *Approved Fence Materials*. Residential fences may be constructed of any of the following materials:

i. Masonry (brick, stone, reinforced concrete) or any other sustainable material with more than a 30-year life expectancy;

ii. Ornamental metal fencing;

iii. Cedar or whitewood;

iv. Composite fencing;

v. Vinyl fencing;

vi. Chain link fencing;

vii. Wooden split-rail or painted pipe rail fencing may be installed on parcels of one acre or larger;

viii. Sheet, roll, or corrugated metal, only if constructed with metal posts, metal frames, metal brackets, and metal caps; and

ix. Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Wooden horizontal members must be at least 2" X 4" in size.

E. *Height and Openness*.

i. Except as permitted in Paragraph G., *Apartment Fencing*, below, the maximum height of a residential fence or wall within a required front setback shall be 48 inches.

ii. The maximum height for any other residential fence or wall shall be 10 feet.

F. *Setbacks*. Fences and walls are permitted in any required setbacks, subject to the height limits in Paragraph E., *Height and Openness*, above, and subject to the visibility triangle established in Section 39.02.022, *Measurements*.

G. *Apartment Fencing*. Apartments may have a maximum six-foot tall fence that encroaches into the required front or side street setback if the fence is composed of ornamental metal and has a less than 50 percent opacity.

6. **Nonresidential and Mixed-Use Fences**. Except as provided in Paragraph A., *Industrial Screening Fence Requirements*, below, and Subsection 39.02.020.c.7., *Private Sports Courts and Batting Cages*, other than required buffer fencing, the following regulations apply to fencing in base nonresidential and mixed-use districts, and for nonresidential and mixed-use developments in residential or industrial districts.

   A. *Industrial Screening Fence Requirements*. Other than required buffer fencing, the following regulations apply to fencing for industrial uses located in the LI and GI districts.

      i. Height shall not exceed 10 feet.

      ii. Fences and gates that exceed four feet in height shall not extend beyond the front facade of the building.

      iii. Chain link is a permitted material for security fencing.

      iv. Barbed wire may be used as a permitted material for security fencing and shall comply with the minimum requirements of the City's adopted Building Codes, including but not limited to, the City-adopted Building Code, as it exists or may be amended, and other applicable laws.

   B. *Approved Fence Materials*. Fences associated with nonresidential and mixed-use development may be constructed of any of the following materials.

      i. Masonry (brick, stone, reinforced concrete) or any other sustainable material with more than a 30-year life expectancy;

      ii. Ornamental metal fencing;

      iii. Cedar or redwood;

      iv. Composite fencing;

      v. Vinyl fencing;

      vi. Wooden split-rail or painted pipe rail fencing may be installed on parcels of one acre or larger;

      vii. Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Chemically pre-treated wooden horizontal members must be at least 2" X 4" in size.

   C. *Prohibited Fence Materials*. Residential fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:

      i. Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence, such as, but not limited to:

         a. Plywood or particleboard;

         b. Rope, string, or wire products (except as where provided); and

         c. Fiberglass panels.

      ii. Sheet, roll, or corrugated metal;

      iii. Razor wire (except as where provided);

      iv. Chain link (except as where provided);

      v. Electrified components;

      vi. Embedded glass shards; or

      vii. Damaged, deteriorated, or unsafe materials.

   D. *Location*. Except as permitted in Paragraph F., *Hotel Fencing*, below, fences and gates that exceed four feet in height shall not extend beyond the front facade of the building.

   E. *Height*. Height shall not exceed eight feet.

F. *Hotel Fencing*. Hotels may have a maximum six-foot tall fence that extends beyond the front facade of the building and that encroaches into the required front or side street setback if the fence is composed of ornamental metal and has a less than 50 percent opacity.

7. **Solar Panel Array (Small-Scale)**.

A. *Ground-Mounted*. Ground-mounted solar panels shall be:

i. Located in the interior side or rear yard ~~and screened from adjacent residential property and all public rights-of-way with Type B Bufferyard, as detailed in Section 39.03.016 *Bufferyard Landscaping*~~; and

ii. Set back from lot lines as if they were detached accessory buildings if the highest point on the panels is more than six feet above grade.

B. *Roof-Mounted*.

i. Roof-mounted solar panels may be located on principal and accessory buildings.

ii. A roof-mounted array on a pitched roof may not extend more than 12 inches above the roof surface if the roof is visible from the public right-of-way or from a residential property, nor may it extend more than 12 inches beyond any edge of the roof.

iii. A roof-mounted array on a pitched roof that is visible from the public right-of-way may cover a maximum of 50 percent of the roof plane visible to the public right-of-way.

iv. Where an array is placed atop a flat roof, it may not extend more than five feet above the roof and shall be screened from the public right-of-way with the building's facade parapet or similar mechanism.

v. If a roof-mounted solar panel array cannot meet the above placement standards, a Specific Use Permit in compliance with the procedures in Section 39.07.033, *Specific Use Permit*, is required.

C. *Agreement*. If solar panels are to be interconnected to the electric utility grid, proof of an executed interconnect agreement shall be provided to the Building Official before the system is interconnected. Systems approved pursuant to this Subsection may not generate power as a commercial enterprise.

Subsection 39.02.020.c Residential Accessory Uses and Structures

1. **Applicability.** The standards of this Subsection are for residential accessory uses and structures.
2. **Accessory Structures**. Accessory structures include, but are not limited to, garages, tool houses, greenhouses, and storage houses, and are subject to the following unless explicitly modified in this Subsection:

A. *Generally*. Such structures shall meet applicable City Building Codes and receive permits, if required, prior to construction. These structures shall not be permitted as dwellings.

B. *Setbacks*. The following setback requirements shall apply to residential accessory structures unless otherwise required in this Section.

i. An accessory structure shall be located to the rear of the front facade of the principal structure. In the case of a through lot, the accessory structure shall meet the required setback from the rear street.

ii. Detached accessory structures shall have a minimum side and rear setback of five feet.

iii. A garage that fronts an alley shall be set back a minimum of 20 feet from the alley right-of-way or easement line.

iv. In the RE, SF-1, SF-2, MDR and HDR districts, an accessory structure may be built to within 18 inches of the rear lot line if the property has paved alley access. However, if access to a garage or one-story carport is facing an alley right-of-way or access easement, the minimum rear setback shall be 20 feet for garages, or five feet for one-story carports not having solid side walls. Setbacks shall be measured from the property line from an alley and/ or from the easement line if from an access easement.

C. *Floor Area*. Accessory buildings shall occupy no more than 10 percent of the total square footage of the lot and the floor area of an accessory building shall not exceed the floor area of the principal building on properties that are less than one-half acre in lot area.

3. **Agricultural Accessory Use or Structure**.

1. *Floor Area*. An accessory structure that supports an agricultural activity may exceed the floor area of the principal building.
2. *Residential Separation*. All agricultural structures (excluding fences) used to house livestock shall be located so that they are no closer than 150 feet from a dwelling unit on another property. This requirement shall not apply if a dwelling unit is constructed so as to encroach upon such separation, except that such an agricultural structure may no longer expand towards a newly established residential use.

4. **Community Garden.**

1. *Generally.* Community gardens shall comply with all regulations of the associated district and applicable standards for community gardens in Subsection 39.02.018.b, *Agricultural Uses.*
2. *Location.* The entirety of the community garden shall be located within the rear yard and shall not be located within any required setback.
3. *Screening*. The entirety of the community garden shall be screened by an opaque fence.
4. *Composting.* Composting may be performed on-site, within a composting container, subject to the following:
   i. Composted materials shall be generated on-site or contributed by members of the community garden; and
   ii. All composting containers shall be located a minimum of 20 feet from side and rear property lines and a minimum of 40 feet from the front property line.

5. **Home Occupation**.

A. *Types Permitted.* Home occupations are limited to office and professional services, and any use operating as a customary home occupation approved by the City prior to the effective date of this UDC.

B. *Types Prohibited*. The following are prohibited as home occupations:
   i. Animal hospitals;
   ii. General retail sales;
   iii. Mortuaries;
   iv. Major electrical appliance repair, motorized vehicle repair, and related uses;
   v. Sexually-oriented business;
   vi. Stables or kennels;
   vii. Welding, vehicle body repair, or rebuilding or dismantling of vehicles; and
   viii. Other activities that the Director of Planning deems to be functionally similar to a prohibited home occupation.

C. *Permitted Employees.* No person other than a resident of the dwelling shall be engaged in such occupation.

D. Permitted Structures. Except for personal service home occupations, any permitted home occupation may take place in the principal or accessory structure. Personal service home occupations shall only take place in an accessory structure.

E. *Scale of Use.*
   i. The home occupation shall not exceed more than 25 percent of the gross floor area of the principal building or 400 square feet, whichever is less; and

ii. This measurement excludes the floor area of an:

a. Attached garage;

b. Detached garage; or

c. Accessory dwelling unit.

F. *Advertisement.* To prevent increased traffic congestion in residential areas, no advertising device such as a sign, display, handbills, or other visible indication thereof shall be displayed inside or outside the residential dwelling and no print or social media advertising shall advertise the business or property address.

G. *Character of Dwelling.*

i. No alteration shall be made to the building that changes the residential character or appearance of the dwelling to accommodate the home occupation; and

ii. The mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic, or household purposes.

H. *Exterior Storage Prohibited.* There shall be no outdoor display or storage of goods, materials, merchandise, or equipment related to the home occupation that is visible from the exterior of the dwelling unit.

I. *Nuisances.* The home occupation shall not create or cause any perceptible noise, odor, smoke, electrical interference, vibrations, or anything else that constitutes a public or private nuisance to neighboring properties.

J. *Signage.* There shall be no signage or any other external visible indication relating to the home occupation.

K. *Deliveries.* The home occupation shall not require the delivery or shipment of materials, merchandise, goods, or equipment by any means other than passenger motor vehicles, one-ton step-up vans, or similar-sized trucks that are less than 10 tons gross vehicle weight.

L. *Parking.*

i. *On-Site.* No more than one vehicle used in connection with any home occupation shall be parked on the property.

ii. *Places to Park.* No more than two on-street parking spaces shall be used by the home occupation at any one time.

iii. *Traffic Congestion.* The home occupation shall be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.

M. *Discharge or Dangerous Uses.* The home occupation:

i. Shall not discharge into any wastewater system, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal wastewater plant operation, corrosive to wastewater pipes and installations, or any material that is a violation of Article 22.11 of the City of Lubbock Code of Ordinances; and

ii. Will not be more dangerous to life, personal safety, or property than any other activity ordinarily carried on with respect to a dwelling unit used solely for residential purposes.

N. *Home Beauty Shop*. If the use is a home beauty shop, the use shall be limited to no more than one operator's chair, three dryers, and one sink utilized and installed within the area of the residential dwelling devoted to this purpose.

O. *Other Permits and Laws.* The occupation shall be operated in accordance with all applicable laws and, if a state or federal permit(s) or certificate(s) are required, such permit and/or certificate shall be obtained prior to beginning operation.

6. **Outdoor Swimming Pool, Spa, and Hot Tub.**
   A. *Location*.
      i. Except as modified in Paragraph ii, below, outdoor swimming pools, spas, or hot tubs shall be located in the side or rear yard and shall have the same required setbacks as a detached structure, as established in Paragraph 2.B, *Setbacks*, above, as measured from the exterior pool fence or wall.
      ii. For garden home housing types, where the structure is set with a zero-foot setback on one side property line, an outdoor pool shall have the same setback as the non-zero side setback of the residence.
   B. *Enclosure*. Swimming pool, spa, and hot tub enclosures shall comply with the minimum requirements of the City's adopted Building Codes, including but not limited to, the City-adopted International Residential Code, as it exists or may be amended, and other applicable laws.
7. **Private Sports Courts and Batting Cages**.
   A. *Number*. There shall be no more than one sports court or batting cage per lot, except that lots over one acre in area may have a maximum of two.
   B. *Accessory Structures*. Each private sports court or batting cage will substitute for one permitted accessory structure per lot on a one-to-one basis.
   C. *Location*. A private sports court or batting cage shall be located to the rear of the front facade of the principal structure. A minimum 10-foot setback shall apply from side and rear property lines.
   D. *Fence Height*. All fencing shall not exceed 10 feet in height as measured from the elevation at the adjacent property line. If the setback is more than 15 feet from side and rear property line, fence height may be increased to a maximum of 15 feet, measured in the same manner.
   E. *Fence Materials*. Approved fencing materials are chain link fencing or mesh netting.
8. **Intermodal Shipping Containers**. Intermodal shipping containers, as separate structures or as a component to a structure, are prohibited for use within the RE, SF-1, SF-2, and MDR zoning districts.

Subsection 39.02.020.d Nonresidential and Mixed-Use Accessory Uses and Structures

1. **Applicability**. The standards of this Subsection are for nonresidential and mixed-use accessory uses and structures.
2. **Automated Teller Machine (ATM) or Vending Kiosk**. ATMs or vending kiosks are permitted subject to the following:
   A. *Accessory Use*. They shall be customarily associated with a permitted principal use, located on the same lot or parcel, and shall not serve as a principal use;
   B. *Setback*. They shall be set back from property lines one foot for each foot in height of the kiosk or ATM;
   C. *Height*. They shall not exceed a maximum height of 10 feet;
   D. *Mounting*. They shall be elevated above parking lot surfaces and protected by a six-inch curb, with a minimum radius around the base of the kiosk of five feet. Bollards shall not be used for collision protection unless they are integrated into a decorative metal fence that surrounds the structure except at points of access; and
   E. *Pedestrian Access*. Walk-up vending kiosks and ATMs shall be connected to the internal and external pedestrian circulation systems and do not interfere with vehicular circulation; or
   F. *Vehicular Access*. Drive-through vending kiosks and ATMs shall have circulation that is independent from parking areas and shall provide a minimum of three stacking spaces, including the position at the kiosk or ATM.
3. **Community Garden.**
   A. *Accessory Use*. A community garden may be permitted as an accessory use to:
      i. Place of Public Assembly, Indoor; and

ii. Educational Services (excluding transportation-related instruction).

B. *Generally*. Community gardens shall comply with all regulations of the associated district and applicable standards for community gardens in Subsection 39.02.018.b, *Agricultural Uses*.

C. *Location.* The entirety of the community garden shall not be located within any required setback.

D. *Composting*. Composting may be performed on-site, within a composting container, subject to the following:

i. Composted materials shall be generated on-site or contributed by members of the community garden; and

ii. All composting containers shall be located a minimum of 40 feet from side and rear property lines and a minimum of 80 feet from the front property line.

4. **Donation Bin / Recycling Collection, Drop-Off.**

A. *Generally.* Donation bins, community recycling bins, and dumpster bins may be provided for permitted apartments, nonresidential uses, and mixed uses for solid waste or other appropriate collection services.

B. *Screening*. Containers that are located in a front yard to meet the requirements of the refuse service provider or that are visible from the street right-of-way view shall be screened with a solid enclosure. The enclosure shall extend at least one foot above the container top, as depicted in Figure 39.02.020.d-1, *Dumpster, Donation Bin, Recycling Collection Screening*.

C. *Location.* The placement of the containers shall meet the following requirements:

i. Containers shall be placed on a paved surface of either concrete or asphalt;

ii. Containers shall be located in such a manner that they can be serviced by a collection or refuse hauling vehicle without such vehicle encroaching on or interfering with the public use of streets or sidewalks, and without such vehicle backing out of the property onto the public right-of-way;

iii. Openings into enclosures shall be positioned so that view of the containers from residentially zoned or used properties and from the street right-of-way is eliminated; and

iv. The facilities shall be located in a side or rear yard of the parcel proposed for development unless it is not possible to provide service access in such locations.

Figure 39.02.020.d-1
Dumpster, Donation Bin, Recycling Collection Screening



5. **Drive-In or Drive-Through Facility**. Drive-in or drive-through facilities are permitted subject to the following:

A. *Location*. The facility shall not be located within the front setback of the principal building and the street.

B. *Bufferyard*. Ordering stations within 10 feet of a residentially zoned or used property shall be buffered with a Type B Bufferyard in accordance with Section 39.03.016, *Bufferyard Landscaping*.

C. *Speakers*. Drive-through speakers shall be either:

i. Oriented to face away from a single- or two-family dwelling or a residential zoning district;

ii. Be setback a minimum of 25 feet from a single- or two-family dwelling or a residential zoning district; or

iii. Buffered as required in Paragraph B, Bufferyard, above, regardless of if the speakers are greater than 10 feet from the single- or two-family dwelling or a residential zoning district.

6. **Outdoor Display of Merchandise**. Permanent or seasonal outdoor display of merchandise is permitted subject to the following:

A. *Detached from or Attached to Principal Building*. The outdoor display area shall only contain items for sale by a business that is located within a permanent structure or a designated area on the same site, whether the display area is detached from, or attached to, a principal building.

B. *Attached to Principal Building*. An outdoor display area that is attached to a principal building (Letter "A" in Figure 39.02.020.d-2, *Attached Outdoor Display Area,* below) is permitted if the outdoor display area is:

i. Adjacent to a wall of a principal building;

ii. Not located in areas that are required or used for parking, loading, or vehicular circulation.

iii. Not larger than 15 percent of the gross floor area of the principal building (Letter "B" in Figure 39.02.020.d-2);

iv. Within the buildable area of the site formed by the required setbacks;

v. If permanently covered, the display area shall be covered with a roof structure that is architecturally integrated into the primary building (Letter "C" in Figure 39.02.020.d-2), except that nursery areas may be covered by greenhouse roofing, screening, or another cover material that is appropriate for protecting plant stock; and

vi. Configured as a walled and/or decoratively fenced area that is architecturally integrated into the principal building (Letter "D" in Figure 39.02.020.d-2).

Figure 39.02.020.d-2
Attached Outdoor Display Area



7. **Outdoor Storage**. Outdoor storage is permitted subject to the following:

A. *Accessory Use*. Outdoor storage shall take place only in conjunction with a principal use as permitted in nonresidential and mixed-use districts.

B. *Surfacing and Drainage*.

i. *LI and GI Districts.* In the LI and GI zoning districts, access aisles and maneuvering areas of enclosed outdoor storage areas may be composed of gravel.

ii. *All Other Nonresidential and Mixed-Use Districts.* All outdoor storage facilities including access aisles, driveways, and maneuvering areas shall be composed of an all-weather surface.

C. *Location*. An outdoor storage facility shall be located to the rear or side of the primary structure and as great of a distance as feasible from the public right-of-way and adjacent residentially zoned or used property.

D. *Maneuvering of Inventory*. The site shall be of adequate size, shape, and design to ensure:

i. Inventory will be maneuvered without conflicting with vehicular use areas; and

ii. All on-site maneuvering shall occur without encroaching onto adjacent properties or rights-of-way.

E. *Buffering and Screening*. Outdoor storage areas shall be screened from the public right-of-way and from adjacent properties with a Type B Bufferyard as established in Division 3.4, *Trees, Landscaping, and Buffering*, together with a fence or wall that is a minimum of six feet and a maximum of eight feet in height with the following exemptions:

i. Retail planting stock and landscape stone or similar landscape materials, associated with a nursery or greenhouse;

ii. Commercial vehicles related to a permitted business on-site; and

iii. Finished recreational vehicles, automobiles, portable buildings, boats, trailers, manufactured homes, and other similar vehicles or equipment sold by a permitted use on-site.

Subsection 39.02.020.e Accessory Dwelling Unit

1. **Applicability.**

A. *Previously Existing Accessory Dwelling Units*.

i. In RE, SF-1, SF-2, MDR, and HDR districts, an accessory dwelling unit, as depicted in yellow in Figure 39.02.020.e-1, *Accessory Dwelling Unit*, is permitted on a parcel where the owner of the property lives in either the primary or accessory unit if the accessory dwelling unit was established prior to November 20, 1980.

ii. An existing accessory dwelling unit as described in Paragraph 1, Previously Existing Accessory Dwelling Units, shall be exempt from the standards of this Subsection and the Director of Planning may deem the accessory dwelling unit a nonconforming use and / or structure, as applicable.

B. *New Accessory Dwelling Units*. In RE, SF-1, SF-2, and MDR districts, an accessory dwelling unit is permitted on a parcel where the owner of the property lives in either the primary or accessory unit.

2. **Approval.** Application for an accessory dwelling unit, on a parcel where the owner of the property lives in either the primary or accessory unit, shall contain:

A. *Affidavit.* An affidavit stating why the accessory dwelling unit does not qualify for registration as a legal nonconforming apartment; and

B. *Site Plan.* A site plan and floor plan depicting the structure(s) as they existed on November 20, 1980.

3. **Limitations on Accessory Dwelling Units.**

A. *Number of Approvals per Tract.* Approval is limited to one primary dwelling unit and one accessory dwelling unit per lot.

B. *Repairs or Alterations.* No permits shall be issued for work other than work that is necessary to maintain said unit in a safe and habitable manner. No permit shall be issued to expand the floor area of an existing accessory dwelling unit or to add additional residential units.

C. *Restoration of Damaged Buildings.*

i. *Damage Exceeding 75 Percent of Cost*. An accessory dwelling unit that is damaged or partially destroyed by fire, flood, wind, explosion, earthquake, or other calamities shall not be again restored or used for such purpose if the expense of such restoration exceeds 75 percent of the replacement cost of the building or structure at the time such damage occurred. Reoccupation or reconstruction shall be expressly prohibited.

ii. *Damage Less Than 75 Percent of Cost*. Any approved accessory dwelling unit that is partially destroyed by fire, flood, wind, explosion, earthquake, or other calamities may be restored if the expense of such restoration is less than 75 percent of the replacement cost of the building or structure at the time such damage occurred and restoration is started within 12 months of the date of partial destruction and is diligently pursued to completion.

D. *Minimum Lot Area*. The minimum lot area shall be 10,000 square feet.

E. *Parking*. One off-street parking space shall be required in addition to the spaces required for the primary dwelling unit.

F. *Floor Area*. The floor area of the accessory dwelling unit shall not exceed that of the primary dwelling unit.

G. *Residential Building Code*. The accessory dwelling unit shall comply with the requirements of the City's Building Code.

H. *Use*. An accessory dwelling unit may be used as a long-term rental, short-term rental, or guest house.

4. **Effect of Approval.** Approval as an accessory dwelling unit shall not affect the uniform enforcement of all other ordinances designed for the protection of the health, welfare, and safety of the citizens of the City of Lubbock, including but not limited to the Fire, Building, and Housing Codes.

5. **Termination of Approved Status.**

A. *Change in Ownership or Owner-Occupancy*. A change in ownership shall not affect the status as an approved accessory dwelling unit provided either the primary or accessory dwelling unit is owner-occupied. Such status shall cease to exist if at least one of the two dwelling units on the development tract is not occupied by the owner of the property; or

B. *Damage.* The status as an approved accessory dwelling unit shall cease if the accessory dwelling unit is damaged or partially destroyed by fire, flood, wind, explosion, earthquake, or other calamities and the expense to restore or repair damage exceeds 75 percent of the replacement cost of the building or structure at the time such damage occurred.

Figure 39.02.020.e-1
Accessory Dwelling Unit

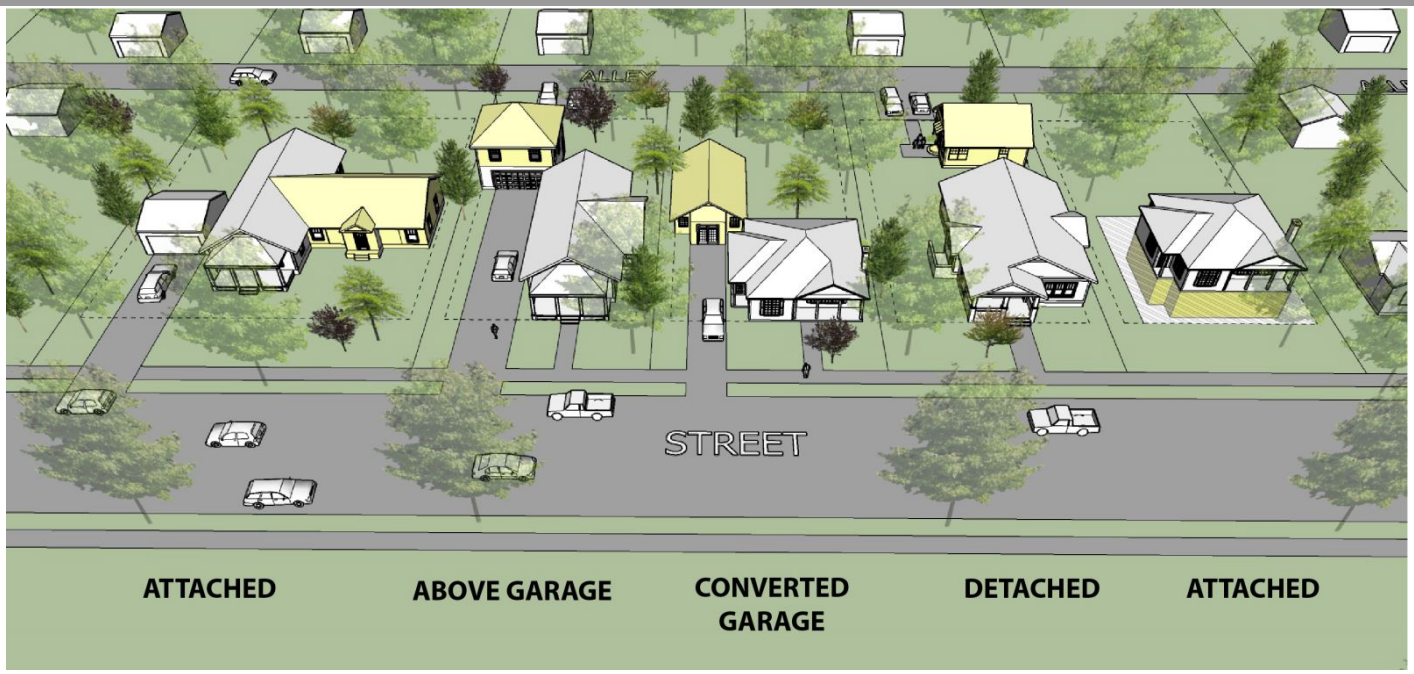


Figure Notes:
Accessory dwelling units shown above in yellow.

Section 39.02.021 Temporary Use and Structure Standards

a. **Generally.** Temporary buildings, structures, and construction uses are subject to the standards of this Section.

b. **Purpose.** This Section provides standards for operating a temporary use. The purpose of these regulations is to manage temporary uses to protect the public health and safety and to preserve the value and enjoyment of surrounding properties.

c. **Applicability**.

1. *Permit Required.* A temporary use permit shall be required, as established in Section 39.07.025, *Temporary Use Permit*, and is subject to administrative approval depending on the conformance of the application with the requirements of this Section.
2. *Listed Uses*. This Section applies to temporary uses in the zoning districts in Table 39.02.021-1, *Permitted Temporary Uses, Frequencies, and Duration*, below. Any temporary use that this Section does not allow, or that the Director of Planning determines to be substantially similar to those not allowed, is prohibited.
3. *Unlisted Uses*. The Director of Planning may interpret unlisted uses as requiring a Temporary Use Permit based on the provisions of Section 39.02.017, *New and Unlisted Uses*.
4. *Required Principal Use*. Establishment of a temporary use requires a permanent principal use, except for a batch plant.

d. **Exemptions.** The following activities shall not require a Temporary Use Permit:

1. *Outdoor Entertainment*. Individual events in permitted athletic stadiums, amphitheaters, and City-owned parks.
2. *Farmers' Markets or Fairs*. Farmers' markets, fairs, or other special events held within the public rights-of-way or on City-owned property that have received any necessary approvals outside of this UDC.

e. **General Standards**. The following standards shall apply to temporary uses and structures.

1. *Location and Site Requirements*. Unless otherwise provided for a specific temporary use, such uses shall:
   A. Have legal access to the site on which the use is proposed;
   B. Have all objects anchored down by the permittee;
   C. Be conducted in areas designated by an approved temporary use permit;
   D. Except for in the Mixed-Use districts, be set back 30 feet from public rights-of-way;
   E. In Mixed-Use districts, shall not encroach into the public right-of-way except as allowed in Subsection g., *Specific Temporary Use Standards*; and
   F. Be set back 50 feet from a residential zoning district.
2. *Parking, Access, and Circulation*. A temporary use shall:
   A. Have sufficient on-site parking for the principal and temporary use;
   B. Have adequate sight distances for safe vehicular ingress and egress;
   C. Not obstruct vehicular circulation nor access by emergency service providers; and
   D. Provide safe circulation by:
      i. Maintaining access to principal uses operating simultaneously with the temporary use; and
      ii. Minimizing points of conflict between vehicles and pedestrians.
3. *Utilities*. Temporary uses shall provide sufficient potable water and adequate sewage disposal, when applicable.
4. *Outdoor Lighting*. All light sources must be directed inward to the site and downward and away from adjacent properties. Refer to Division 3.6, *Outdoor Lighting*.
5. *Public Convenience and Litter Control*.
   A. The Director of Planning may require that adequate public restroom facilities be provided on-site.
   B. Adequate waste and recycling containers shall be provided on-site.
   C. After the temporary use has completed its designed term, the site shall be returned to its condition prior to the temporary use being established, including, but not limited to, removal of all litter and any other facilities related to the use, at no expense to the City.

f. **Temporary Use Table.**

1. *Generally*. Table 39.02.021-1, *Permitted Temporary Uses, Frequencies, and Duration*, shows which temporary uses are permitted in which zoning districts and provides maximum frequency and duration of an allowed temporary use.
2. *Symbols.* The symbols in Table 39.02.021-1, *Permitted Temporary Uses, Frequencies, and Duration*, shall have the following meanings:
   A. "**NT**" means "No Permit Required Temporary Permitted Use" subject to the applicable requirements of this Section but does not require approval of a temporary use permit.
   B. "**TP**" means "Temporary Permitted Use" subject to the applicable requirements of this Section and approval of a temporary use permit by the Director of Planning.
   C. "**TS**" means "Temporary Specific Use" subject to the applicable requirements of this Section and approval of a Specific Use Permit in accordance with Section 39.07.033, *Specific Use Permit*.
   D. "--" means that the use is prohibited in the specified zoning district.

E. "Number / Number" in the Duration column means the maximum number of days permitted per event and the maximum number of events permitted on a single site in a calendar year. For example, outdoor dining is permitted every day of the year on the same site.

F. "Standards" references refer to the standards below the table within this Subsection.

Table 39.02.021-1
Permitted Temporary Uses, Frequencies, and Duration

NT= No Permit Required Temporary Permitted Use; TP = Temporary Permitted Use; TS = Temporary Specific Use; -- = Prohibited; "Number / Number" = Maximum number of days permitted per event / Maximum number of events permitted on a single site in a calendar year

Temporary Use	Standards	Duration	Zoning Districts				
			Base Residential	Base Mixed-Use	Base Public and Nonresidential		
					NC, OF	AC	HC, IP, LI, GI
Batch plant	(g)(1)	N/A	TP	TP	TP	TP	TP
Outdoor sales event, including grand opening	(g)(2)	3 / 3	TP	TS	TP	TP	--
Outdoor circus, carnival, exhibition, or show	(g)(3)	14 / 1	--	--	--	TP	TP
Outdoor dining	(g)(4)	1 / 365	--	TP	TP	TP	--
Portable-On-Demand (POD) storage unit / Container	(g)(5)	30 / 2	NT	--	TP	TP	TP
Temporary construction or field sales office	(g)(6)	N/A	TP	TP	TP	TP	TP

g. **Temporary Use Standards**. The following standards apply to temporary uses in Table 39.02.021-1, *Permitted Temporary Uses, Frequencies, and Duration*, above, whether or not they require a Temporary Specific Use Permit or are temporary permitted uses.

1. *Batch Plant.*
   A. The use shall be located a minimum of 600 feet from any civic and Institutional use or a residentially used or zoned property.
   B. Hours of operation shall be 8:00 a.m. to 8:00 p.m. if the use is within 1,000 feet of residentially used or zoned property; or 6:00 a.m. to 10:00 p.m. in all other locations.
   C. The facility shall only be used for a development project within the City and shall be located no more than one mile from the project site.
   D. The duration of the use shall coincide with the use of the facility for a specified construction project, not to exceed 180 days. The use shall be removed upon project completion.

2. *Outdoor Sales Event, Including Grand Opening*.
   A. The use shall occupy a maximum area of 10 percent of the overall site area.
   B. In the NC and OF zoning districts, the sales area shall not encroach onto a sidewalk.
   C. In the Base Mixed-Use zoning districts, the sales area may encroach onto the sidewalk; however, the sidewalk shall have a minimum of four feet of unobstructed width.
   D. The only outdoor sales event permitted in association with a residential use is a garage sale.
   E. In a multi-tenant site, the maximum number of outdoor sales events per year is on a per tenant basis.

3. *Outdoor Circus, Carnival, Exhibition, or Show*.
   A. The minimum site area for this use is as follows:
      i. If the expected peak attendance is more than 1,500 people, the minimum site area shall be 10 acres.

ii. If the expected peak attendance is less than 1,500 people, the minimum site area shall be three acres.

B. All events and structures shall be set back a minimum of 30 feet from public and nonresidential districts and uses and 75 feet from residential or mixed-use districts or uses;

C. Temporary structures shall comply with the height restrictions of the district in which the structure is proposed to be located; and

D. Temporary structures (e.g., carnival rides and mega-inflatables) that are taller than the height allowed by the district in which it is proposed to be located are allowed, provided they are set back from all property lines a distance of two feet for every one foot in structure or inflatable height.

4. *Outdoor Dining*.

A. A decorative wall, fence, or other similar barrier that is a minimum of three feet in height, shall be provided and maintained between an outdoor dining area and a right-of-way. In the Mixed-Use districts, the barrier shall be designed to permit access from the building to the adjacent public right-of-way.

B. Outdoor waste and recycling receptacles for customers shall be provided, conveniently located, regularly serviced, and maintained.

C. In the Mixed-Use districts, outdoor dining may encroach into a public right-of-way upon approval of a Sidewalk Use License.

5. *Portable-On-Demand (POD) Storage Unit / Container*.

A. The unit shall be on the same property as the use requiring the service of the unit or container;

B. The unit shall not encroach into setbacks or sidewalks; and

C. The unit shall be located on an all-weather surface.

6. *Temporary Construction or Field Sales Office*.

A. The structure shall only be located on the lot or parcel proposed for development, and shall be set back a minimum of five feet from all property lines;

B. The structure shall not be used as a residence and shall be removed prior to issuance of a Certificate of Occupancy for the final building in the project; and

C. The use shall be removed immediately upon project completion.

Division 2.5 Measurements and Allowances

Section 39.02.022 Measurements

Table 39.02.022-1, *Measurements*, below, provides the method of measurement for the developmental standards in this UDC. Standards related to each type of measurement in this Section are established in the tables in Division 2.2, *Zoning Districts and Standards*.

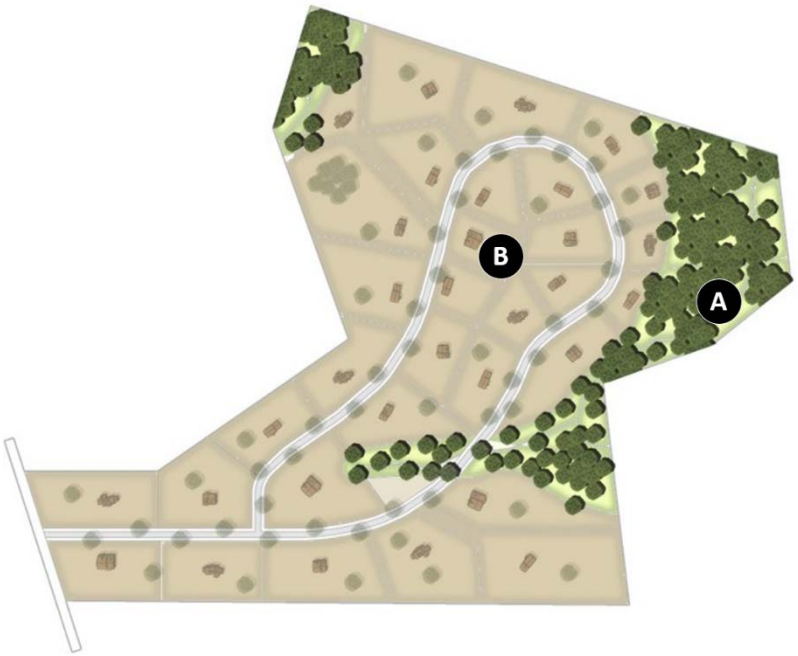
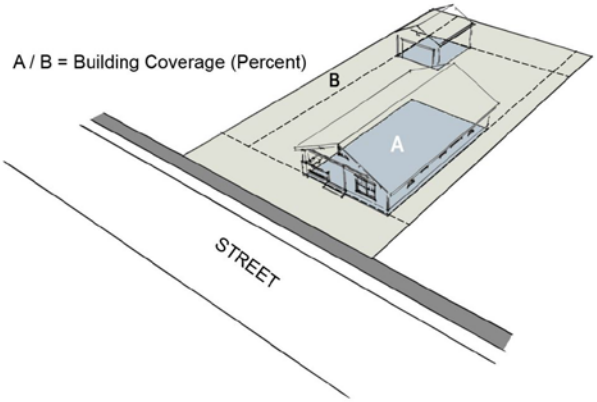
Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Minimum Common Open Space	The minimum common open space required by each district is calculated by dividing the total amount of common open space on the parcel proposed for development (A) by the total gross area of the entire parcel proposed for development (B) as depicted on a Preliminary Plat. To be counted toward the minimum open space requirements, subject land shall conform to applicable standards in Section 39.04.015, *Open Space Standards and Dedication*.	
Lot Coverage	The area of a parcel occupied by permanently anchored primary and/or accessory buildings.	

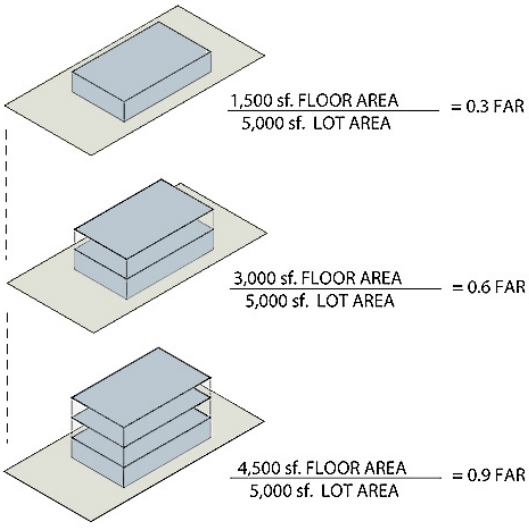
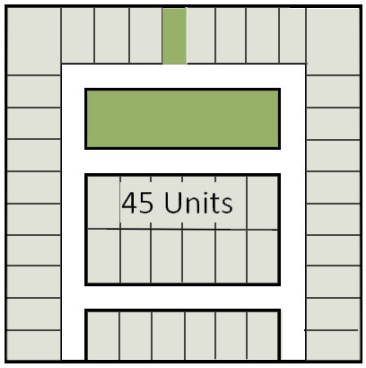
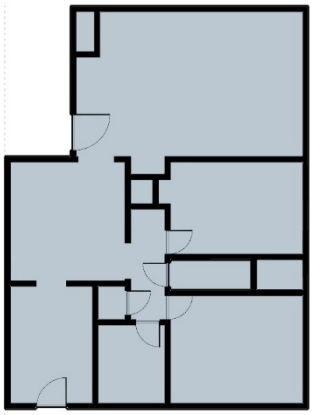
Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Floor Area Ratio	The gross floor area of all buildings on a lot, divided by the lot area.	
Gross Density	The number of dwelling units divided by gross acres, with gross acres being the site area minus the area of open space.	 Gross Density 10.0 Acres of land - 1.5 Acres of open space 45 Units/8.5 Gross Acres = 5.29 Units per Acre
Gross Floor Area	The total area of all the floors of a building, including intermediately floored tiers, mezzanines, etc., as measured from the exterior surfaces of the outside walls of the building.	
Height	**Buildings:** The vertical distance from the grade level of that portion of a parcel covered by the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof, or to the average height between eaves and the ridge of a gable, hip or gambrel roof.	

Table 39.02.022-1
Measurements

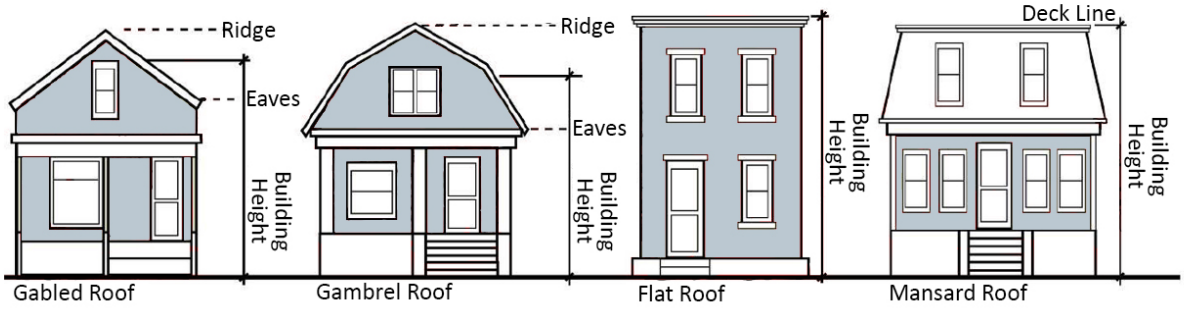
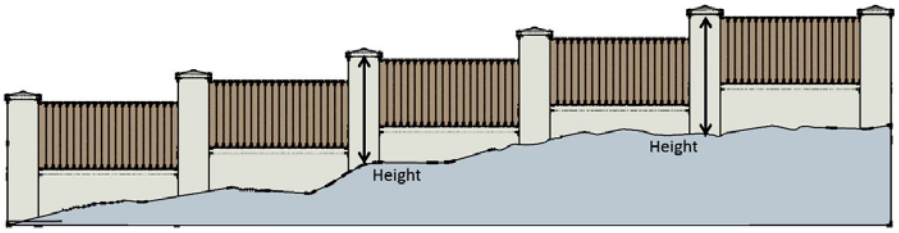
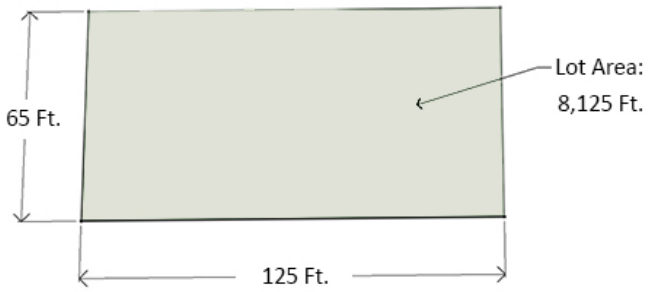
Measurement	Methodology	Illustration
		
	Walls or Fences: The vertical distance from the grade level of that portion of a parcel immediately abutting a wall or fence to the highest point of the wall or fence.	
Lot Area	The total horizontal area included within property lines.	

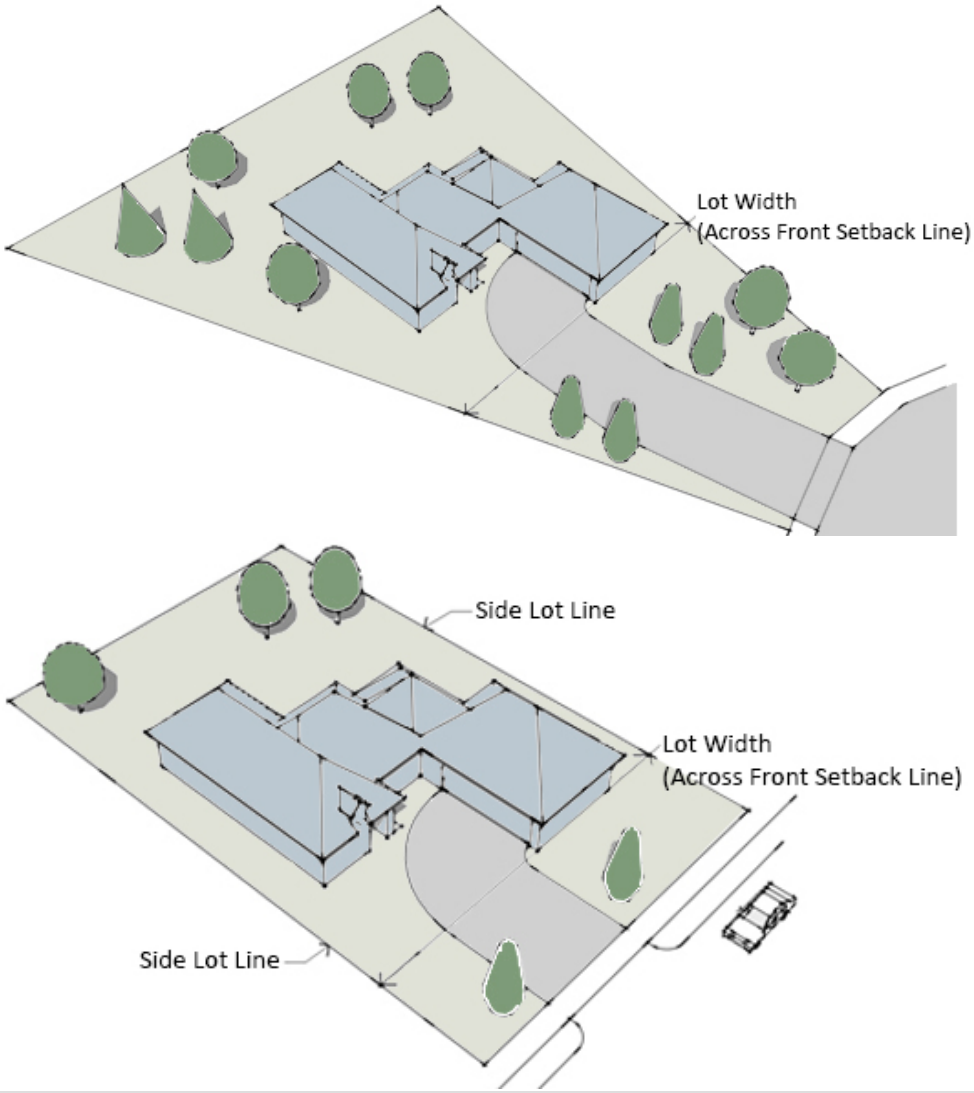
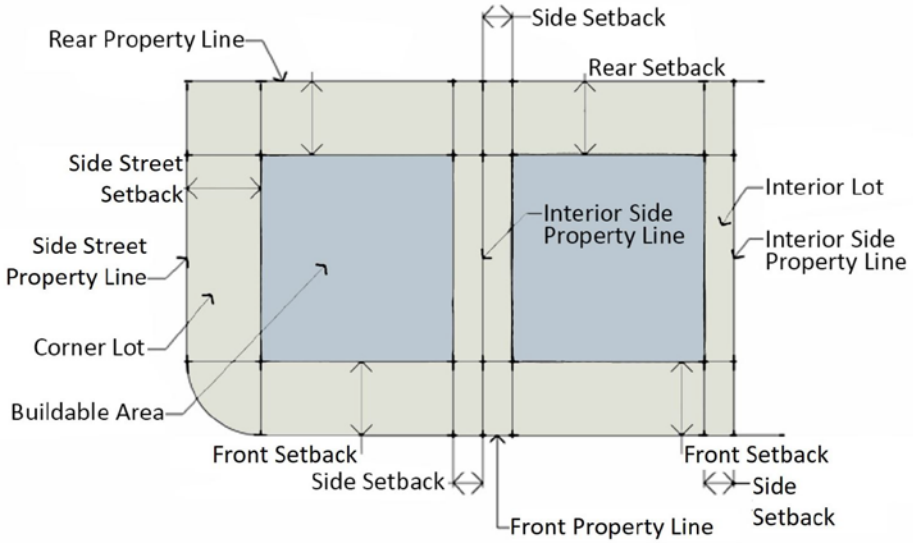
Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Lot Width	For an interior parcel, the horizontal distance between the side property lines, measured at the required front setback line. For a cul-de-sac parcel, the horizontal distance between the side property lines measured at the front setback line.	

Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Setback	The horizontal distance of a required private open area at grade between the outer wall of a building or structure and the adjoining property lines, or, in the case of an abutting private street, the back-of-curb, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and side setback lines span the entire width of the property. The interior side and side street setback lines extend from the required front setback line to the required rear setback line.	

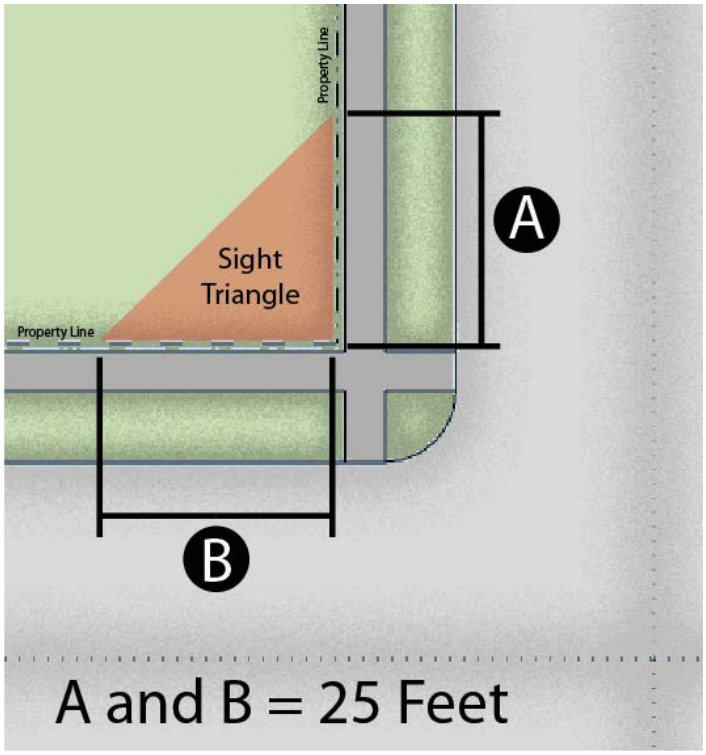
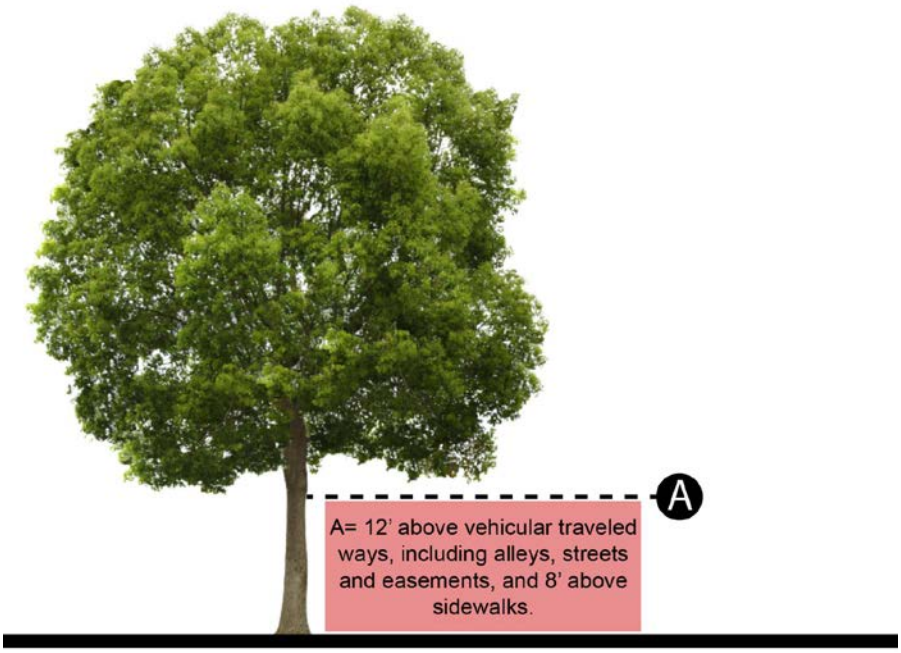
Visibility Triangle	A triangular area that includes that portion of public right-of-way and any private property within a triangle formed by a diagonal line extending through points on the two property lines 25 feet from the street corner intersection of the property lines in all districts except for the MU districts. In the MU districts, the lines extend 10 feet from the ~~street corner intersection of the property lines~~back of curb. The vertical dimensions of this triangle are a minimum of 12 feet vehicular traveled ways, including alleys, streets and easements, and a minimum of eight feet above sidewalks as established in Section 36.01.005, *Maintenance of Sidewalks, Parkways, Alleys, etc.–By Abutting Owner, of* the City of Lubbock Code of Ordinances. Objects including, but not limited to, vegetation, driveways, new structures, or signs shall not encroach into the visibility triangle except as specifically allowed in this UDC.	 

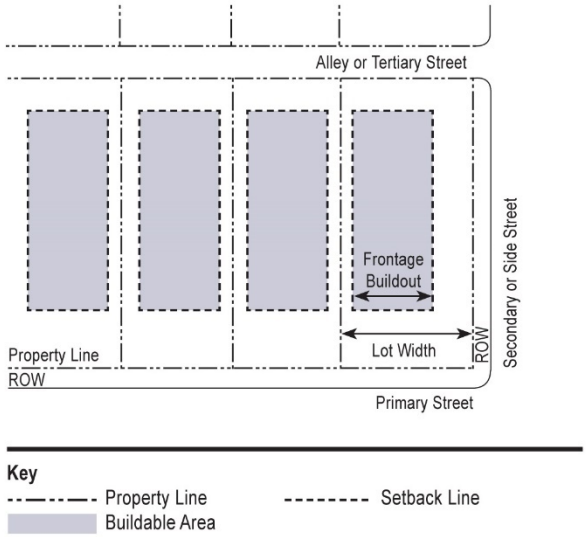
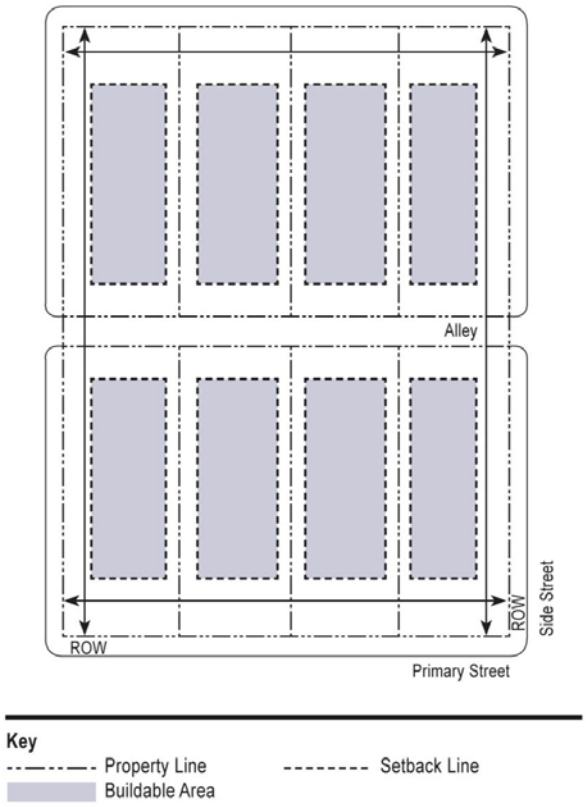
Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Frontage Buildout	The minimum percentage of the lot width which must be occupied by building facade within the Build-To-Zone. For example, a property which is 100 feet wide with a Frontage Buildout of 60% would require that at least 60 feet of facade length be maintained in the Build-to-Zone. Any additional length of front facade would be allowed to step back further from the Build-to-Zone, if desired. The intent of this requirement is to encourage developments to maximize their front facade exposure along the Street.	

Table 39.02.022-1 Measurements		
Measurement	**Methodology**	**Illustration**
Block Perimeter	The sum of the lengths of the lot lines bordering the public right of way, not including the alley.	

Section 39.02.023 Specific Allowances

a. **Generally**. The provisions of this Section set forth any special cases that warrant flexibility in the developmental standards in this UDC.

b. **Height Requirements**.

1. *Exemptions*. Unless otherwise expressly stated, the height regulations in this UDC do not apply to penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers attached to a building, steeples, flagpoles attached to a building, chimneys, smokestacks, water tanks, silos, grain elevators, or similar structures.

2. *Floor Space Calculation*. No penthouse, roof structure, or any space above the height limit shall be allowed for the purpose of providing additional floor space.

3. *Setback Plane*. As depicted in Figure 39.02.023-1, *Setback Plane*, where a multiplex, apartment, nonresidential, or mixed-use building (Letter "A" in Figure 39.02.023-1) adjoins a property with a single-family detached or duplex (Letter "B" in Figure 39.02.023-1), the building height may be increased beyond the maximum permitted if the setback nearest the adjoining residence is increased one foot for each one foot of height above the maximum permitted height (Letter "C" in Figure 39.02.023-1).

Figure 39.02.023-1
Setback Plane



c. **Yard Requirements.** The yard requirements in this UDC do not apply to the following projections into required yards:

1. *Fire Escapes, Stairs, and Balconies*. Unenclosed fire escapes, stairways, and/or balconies, covered or uncovered, shall extend not more than four feet into the required front or rear yard.
2. *Architectural Features*. Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, headers, sills, pilasters, lintels, ornamental features, box windows, or other similar architectural features that do not bear on the foundation shall project not more than two feet into any required yard.
3. *Bay Windows and Chimneys*. Within any residential district, bay windows (with a gross floor area of less than or equal to 12 square feet) shall extend not more than two feet into any required yard.
4. *Garages*. Front- and rear-loaded garages shall have a minimum setback of 20 feet, regardless of the required minimum setback for the remainder of the building being less than 20 feet.

d. **Residential Infill Compatibility**.

1. *Applicability*. These residential infill compatibility standards shall apply to any development of a new residential use or substantial renovation of an existing residential use that meets the following requirements:
   A. Not a part of a Planned Development District (PDD) under the previous Zoning Ordinance repealed on the effective date of this UDC;
   B. Meets the applicability standards of this Article;
   C. Is proposed on a lot that is located on a block face where more than 50 percent of the lots are occupied by an existing single-family and/or two-family structure; and
   D. Is served by existing streets.
2. *Contextual Front Building Setbacks*.
   A. Notwithstanding the minimum front setback requirements of Section 39.02.004, *Base Residential Districts*, the applicant shall use a contextual front setback when existing front setbacks differ from the front setback required by the base zoning district. In such circumstances, a contextual front setback may be at a point between the required front setback (as depicted with the letter "A" in Figure 39.02.023-2, *Contextual Front Setback,* below) and the front setback that exists on the closest developed lots that are adjacent (to the left and right of the subject property) and oriented to the same street as the subject lot (as depicted with the letter "B" in Figure 39.02.023-2). If the subject lot is a corner lot, then the setback

may fall at a point between the required setback and front setback that exists on the lot that is adjacent and oriented to the same street as the subject lot.

B. For example, if a zoning district requires a front setback of 20 feet, but the houses on either side of the infill lot have front setbacks of 10 and 20 feet, then the infill house shall have a front setback between 10 and 20 feet. Conversely, if a zoning district requires a front setback of 20 feet, but the houses on either side of the infill lot have a front setback of 20 and 40 feet, then the infill house shall have a front setback between 20 and 40 feet.

C. The contextual front setback provisions shall not be used to reduce the setback of a residential garage which is 20 feet on a typical street frontage, including cul-de-sacs.

Figure 39.02.023-2
Contextual Front Setback



3. *Appearance*. Infill development shall be constructed to be generally compatible in appearance with other existing structures on the block that comply with this UDC. This provision shall be satisfied by constructing the proposed building(s) so that at least three of the following features are substantially similar to the majority of other buildings on the same and facing block:
   A. Roof pitch and overhang;
   B. Shape, size, and alignment of windows and doors;
   C. Front porches or porticos;
   D. Exterior building color; or
   E. Location and style of garage or carport.
4. *Decision*. Approval of a contextual setback(s) meeting the requirements of this Section shall be at the discretion of the Director of Planning. Refer to Section 39.07.039, *Appeal of Administrative Decision*.

e. **Lots**. Regardless of the lot area or width, all lots in the SF-2 and MDR districts that existed prior to June 26, 1975, are deemed "conforming" with respect to lot area and lot width if they contain an existing, permanent, permitted residential dwelling. The lot width and area requirements of 39.02.004, *Base Residential Districts*, apply only in the event of a replatting of the property.

ARTICLE 39.03: BUILDING AND SITE DESIGN

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Division 3.1 Purpose and Applicability

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Section 39.03.002 Applicability
Division 3.2 Building Types and Design
Section 39.03.003 General Provisions
Section 39.03.004 Mixed-Use Building Design Standards
Section 39.03.005 Mixed-Use Building Types
Section 39.03.006 Mixed-Use Frontage Types
Section 39.03.007 Nonresidential Building Design Standards
Division 3.3 Parking, Loading, Stacking, and Access
Section 39.03.008 General Provisions
Section 39.03.009 Parking Ratios and Design
Section 39.03.010 Off-Street Loading
Section 39.03.011 Stacking
Section 39.03.012 Parking Access and Circulation
Section 39.03.013 Bicycle Parking
Division 3.4 Trees, Landscaping, and Buffering
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Section 39.03.016 Bufferyard Landscaping
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Section 39.03.019 Installation and Maintenance
Division 3.5 Signs
Section 39.03.020 General Provisions
Section 39.03.021 Signs Exempt from Regulation
Section 39.03.022 Prohibited Sign Types, Materials, Design Elements, and Locations
Section 39.03.023 Permanent Signs
Section 39.03.024 Temporary, Incidental, and Miscellaneous Signs
Section 39.03.025 Installation and Maintenance
Section 39.03.026 Signs in Extraterritorial Jurisdiction of City
Division 3.6 Outdoor Lighting
Section 39.03.027 Exemptions
Section 39.03.028 Prohibited Outdoor Lighting
Section 39.03.029 Standards

Division 3.1 Applicability and Purposes

a. **Building Types and Design**. The purpose of Division 3.2, *Building Types and Design*, is to address the quality and sustainable design of nonresidential and mixed-use buildings and building sites in order to:

1. *Character*. Preserve and enhance a community character that conveys a positive, lasting impression on both residents and visitors;
2. *Functionality*. Provide buildings that are functional, safe, and attractive;
3. *Public Realm*. Establish the physical and functional relationships between buildings and the public realm; and
4. *Form*. Prescribe the rules related to building massing, form, and design.

b. **Parking, Loading, Stacking, and Access**. The purpose of Division 3.3, *Parking, Loading, Stacking, and Access*, is to:

1. *Adequacy*. Ensure that adequate off-street parking for vehicles and bicycles and facilities for loading and stacking are provided for new land uses and changes in use;
2. *Mitigation of Impacts of Development*. Minimize the negative environmental and urban design impacts that can result from excessive parking, driveways, and drive aisles within parking lots;
3. *Safety*. Establish standards and regulations for safe and well-designed vehicle use areas that minimize conflicts between pedestrians and vehicles; and
4. *Reductions*. Offer flexible means of minimizing the amount of area devoted to vehicle parking by allowing reductions in the number of required spaces in context-sensitive locations.

c. **Trees, Landscaping, and Buffering**. The purpose of Division 3.4, *Trees, Landscaping, and Buffering*, is to establish standards to:

1. *Balance Between Ecology and Aesthetics.* Promote the value and benefit of landscaping as a means of protecting and preserving the appearance and character of the City, while recognizing the need to utilize water and other resources as efficiently as possible;
2. *Mitigation of Impacts of Development*. Remove, reduce, lessen, or mitigate the impacts between differing uses of abutting zoning districts including noise, dust, debris, artificial light intrusions, and other impacts of an abutting or nearby use;
3. *Natural Resource Protection and Stormwater Mitigation.* Preserve the ecological function of sensitive natural resources, including contributing to the process of air purification, groundwater recharge, control of stormwater runoff, energy conservation, promotion of low-impact development designs and best management practices to reduce the risk of flooding, and restoration of pre-development hydrologic conditions on development sites without solely using traditional storm drainage conveyance systems; and
4. *Quality of Life*. Promote the health and quality of life of the residents of the City through the protection of trees, the planting of new trees, and the provision of landscaping for development.

d. **Signs**. The purpose of Division 3.5, *Signs*, is to provide uniform sign standards which promote a positive City image reflecting order, harmony, and pride and thereby strengthening the economic stability of Lubbock's commercial, cultural, and residential areas. The general objectives of these standards are to promote health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

1. *Orderliness*. Allow individual speakers (such as business, residential, and public uses) to communicate messages without creating confusion, unsightliness, and visual obscurity of adjacent businesses;
2. *Context*. Assure that all signs, in terms of size, scale, height, and location, are properly related to the overall adjacent land use character and development lot size;
3. *Compatibility*. Assure that all signs, in terms of color, form, material, and design, are compatible with other structural forms on the development lots;

4. *Billboards*. Assure that billboards are compatible with adjacent land uses and do not obscure views of adjacent signs; and
5. *Construction and Design*. Assure that all signs, sign supports, and sign bases are constructed and designed to provide for design compatibility with the development. Where possible, the materials used, the form, color, lighting, and style should be similar to the materials used in the development.

e. **Outdoor Lighting**. The purpose of Division 3.6, *Outdoor Lighting*, is to:
1. *Reduce Glare*. Minimize glare and light trespass, particularly onto residential lots and public rights-of-way;
2. *Reduce Skyglow*. Minimize skyglow;
3. *Improve Safety*. Provide a safe and secure nighttime environment together with safe access into buildings; and
4. *Promote Architectural Accents*. Enhance historic or notable features, buildings, or architectural elements.

a. **Generally.** The standards of this Article apply to new development, redevelopment, and expansions of uses, sites, and buildings, as shown in Table 39.03.002-1, *Building and Site Design Applicability*.

b. **Timing of Compliance**. No permanent Certificate of Occupancy shall be issued until all site improvements required in this Article are constructed in conformance with the approved permit or plan required in Article 39.07, *Development Review Procedures*.

Table 39.03.002-1
Building and Site Design Applicability

Type of Development	Sections of this Article				
	Div. 3.2, Building Types and Design	Div. 3.3, Parking, Loading, Stacking, and Access	Div. 3.4, Trees, Landscaping, and Buffering	Div. 3.5, Signs	Div. 3.6, Outdoor Lighting
	♦ = Division Applies				
New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use	♦	♦	♦	♦	♦
Increase in apartment units, manufactured home stands, GFA, or impervious surface by 50 percent or more cumulatively over a 5-year period	♦	♦	♦	♦	♦
Increase in apartment units, manufactured home stands, GFA, or impervious surface by 25 to 49 percent cumulatively over a 5-year period	♦	♦	♦		♦
Change in use requiring additional parking, loading, or stacking spaces		♦	♦		♦
Increase in apartment units, manufactured home stands, GFA, or impervious surface by less than 25 percent cumulatively over a 5-year period		♦	♦		♦
Change from a nonresidential or mixed use to another nonresidential or mixed use that increases peak hour trips by 25 percent or more or by 100 vehicles per hour in the peak hour, whichever is less		♦			♦
Construction of a new sign or structural modification of an existing sign				♦	

c. **Increase in Peak Hour Trips.** A change from a nonresidential or mixed use to another nonresidential or mixed use that increases peak hour trips by 25 percent or more or by 100 vehicles per hour in the peak hour is determined by one of the following methods and at the developer's expense:

1. *ITE Estimation*. An estimation based on the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) methodology for typical land uses;
2. *Traffic Counts*. Traffic counts made at similar traffic generators located in the City; or
3. *Traffic Monitoring*. Actual traffic monitoring conducted during the peak hour of the adjacent roadway traffic for the property.

d. **Outdoor Lighting.** Outdoor lighting standards apply to multiple-family, mixed-use, and nonresidential development in the High Density Residential (HDR), Base Mixed-Use, and Base Public and Nonresidential districts.

Division 3.2 Building Types and Design

Section 39.03.003 General Provisions

a. **Compliance Required.**

1. *Mixed-Use Districts*. Development in districts listed in Section 39.02.005, *Base Mixed-Use Districts,* shall comply with the standards in this Section and Section 39.03.004, *Mixed-Use Building Design Standards*, through Section 39.03.006, *Mixed-Use Frontage Types.*
2. *Non-Mixed-Use Districts*. Development with nonresidential and mixed uses, as permitted, in districts listed in Sections 39.02.004, *Base Residential Districts,* and 39.02.006, *Base Public and Nonresidential Districts*, shall comply with the standards in this Section and Section 39.03.007, *Nonresidential Building Design Standards.*

b. **Screening**.

1. *Rooftop Mechanical Equipment*. Rooftop mechanical or other equipment more than three feet in height shall be screened from public view utilizing screening techniques that, in the judgment of the Director of Planning, either blend with the building or complement its design. Screening materials shall be architecturally compatible with materials used elsewhere on the structure, in the judgment of the Director of Planning.
2. *Outdoor Dining*. Outdoor dining areas shall be completely surrounded by a fence designed to prevent trash from being blown onto adjacent areas. Where abutting a public right-of-way, such fencing shall be three feet in height. Fences shall be compatible with the quality and appearance of the associated building.

Section 39.03.004 Mixed-Use Building Design Standards

a. **General Building Type Provisions**. In addition to the standards in Subsection 39.02.005.a, *General Mixed-Use Standards*, the following applies to all building types.

b. **Building Types and Land Uses**.

1. *Residential*. Table 39.03.004-1, *Residential Building Types and Associated Uses*, shows the residential building types that may accommodate each residential use.
2. *Mixed-Use and Nonresidential*.

A. *Building Types and Land Uses*. Except for the shop building type, and as exempted in Paragraph B, *Exemption*, below, no mixed-use or nonresidential building type is directly associated with any particular mixed or nonresidential land use; however, all mixed and nonresidential uses are required to be situated in a permitted building type, as set forth in Table 39.03.004-2, *Building Compatibility Matrix*.

B. *Exemption*. A permitted light manufacturing use shall take place in a shop building type, as described in Subsection 39.03.005.h, *Shop*.

Table 39.03.004-1
Residential Building Types and Associated Uses

Residential Building Type	Associated Residential Use
House	Single-Family Detached Dwelling
	Industrialized Housing
	Boarding or Rooming House
	Short-Term Rental
	Group Home
Duplex	Duplex
Multiplex	Multiplex
	Fraternity / Sorority House

Table 39.03.004-1 Residential Building Types and Associated Uses	
Residential Building Type	**Associated Residential Use**
	Retirement Housing
Townhouse	Townhouse
Apartment	Apartment
	Dormitory
	Retirement Housing
	Vertical Mixed-Use
Live-Work	Live-Work Unit

C. *Exemption*. Principal uses in the following use categories as set forth in Table 39.02.016-1, *Permitted Uses by District,* are not required to take place in any particular building type and are exempt from the requirements of this Division:

i. Agricultural Uses;

ii. Industrial and Manufacturing Uses, except for light manufacturing uses; and

iii. Transportation, Utility, and Communication Uses.

D. *Graphics*. Precedent images in this Division are for illustrative purposes only to demonstrate the intent of the standards. They are provided as examples to visually aid the applicant's designer in achieving compliance with the standards, and shall not imply that every element in the image is permitted.

c. **Building Compatibility Matrix**.

1. *Legend*. The building types in Table 39.03.004-2, *Building Compatibility Matrix*, below, are permitted or prohibited based on the following symbols:

A. Permitted (P); and

B. Prohibited (--).

2. *Other Applicable Standards*. The standards of this Section are applied in addition to the other applicable standards of the UDC including Article 39.03, *Building and Site Design*; Article 39.04, *Subdivision Standards*, and Article 39.05, *Environmental Management*.

Table 39.03.004-2 Building Compatibility Matrix							
Building Type	**Base Mixed-Use**						**Specific Standards**
	MU-1	**MU-2**	**MU-3**	**MU-4**	**MU-5**	**MU-6**	
Residential							
House	P	P	P	--	--	--	39.03.005.a
Duplex	P	--	P	P	--	--	39.03.005.b
Multiplex	P	P	P	P	--	P	39.03.005.c
Townhouse	P	P	P	P	P	P	39.03.005.d
Apartment	P	P	P	P	P	P	39.03.005.e
Live-Work	P	P	P	P	P	P	39.03.005.f
Nonresidential and Mixed-Use							
Civic and Institutional	P	P	P	P	P	P	39.03.005.g
Shop	P	--	--	P	P	P	39.03.005.h
General Commercial	P	P	P	P	P	P	39.03.005.i

Table 39.03.004-2 Building Compatibility Matrix							
Building Type	Base Mixed-Use						Specific Standards
	MU-1	MU-2	MU-3	MU-4	MU-5	MU-6	
Neighborhood Store	P	P	P	P	P	P	39.03.005.j
Liner	P	P	P	P	P	P	39.03.005.k

3. *Other Building Type Requirements*. The following applies to all building types.
   A. *Other Dimensional Requirements*. Refer to Division 2.2, *Zoning Districts and Standards*, for building setback, height, and other requirements.
   B. *Most Similar Building Type*. If the applicant proposes to expand or alter an existing structure, standards of the most similar housing or building type shall apply. In cases of uncertainty, the Director of Planning may determine the building type that most closely corresponds to the existing structure. The Director of Planning's determination shall be based on the following aspects of the existing structure:
      i. The dimensional aspects of the structure;
      ii. The placement of the structure on the lot;
      iii. The uses currently and customarily associated with the structure;
      iv. The number of legally established residential and/or nonresidential units within the structure (where applicable); and
      v. The frontage type of the structure.
   C. *Multiple Buildings*. Where multiple principal buildings are proposed for a single property, the applicant shall provide a Master Development Plan in accordance with Section 39.07.034, *Master Development Plan*.

Section 39.03.005 Mixed-Use Building Types

Subsection 39.03.005.a House

House Building Type



House in suburban context with Open Yard frontage type

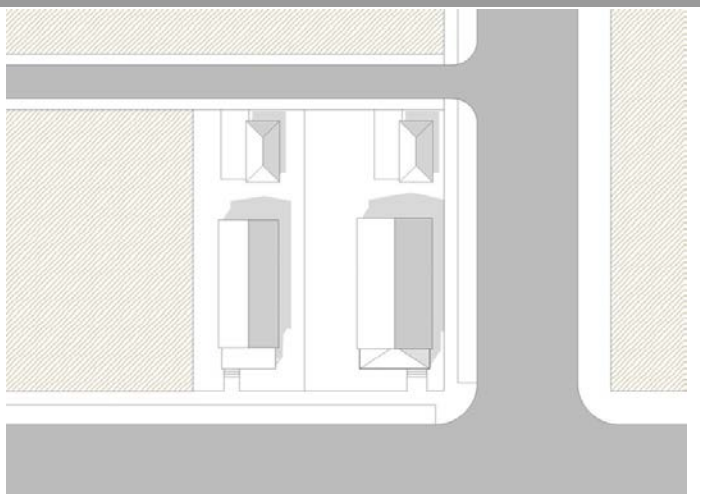


House with Porch frontage type with smaller setback

House Building Type



House building type with Porch frontage type and parking in back



House building type plan view

1. Overview

A house is a residential building type that is generally one to two stories in height and may contain habitable attic space. This building type is required to have the Stoop, Open Yard, Porch, or Terrace frontage type to provide eyes on the street. This building type may share an accessory dwelling unit in the backyard. Garage access from the rear alley is preferred and allows fewer curb cuts on the front street, reducing possible pedestrian collisions and creating a more walkable street.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	9'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Parking shall be located behind the building. When garage access from the rear alley is unavailable, garage doors shall be subordinate to the principal facade, using one of the following options:

i. The garage is detached and located entirely in the rear yard;

ii. If front-facing, the garage door(s) extend no more than 50% of the principal facade width or 28', whichever is greater;

iii. The garage door(s) are set back at least 10' from the principal facade; or

iv. The garage door(s) are oriented perpendicular to the street or face the opposite direction from the street.

B. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

C. Outbuildings shall not exceed two stories and 750 square feet of habitable space.

Subsection 39.03.005.b Duplex

Duplex Building Type



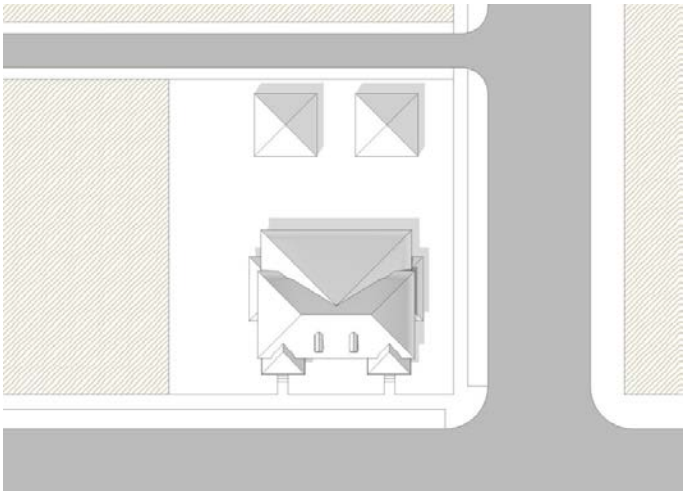
Two-story duplex with Porch frontage type



Duplex with both Porch frontage type and Open Yard frontage type



A side-by-side duplex with Porch frontage type and garage parking in back



Duplex building type plan view

1. Overview

A duplex is a residential building type where only two units share a party wall. The duplex can easily blend in with the house building type. Garage access from the rear alley is preferred and allows fewer curb cuts on the front street, reducing possible pedestrian collisions and creating a more walkable street.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	9'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Parking shall be located behind the building. When garage access from the rear alley is unavailable, garage doors shall be subordinate to the principal facade, using one of the following options:
   i. The garage door is detached and located entirely in the rear yard;
   ii. If front-facing, the garage door(s) extend no more than 50% of the principal facade width or 28', whichever is greater;
   iii. The garage door(s) are set back at least 10' from the principal facade; or
   iv. The garage door(s) are oriented perpendicular to the street or face the opposite direction from the street.

B. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

C. Outbuildings shall not exceed two stories and 750 square feet of habitable space.

D. Curb cuts for driveways shall maintain a similar or greater spacing than those for house building types along or across the street from the duplex.

E. Alley access shall be designed to appear as a driveway, rather than as a completely paved parking area.

Subsection 39.03.005.c Multiplex

Multiplex Building Type



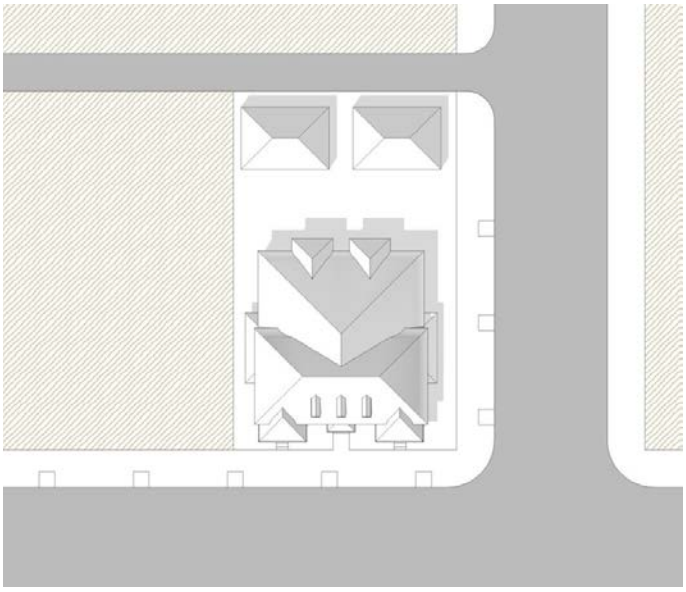
Multiplex with four units using gable roof, dormers, and Porch frontage type to blend into a residential neighborhood



Three-story multiplex providing a variety of unit sizes



Multiplex with three separate private entries indicated by separate Porches. Parking is provided by rear accessed garages



Multiplex in plan view showing accessory buildings providing rear garage access from alley

1. Overview

A multiplex is a residential building type where three to four units share the structure. The multiplex appears as a large house building type. It can easily blend in with houses and duplex building types, although each unit shall have its own primary entrance. Garage access from the rear alley is preferred and allows fewer curb cuts on the front street, reducing possible pedestrian collisions and creating a more walkable street. Front, rear, and side yards are shared amongst residents, often with individual parking or garage areas located along the alley.

2. Design Standards

Building Form

Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	9'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Parking shall be located behind the building. When garage access from the rear alley is unavailable, garage doors shall be subordinate to the principal facade, using one of the following options:
   i. The garage door is detached and located entirely in the rear yard;
   ii. If front-facing, the garage door(s) extend no more than 50% of the principal facade width or 28', whichever is greater;
   iii. The garage door(s) are set back at least 10' from the principal facade; or
   iv. The garage door(s) are oriented perpendicular to the street or face the opposite direction from the street.

B. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

C. Outbuildings shall not exceed two stories and 750 square feet of habitable space.

D. The same frontage type shall be used for each entrance.

E. Individual unit and garage entrances shall be located on at least three facades or designed in a manner so as to appear as a single-family dwelling.

F. Curb cuts for driveways shall maintain a similar or greater spacing than those for house building types along or across the street from the multiplex.

G. Alley access shall be designed to appear as a driveway, rather than as a completely paved parking area.

H. Individual dwelling units shall not have their own separate fenced yard areas but may each have smaller fenced areas within an overall fenced yard.

Subsection 39.03.005.d Townhouse

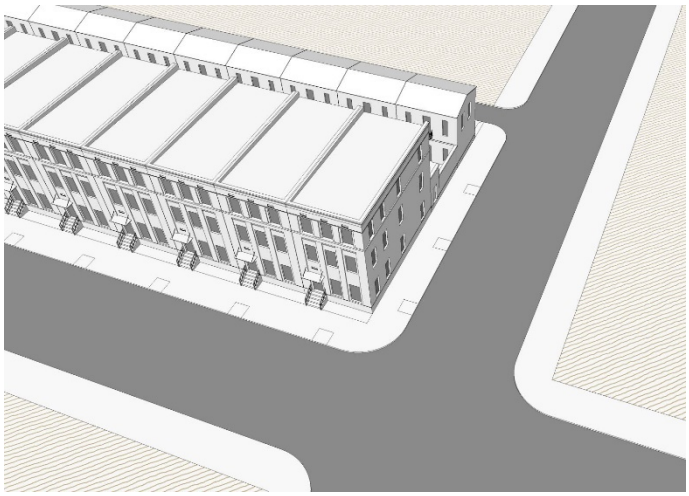
Townhouse Building Type



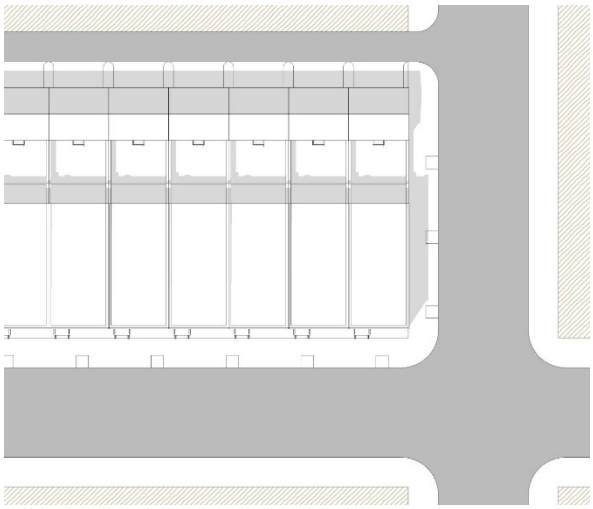
Townhouse with gable roof and Porch



Townhouse with parapet roof and Stoop in urban area



Townhouse with parapet roof and Porch



Townhouse with parapet roof

1. Overview

A townhouse (sometimes called a rowhouse) is a residential building type referring to one of a series of not less than two or more than 10 units under a common roof with a common exterior wall and separated from one another by single partition walls without openings from basement to roof. Townhouses are each on their own lot and often feature a private yard or patio between the main structure and the rear out-building. Garage access from the rear alley allows fewer curb cuts on the front street, reducing possible pedestrian collisions and creating a more walkable street. This building type often has a parapet roof and is set closer to the property line in urban areas with a greater mix of nonresidential uses. A townhouse has a gable roof and may be set back from the property line in areas with more residential uses to keep with the character of neighboring homes.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	9'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Porches and Stoops may occur forward of the build-to line or zone. Refer to Section 39.03.006, *Mixed-Use Frontage Types*, for specific requirements.

B. Parking shall be located behind the building and accessed from a rear alley, out of view from primary streets.

C. Service areas and trash disposal facilities shall not face streets, parks, squares, or significant pedestrian spaces.

D. Outbuildings shall not exceed two stories and 650 square feet of habitable space.

E. Any portion of a townhouse closer than 20 feet from a property line that abuts a residential building type other than an apartment, or another townhouse shall be no taller than 12 feet above the height of the adjacent residential building. This does not apply if the other residential buildings are within the same development proposal.

F. A grouping of townhouses shall not exceed 250 linear feet.

G. In all Mixed-Use districts other than MU-1 and MU-3, a townhouse shall have a parapet roof. In MU-1, a townhouse shall have a gable roof. In MU-3, a townhouse shall have either a gable or parapet roof.

H. A minimum of 15 percent of the lot shall consist of private yard area.

Subsection 39.03.005.e Apartment

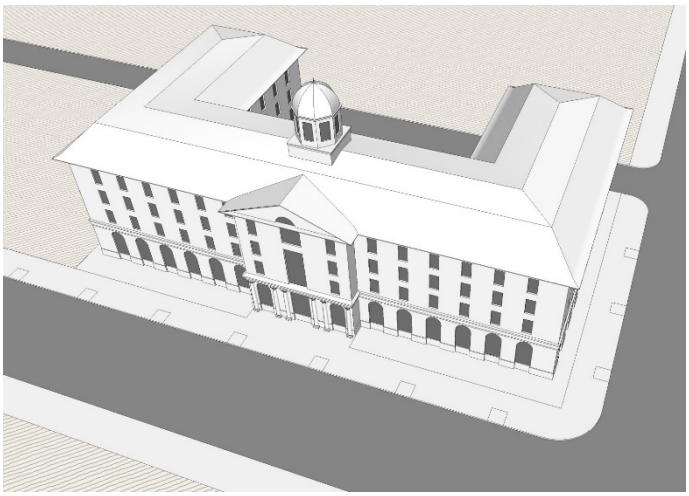
Apartment Building Type



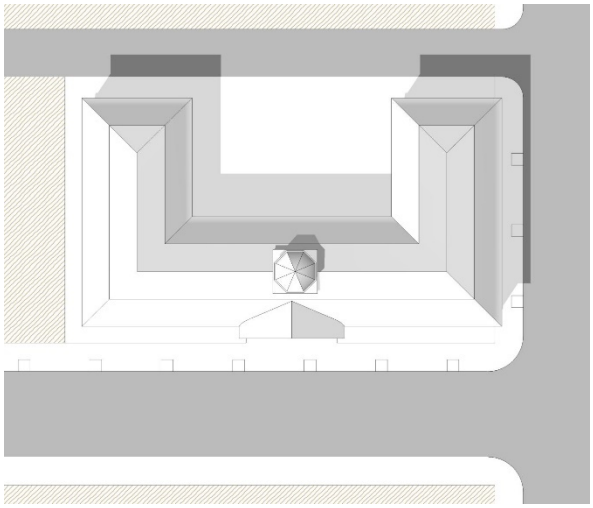
Apartment building showing variation in articulation and gabled roof to match smaller residential structures on the same block



Apartment house that appears like single-family with single entry but has separate units with their own balconies



Apartment with parking in the back



Apartment building type in plan view

1. Overview

The apartment is a residential building type containing five or more units accessed via a main entrance on the primary frontage. Apartment buildings have five or more units and may be managed as a rental property or a condominium, where each unit is privately held. Apartment buildings are often arranged around a Forecourt frontage type or small courtyard to maximize light and ventilation.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	14'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Parking shall be located behind or to the side of the building, out of view from primary streets. Parking may also be located within 1/4 mile of the building site, either on-street or in a common parking structure or lot. The primary entrance for handicapped accessibility should generally be in the front, convenient to on-street parking.

B. Loading docks, service areas, and trash disposal facilities shall occur off the alley, and shall not directly face primary streets, parks, squares, or significant pedestrian spaces.

C. Accessory dwelling units are not permitted.

D. Any portion of an apartment closer than 20 feet from a property line that abuts a residential building type other than a townhouse, or another apartment shall be no taller than 12 feet above the height of the adjacent residential building. This does not apply if the other residential buildings are within the same development proposal.

E. Monolithic roof structures that cover more than 4,000 square feet shall include changes in direction or treatments that break up the appearance of mass. Such treatments may include elements such as dormers, towers, or chimneys.

F. Stairs that provide primary access to units on upper floors shall be covered, or if uncovered, visible only from an alley.

Subsection 39.03.005.f Live-Work

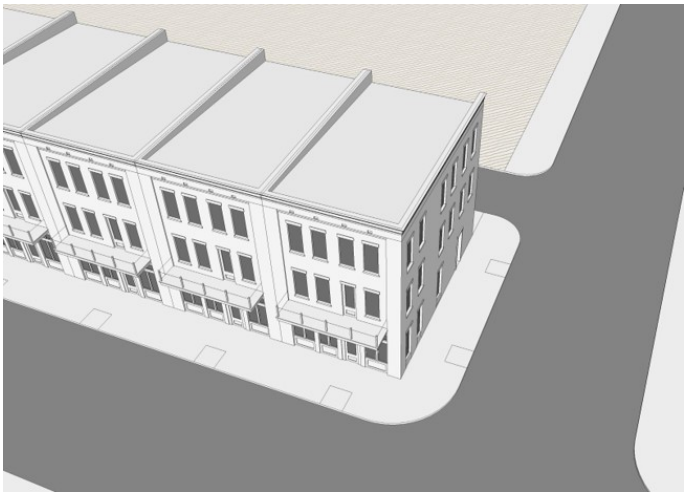
Live-Work Building Type



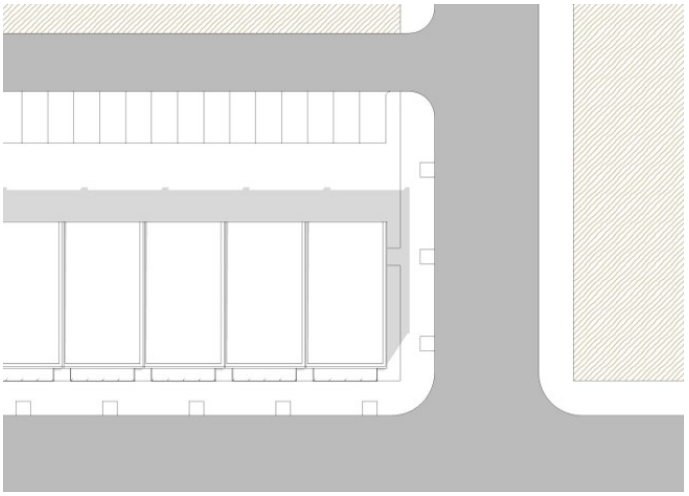
Three-story live-work with brick and metal details to fit into a historic warehouse district that needed more residential development



Live-work with private entries to residential dwellings along with Shopfront entrances to commercial ground floor



Live-work building with residential balcony providing shade to pedestrians and the Shopfront frontage type



Live-work building with alley-accessed parking for residents

1. Overview

A live-work building is a building type with a mixed-use residential and work component. The live-work building provides flexible space at the street level for retail, office, or artisan micromanufacturing with a complete living unit above. The ground floor should be designed to accommodate changes in use.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	9'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Porches and Stoops may occur forward of the build-to line or zone. Refer to Section 39.03.006, *Mixed-Use Frontage Types*, for specific requirements.

B. Parking shall be located behind the building and accessed from a rear alley, out of view from primary streets.

C. Service areas and trash disposal facilities shall not face streets, parks, squares, or significant pedestrian spaces.

D. Outbuildings shall not exceed two stories and 650 square feet of habitable space.

E. A grouping of live-work buildings shall not exceed 250 linear feet.

Civic and Institutional Building Type

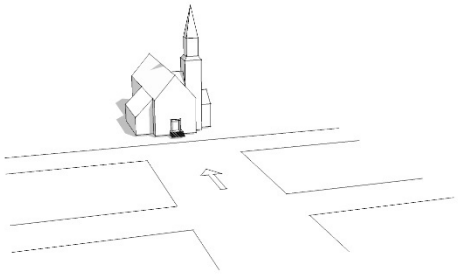


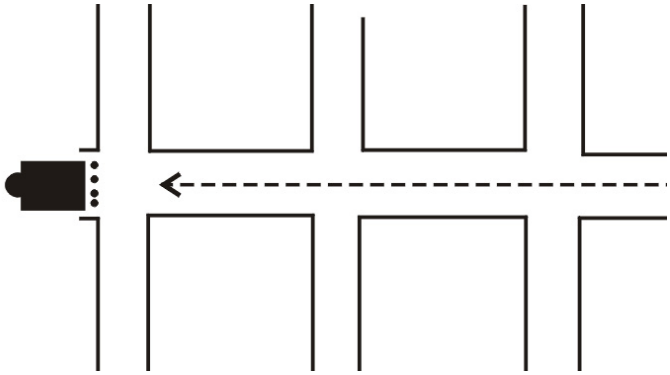
Buddy Holly Center anchors the Buddy and Maria Elena Holly Plaza



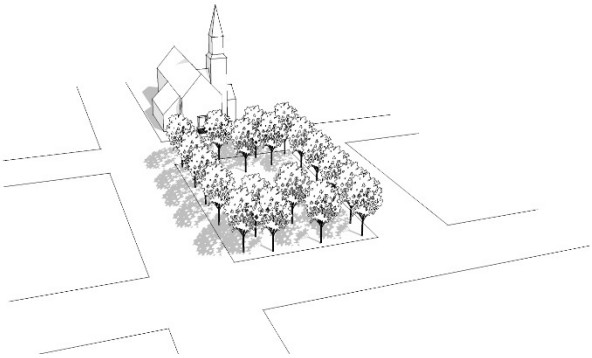
First United Methodist Church terminates the view of Avenue N

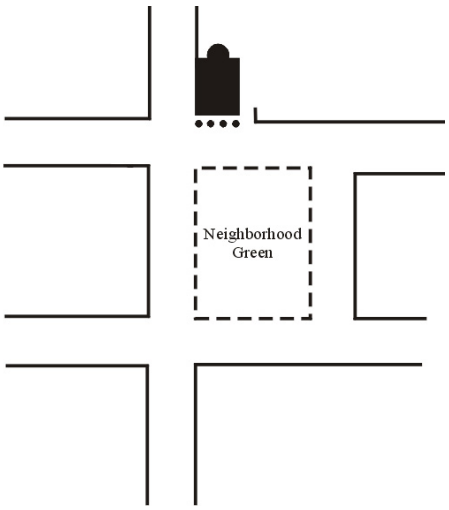
Building Placement





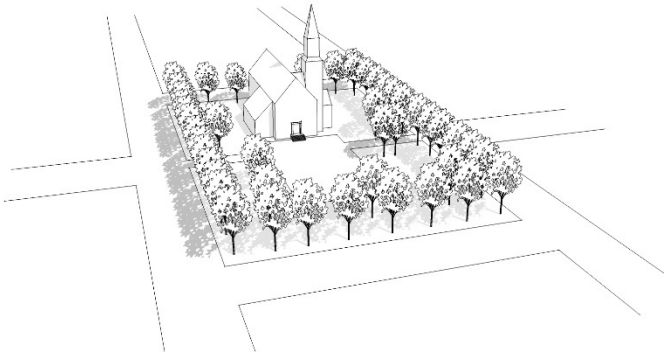
Civic building terminates the view of a street



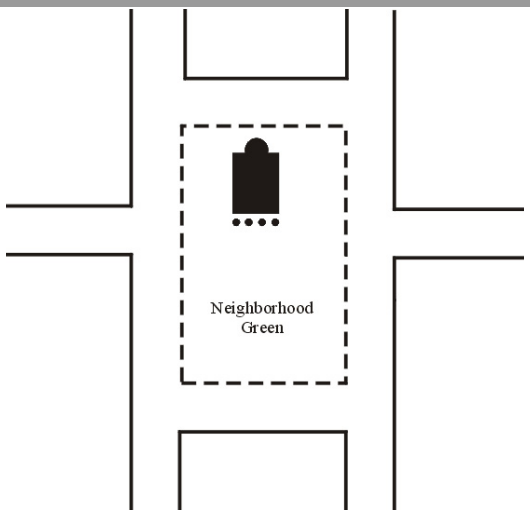


Civic building anchors the square at a prominent corner

Civic and Institutional Building Type



Civic building anchors the space from within the square



1. Overview

A civic and institutional building is located and designed to accommodate a building containing uses in the Civic and Institutional use category in Table 39.02.016-1, *Permitted Uses by District.* The design and construction of civic and institutional buildings shall reflect the importance of these buildings within the community and with their function as landmarks in mind. Flexibility in building placement allows civic and institutional buildings to be distinguished from surrounding residential and commercial buildings and to be a prominent landmark in the community. This building type may occur in any part of a neighborhood. Very large civic and institutional sites such as those sometimes required for public schools or for places of worship with regional congregations should be located at the periphery of neighborhoods so as not to overwhelm the neighborhood with parked cars.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation	None
Minimum First Floor Height	None
Minimum Upper Floors Height	None
Building Scale	
Classification of Street from which Access is Taken[1]	**Maximum Gross Floor Area**
Arterial Street or Highway	No Maximum
Collector Street	20,000 sq. ft.
Local Street or Cul-de-Sac	5,000 sq. ft.

[1] **Alternative Compliance for Side-Street Access.** The maximum gross floor area for a civic and institutional building on a lot that is bounded by streets of different classification may be based on the bounding street of the higher-order (i.e., an arterial street or highway is of higher-order than that of a collector street, which are of higher order than a local street or cul-de-sac), provided that no point of access is across the street from the front yard of a single-family detached or duplex.

3. Additional Standards

A. Civic and institutional buildings shall be sited in locations of particular geometric importance, such as anchoring a major public space, or terminating a street vista.

B. The scale of civic and institutional buildings shall be larger than surrounding buildings in order to be more prominent and visible across greater distances.

C. Floor-to-floor heights and architectural details shall be proportionately larger than those of private buildings that exist or are proposed to be part of the same development within adjacent blocks.

D. Prominent roof forms and additive elements such as cupolas shall visually extend the height of the building and shall be permitted to exceed the maximum height limit.

E. Parking shall be located behind or to the side of the building, out of view from primary streets.

F. When a civic and institutional building is located within a Civic Space completely surrounded by streets, then parking shall be accommodated on-street or within mid-block locations within 1/4 mile of the civic and institutional building's front door.

G. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

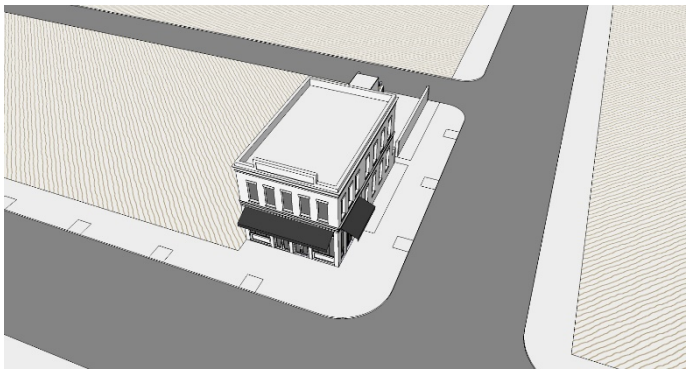
Subsection 39.03.005.h Shop

Shop Building Type

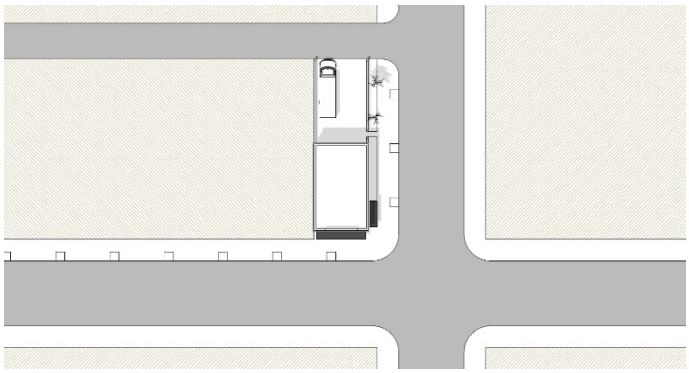




[Left] The Charles Adams Gallery has an outdoor space between two buildings with opaque fence and gate to screen activities from the public.
[Right] A shop has a Shopfront and benches for pedestrians but maintains production in back away from the public.



Shop with Shopfront and Awning frontage types with rear screening



Shop with screened rear yard and alley access to rear yard

1. Overview

A shop combines a commercial unit with an integrated workspace for light industrial uses. The workspace is secondary to the primary commercial use. This allows tenants to create their goods or provide their services on-site while maintaining a retail type shopfront. This building type is conducive to areas trying to maintain active streets with a Shopfront frontage type while also providing for manufacturing on-site with a setback requiring a Type ~~CA~~ Bufferyard around the rear.

2. Design Standards

Building Form	
Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	14'
Minimum Upper Floors Height	8'

3. Additional Standards

A. All operations related to Industrial use shall be conducted completely within a building, except limited daily outdoor operations and storage may occur behind the building.
B. Parking shall be located behind the building.
C. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

Subsection 39.03.005.i General Commercial

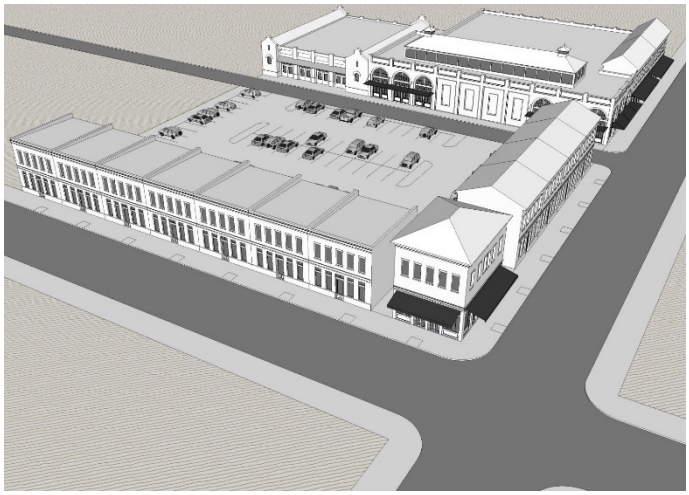
General Commercial Building Type



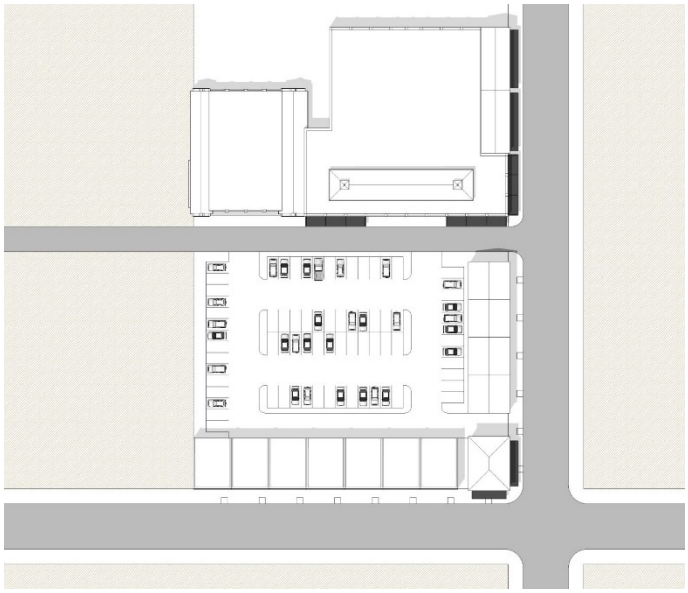
One-story general commercial with Awning and Shopfront frontage types



General commercial with mix of Awning and Shopfront frontage types on street with pedestrian lighting and street trees



Smaller footprint general commercial provides a continuous walkable frontage with zero setback and lining a parking lot with alley access. The general commercial building is anchored by a larger footprint retail store sharing the parking lot.



1. Overview

A general commercial building type varies greatly in size and may house large corporations or smaller businesses, such as medical and law offices. A general commercial building facing a street, park, square, or significant pedestrian space shall provide doors and windows facing the public space and shall reinforce the urban character of a Mixed-Use district with continuous walkable street frontages. General commercial buildings in infill settings shall keep similar setbacks to adjacent buildings as required in Subsection 39.02.005.a.4.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	14'
Minimum Upper Floors Height	8'

3. Additional Standards

A. Parking shall be located behind or to the side of the building, out of view from primary streets.

B. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

Subsection 39.03.005.j Neighborhood Store

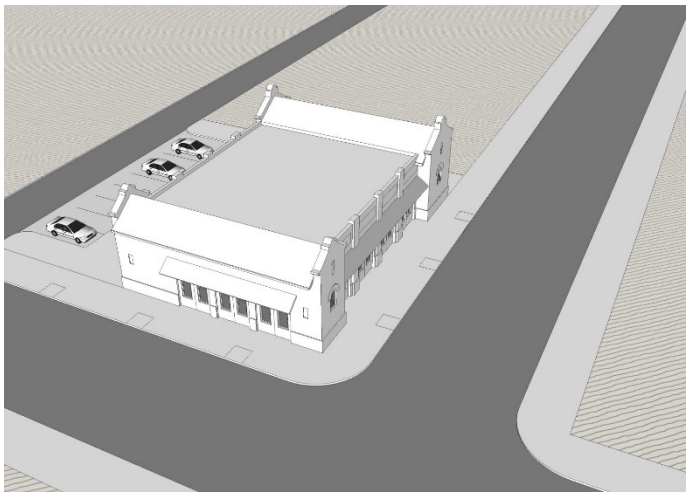
Neighborhood Store Building Type

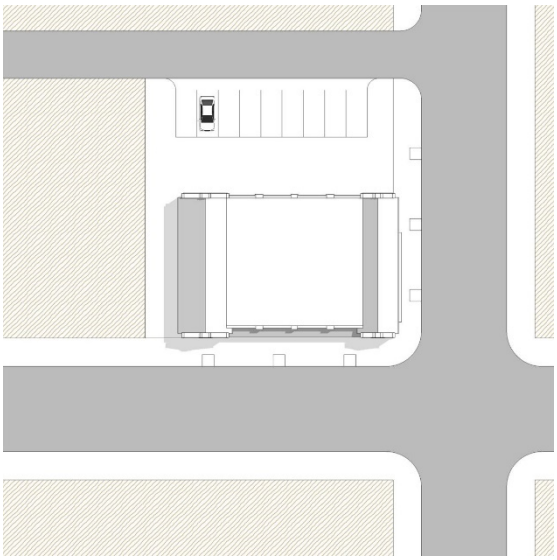


Neighborhood store with Shopfront frontage type set on the corner



Neighborhood store with Gallery frontage type and on-street parking





1. Overview

A neighborhood store building type is a small footprint building that provides necessary services to a residential area. This building type is an alternative to large footprint grocery stores and serves local needs of residents within a walkable distance, reducing the need for on-site parking. If the neighborhood store building is one story in height, the minimum floor-to-ceiling height shall be increased in order to define the street edge. Such buildings are required to provide habitable frontages along facades that face streets, parks, or public spaces, and therefore continue a connected system of walkable street frontages.

2. Design Standards

Building Form

Minimum Ground Floor Elevation (Above Sidewalk at Finished Grade)	0'
Minimum First Floor Height[1]	12'
Minimum Upper Floors Height	8'

[1] If the neighborhood store building is one story in height, the minimum floor-to-ceiling height shall be increased to 15 feet in order to define the street edge.

3. Additional Standards

A. An awning, canopy, or marquee is required on the neighborhood store building and may occur forward of the build-to line or zone.

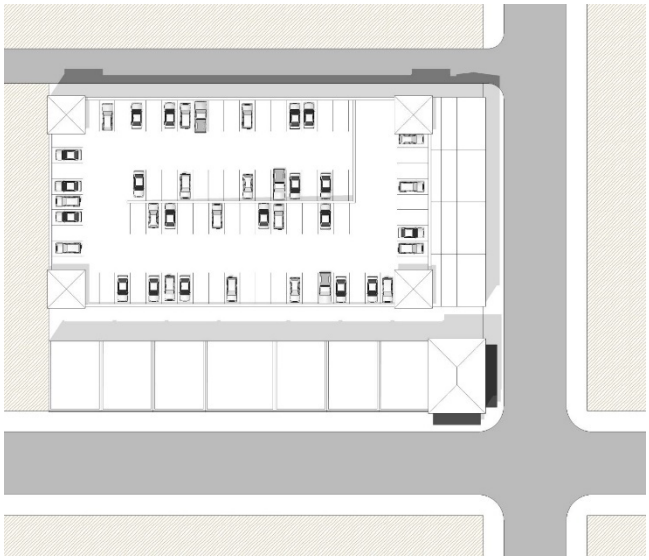
B. Outdoor dining is permitted in front of the building and may occur forward of the build-to line including within the public right-of-way with approval of the entity that has control over the public right-of-way.

C. A minimum of five feet of clear sidewalk access for pedestrians shall be maintained or four feet where the temporary use of sidewalks are permitted.

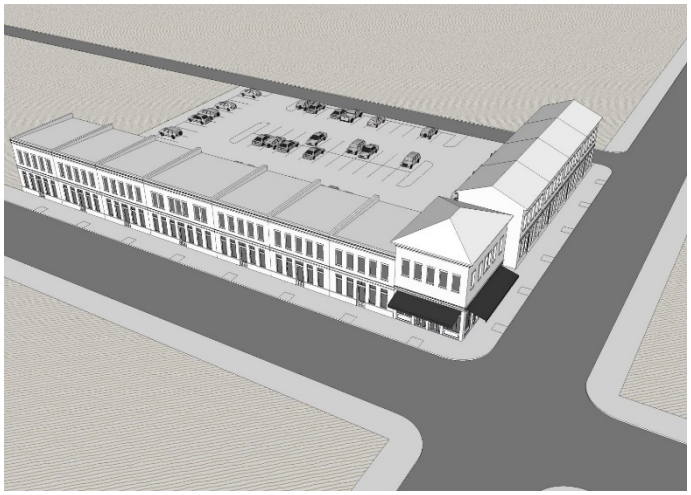
D. Parking shall be located behind the building.

E. Service areas and trash disposal facilities shall not face primary streets, parks, squares, or significant pedestrian spaces.

Subsection 39.03.005.k Liner

Liner Building Type	
	
Attached liner building with grocery store on ground floor	Attached liner building with exterior garage wall maintaining the architectural character of the rest of the structure.
	
Liner building for parking garage	Liner building for parking garage

Liner Building Type



Liner building for parking lot



Liner building for parking lot

1. Overview

A liner building type may be constructed to create a pedestrian environment and to screen parking structures, warehouses, or other buildings that cannot comply with the building placement or frontage requirements of this UDC from public view. Liner buildings are shallow and oriented toward the street with no or minimal openings to the rear. Liner buildings allow those uses to continue on-site while creating a more pedestrian-conducive appearance on primary frontages.

2. Design Standards

Building Form	
Minimum Ground Floor Elevation (Above Sidewalk or Finished Grade)	0'
Minimum First Floor Height	14'
Minimum Upper Floors Height	8'
Minimum First Floor Depth	15' of habitable space

3. Additional Standards

A. Liner buildings shall be at least the height of the primary building.

B. Liner buildings may be attached or detached from the primary building.

C. Liner building may be used for any purpose allowed in the zoning district, except for the following use categories as set forth in Table 39.02.016-1, *Permitted Uses by District*: Automobile and Related Uses, Transportation, Utility, and Communication Uses, or Industrial and Manufacturing Uses.

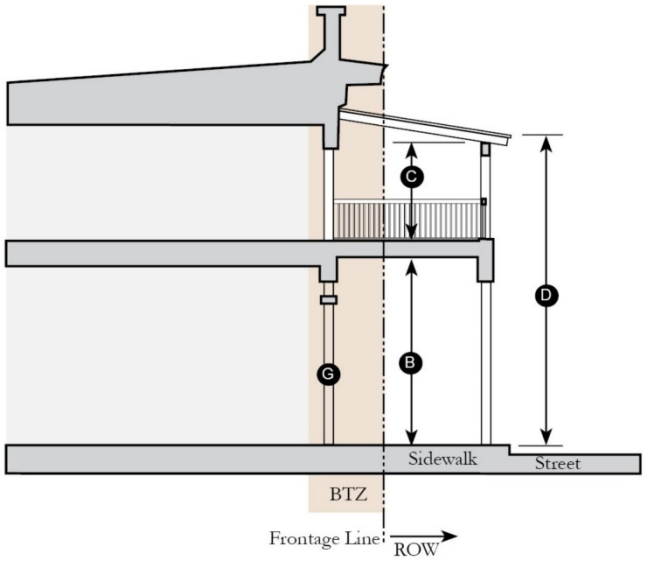
D. Entrances to upper story commercial space or dwelling units shall be through a street-level lobby and/or corridors accessed directly from the street.

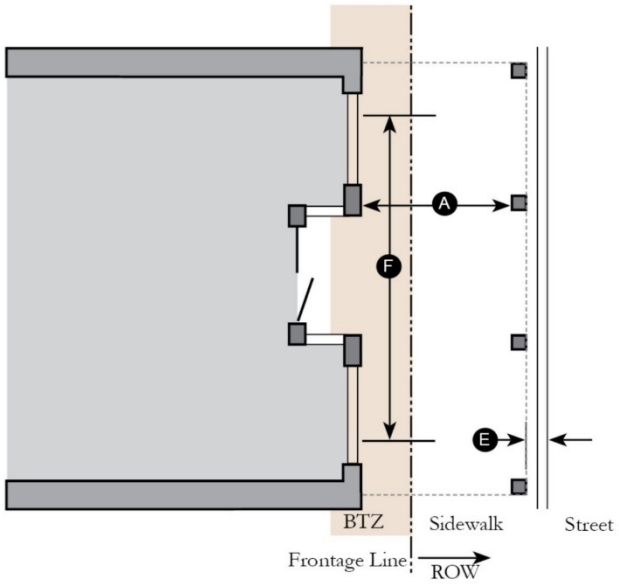
E. Uses generating visitor or customer traffic (such as retail sales, personal service, and restaurants) shall be located on the ground floor facing the sidewalk, whereas uses generating limited pedestrian activity (such as office or residential) shall be located on upper floors.

Subsection 39.03.006.a General Provisions

1. **Compliance Required**. Building frontages in this Section shall conform to the requirements of this Section.
2. **Frontages**. Frontage consists of the area between the front facade of a principal building and the property line adjacent to a street, internal driveway, or open space. The standards of this Section regulate the design of the frontage of a building and how it relates to the street, internal driveway, or open space.
3. **Corner Lots**. On a corner lot, the building and its frontage shall be sited in the following priority order:
   A. At the corner of two public streets;
   B. At the corner of a public street and a private street or internal driveway;
   C. At the corner of two private streets or internal drives; or
   D. At the corner of a public or private street or internal driveway and open space.

Gallery or Arcade Frontage Type





Key for Diagrams

Build-to-Zone (BTZ)
Frontage/Property Line

Gallery & Arcade

1. Description

In the Gallery or Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An arcade should be used to provide pedestrian circulation along a frontage, and it should extend far enough from the building to provide adequate protection and circulation space for pedestrians. An arcade is intended for buildings with ground floor commercial uses and is common along public courtyards and walkable streets.

2. Size

Minimum Depth, Clear	8'	**A**
Minimum Ground Floor Height, Clear	11'	**B**
Minimum Upper Floor Height, Clear	9'	**C**
Maximum Height	2 stories with encroachment	**D**
Minimum Setback from Back of Curb	2'	**E**
Minimum Width	75% of facade width	**F**

3. Miscellaneous

A. Arcade frontages shall be used in conjunction with the standards for the Shopfront frontage type. In case of a conflict between them, the Arcade frontage type standards prevail. **G**

B. Arcades shall have a consistent depth along a frontage.

C. Arcades with more than two floors of habitable space above the colonnade shall not encroach onto a public right-of-way and shall be located so that they abut the right-of-way.



A gallery with slender metal columns

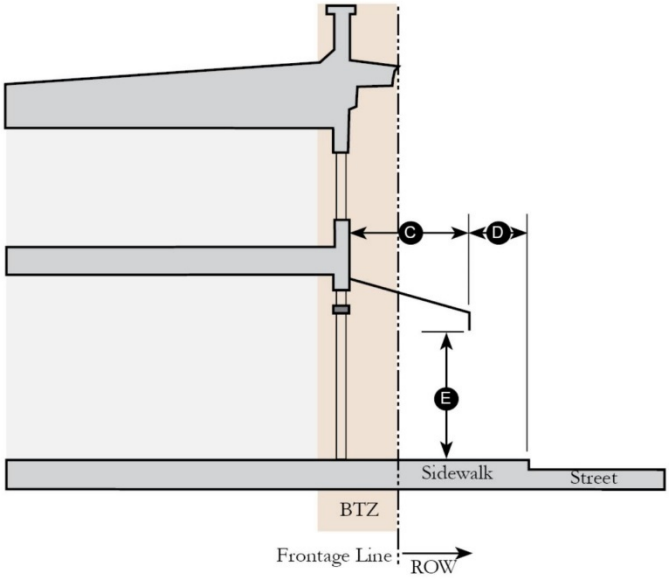


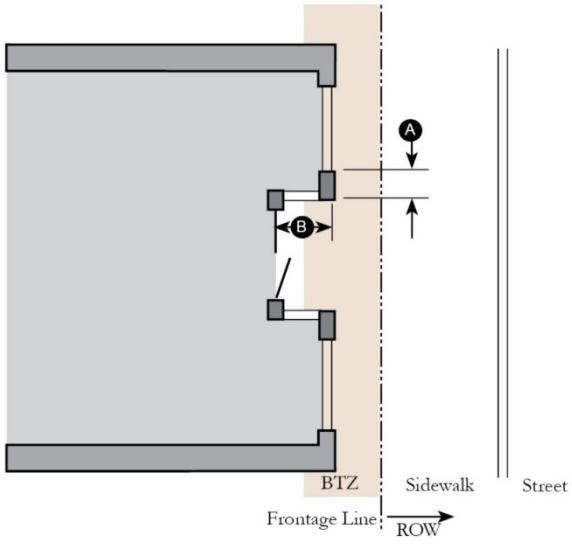
A wood framed gallery



A masonry gallery with habitable space on second floor

Shopfront Frontage Type





Key for Diagrams

Build-to-Zone (BTZ)

Frontage/Property Line

Shopfront

1. Description

In the Shopfront frontage type, the front facade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Shopfront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Shopfront may be used in conjunction with other frontage types.

2. Size

Maximum Distance between glazing	2'	**A**
Minimum Ground Floor Transparency	70% and should allow a view of at least 5 feet of interior space	
Minimum Upper Floors Transparency	30%	--
Maximum Depth of Recessed Entries[1]	5'	**B**

3. Canopy or Awning

Minimum Depth	4'	**C**
Minimum Width, Cumulative	70% facade width	--
Minimum Setback from Back of Curb	2'	**D**
Minimum Height, Clear	8'	**E**

4. Miscellaneous

A. Doors may be recessed as long as the front facade is at the build-to-zone.

B. Operable awnings are encouraged.

C. Open-ended awnings are encouraged.

D. Windowsills shall be located at a maximum of 30 inches above the finished grade at the building line.

Notes:

[1] A recessed entry may be designed in a variety of configurations (recessed door, sawtooth pattern, etc.) and may be located on the front facade or the corner of a building.



A shopfront with a centered doorway

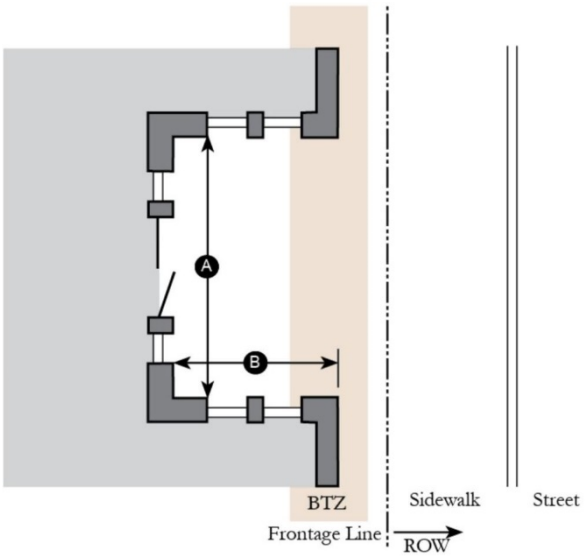


A shopfront with a recessed doorway

Subsection 39.03.006.d Forecourt

Forecourt Frontage Type





Key for Diagrams

Build-to-Zone (BTZ)
Frontage/Property Line

Forecourt		
1. Description		
In the Forecourt frontage type, the primary portion of the building's front facade is at the build-to-zone while a small percentage is set back, creating a courtyard space. This space can be used as an entry court or garden space, or for outdoor seating, dining, or retail.		
2. Size		
Minimum Width, Clear	12'	**A**
Minimum Depth, Clear	12'	**B**
3. Miscellaneous		

A. Forecourts are especially useful along larger, more auto-dominant thoroughfares in order to provide well-shaped, intimately sized public outdoor spaces.

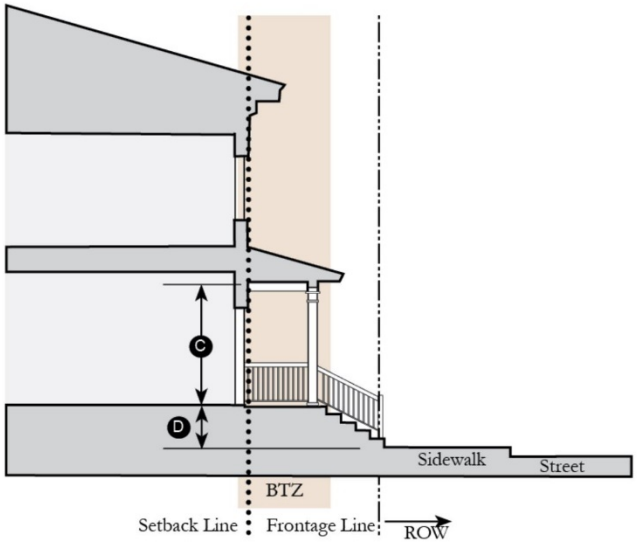
B. The proportions and orientation of courtyard spaces shall be carefully considered for solar orientation and user comfort.

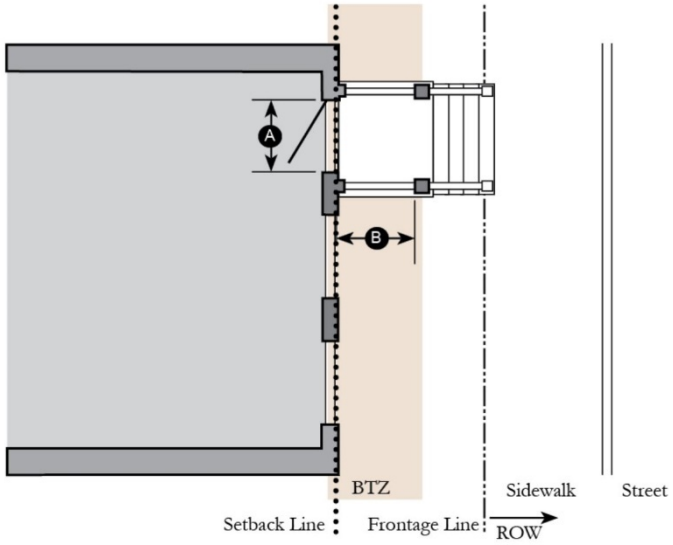


An elevated forecourt

Subsection 39.03.006.e Stoop

Stoop Frontage Type





Key for Diagrams

Build-to-Zone (BTZ)
Frontage/Property Line
Setback Line

Stoop

1. Description

In the Stoop frontage type, the front facade of the building is at the build-to-zone or setback line and the elevated stoop projects forward. The stoop is elevated above the sidewalk to ensure privacy within the building. The stoop usually is composed of stairs and a landing.

2. Size

Minimum / Maximum Width, Clear	5' / 8'	**A**
Minimum / Maximum Depth, Clear	5' / 8'	**B**
Minimum Height, Clear	8'	**C**
Maximum Height	1 story	
Minimum Finish Level Above Sidewalk	1.5'	**D**

3. Miscellaneous

A. A stoop is appropriate for residential uses with small setbacks.

B. Stoops may extend forward of the build-to-zone or setback line and, if permitted by a Street Use License, into the right-of-way.

C. A six-foot minimum clear zone for pedestrians shall be maintained on the sidewalk.

D. Stairs may be perpendicular or parallel to the building facade.

E. The entry doors are encouraged to be covered or recessed to provide shelter from the elements.

F. Gates are not allowed.

G. All doors shall face the street.



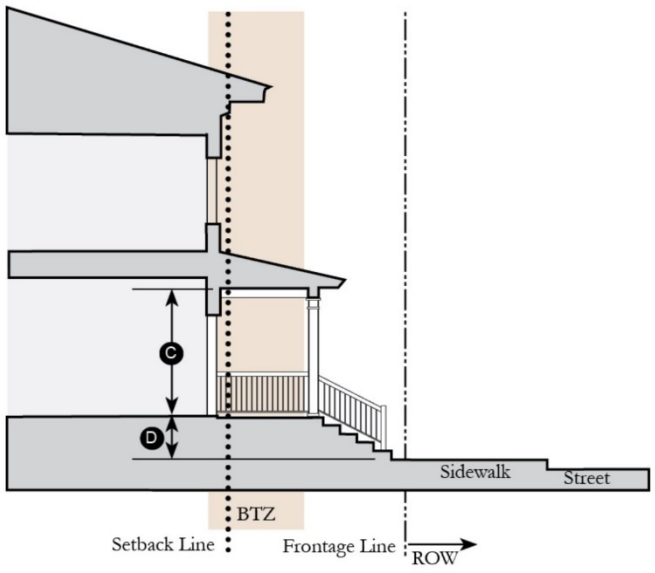
A stoop to civic and institutional use

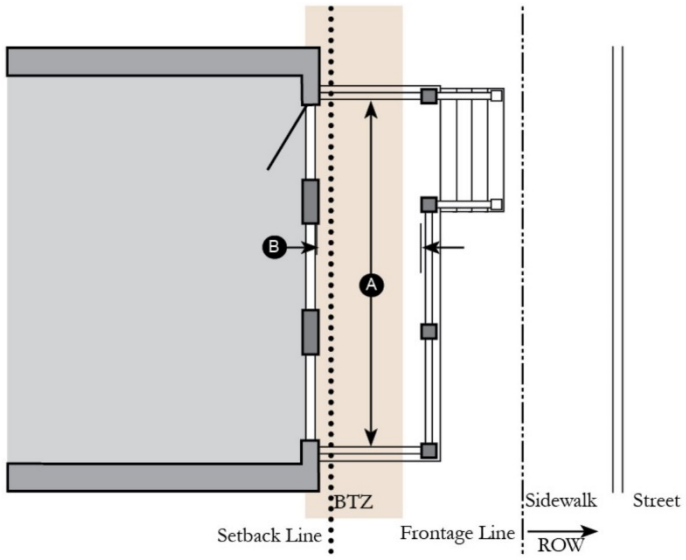


An uncovered stoop to residential use

Subsection 39.03.006.f Porch

Porch Frontage Type





Key for Diagrams

Build-to-Zone (BTZ)
Frontage/Property Line
Setback Line

Porch

1. Description

In the Porch frontage type, the front facade of the building is at the build-to-zone or setback line and the porch projects forward. The porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A porch is large enough to function as an outdoor living space. Stairs from the porch may descend forward or to the side. Porches may extend forward of the build-to-zone or setback line.

2. Size

Minimum Width, Clear	8'	**A**
Minimum Depth, Clear	5'	**B**
Minimum Height, Clear	8'	**C**
Maximum Height	2 stories	
Minimum Finish Level Above Sidewalk	1.5'	**D**

3. Miscellaneous

A. Stairs from the porch may extend into the right-of-way if permitted by a Street Use License.

B. A six-foot minimum clear zone for pedestrians shall be maintained on the sidewalk.



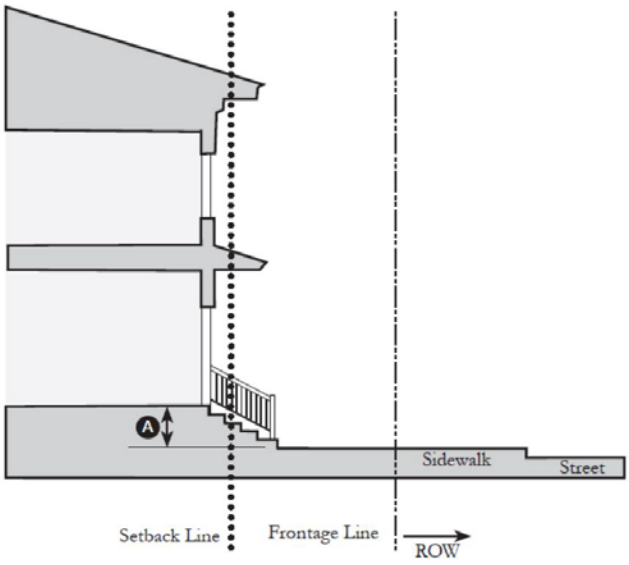
Metal porch

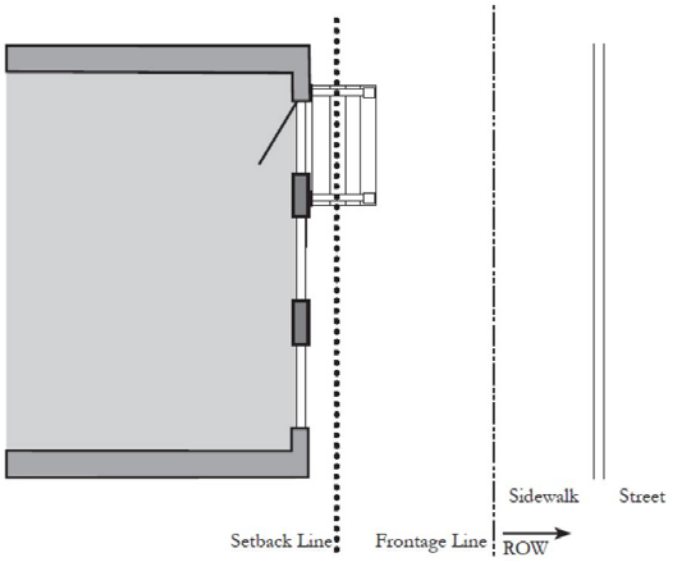


Porch on house building type encroaching into front build-to-zone

Subsection 39.03.006.g Open Yard

Open Yard Frontage Type





Key for Diagrams

Setback Line

Frontage/Property Line

Open Yard

1. Description

In the Open Yard frontage type, a landscaped yard separates the building and the street. It is intended for non-urban areas with moderate to considerable setbacks. It is also appropriate for areas transitioning from non-urban residential to non-urban commercial where the frontage maintains the residential character of the street. A maximum 50% opaque and 42-inch tall fence at the frontage line may help to maintain privacy and street spatial definition. A visually continuous yard can be created without fencing. If there is a porch it is a secondary feature.

2. Size

Minimum Finish Level above Sidewalk	0" in MU-3 12" in all other MU Districts	**A**

3. Miscellaneous

None



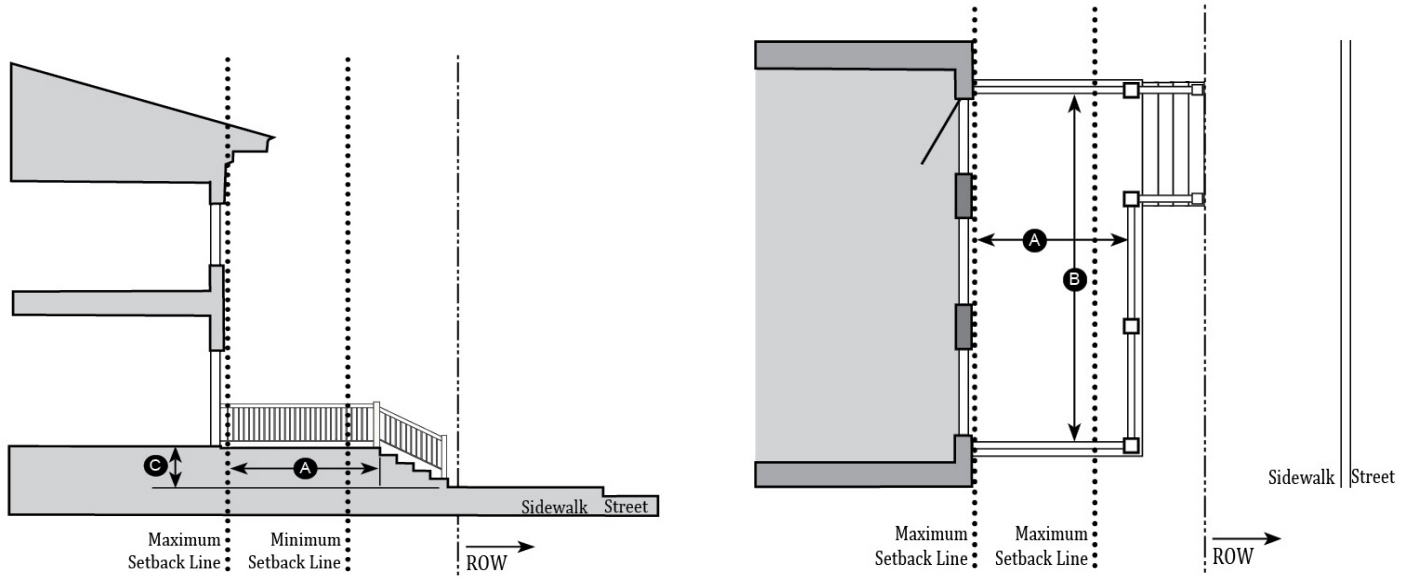
An open yard along West Broadway in MU-1



An open yard with porch in suburban context

Subsection 39.03.006.h Terrace

Terrace Frontage Type



Key for Diagrams

Build-to-Zone (BTZ)

Frontage/Property Line

Terrace

1. Description

In the Terrace frontage type, the building facade is set back from the lot line by an elevated terrace. This frontage element type tends to buffer residential uses from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for use or conversion to outdoor dining.

2. Size

Minimum Depth	8'	**A**
Minimum Length	25% of frontage	**B**
Minimum Finish Level Above Sidewalk	1.5'	**C**

3. Miscellaneous

A. If used for outdoor dining, a low fence or garden wall shall be required to designate the dining area.



Outdoor dining terrace on West Broadway in MU-1



Elevated terrace to distance residential building from public sidewalk in urban residential area

Subsection 39.03.006.i Awning, Canopy, Marquee

Awning

Design Standards	
1. Size	
Minimum Depth	5' (measured perpendicular to the wall face)
Minimum Underside Clearance	8'
Length	75-100% of frontage
2. Additional Standards	

A. The above requirements apply to first-floor awnings. There are no minimum requirements for awnings above the first floor.

B. Awnings shall occur forward of the build-to line or zone, and may encroach within the right-of-way, but shall not extend closer than two feet to the curb line.

C. Awnings shall be made of durable fabric and may be either fixed or retractable. High-gloss or plasticized fabrics are prohibited. Backlit awnings are also prohibited.

D. An awning may be used in combination with other frontage types, except for Gallery & Arcade.



Canopy

Design Standards	
1. Size	
Minimum Depth (measured perpendicular to the wall face)	5'
Minimum Underside Clearance	8'
Roof Pitch	1:12 Minimum 8:12 Maximum
Length	75-100% of frontage
2. Additional Standards	

A. The above requirements apply to first-floor canopies. Canopies above the first floor are not permitted.

B. Bracketed canopies should have regularly spaced, appropriately sized visual means of support.

C. A canopy may be used in combination with other frontage types, except for Gallery & Arcade.



Marquee

Design Standards	
1. Size	
Minimum Depth	6' (measured perpendicular to the wall face)
Minimum Underside Clearance	8'
Length	75-100% of frontage
2. Additional Standards	

A. The above requirements apply to first-floor marquees. Marquees above the first floor are not permitted.

B. Marquees shall occur forward of the build-to line or zone, and may encroach within the right-of-way, but shall not extend closer than two feet from the curb line.

C. Marquees typically are used above the primary entrances to buildings such as cinemas, hotels, and office buildings. They may be cantilevered (with structure hidden internally) or supported from above by suspension cables or chains.

D. A marquee may be used in combination with other frontage types, except for Gallery & Arcade.

E. Signs on marquees shall comply with the standards in Division 3.5, *Signs*.



Section 39.03.007 Nonresidential Building Design Standards

a. **Applicability**. Except for buildings housing Industrial and Manufacturing uses and Transportation, Utility, and Communication uses, as set forth in Table 39.02.016-1, *Permitted Uses by District*, the provisions of this Section apply to all nonresidential and mixed-use developments outside of a Mixed-Use district.

b. **Front Parking**. In the Neighborhood Commercial (NC) and Office (OF) districts, a freestanding building with parking located between the front of the building and the street shall have:

1. *Parking Lot Setback*. An increase in the parking lot setback by 15 feet more than required in Division 3.3, *Parking, Loading, Stacking, and Access;*
2. *Landscape Area*. An increase in the landscape area plantings to one canopy tree and two ornamental trees and two shrubs for every 1,500 square feet of required landscaped area; and
3. *Trees*. Two canopy trees within each required landscaped island as required in Division 3.4, *Trees, Landscaping, and Buffering*.

c. **Pedestrian Circulation**. In the NC and OF districts, walkways shall connect from public sidewalks on the perimeter of the site to all buildings and between buildings on the same or adjoining development sites. Pedestrian walkways shall be distinguished from vehicular areas by a change in pavement material, pattern, color, or striping and signage.

d. **Neighborhood Commercial District Building Design**. The following standards shall apply in the NC (Neighborhood Commercial) zoning district.

1. *Scale*. The maximum gross floor area of a single building shall be limited in scale as follows:

A. Minor or Principal Arterial street (as depicted on the current City of Lubbock Master Thoroughfare Plan): 20,000 square feet;

B. Collector street: 15,000 square feet; and

C. Local street: 10,000 square feet.

2. *Articulation*. The following shall apply to building facades visible from a public right-of-way.
   A. Buildings with a gross floor area less than 15,000 square feet shall include wall recesses, projections, or other techniques for every 40 linear feet of building wall length to break up wall planes.
   B. Buildings greater than or equal to 15,000 square feet of gross floor area shall include wall recesses and projections equal to 15 percent of the building height. Articulation is required in intervals equal to 2.5 times the building height, or portion thereof (e.g., a 20-foot tall building would require articulation every 50 feet).
   C. Vertical articulation techniques may include recessed entries, projections, recesses, alcoves, pergolas, porticos, or other features that provide for different wall planes and clearly identifiable building entrances.
3. *Interior Side and Rear Elevations*. The above articulation is required when either or both elevations abut a drive-through lane or a parking lot on the same or an abutting property. Otherwise, articulation is not required.
4. *Windows*.
   A. Windows shall be at least 20 percent and may be no greater than 75 percent of any street-facing building elevation.
   B. Windows above the first story of a building shall be arranged so that they are not invasive of the privacy of abutting single-story residential uses.
5. *Architectural Detailing*. Buildings with a gross floor area greater than 15,000 square feet shall include four or more of the following features or details on each street-facing elevation (inclusive of the articulation requirements):
   A. Canopies, awnings, porticos with colonnade, or arcades;
   B. Raised pilaster cornices (end columns at corner), or quoined corners;
   C. Vertical elements (tower, cupola, turret, arches, etc.);
   D. Windows and doors framed with smooth cobble, cast stone, limestone, or other decorative masonry headers and sills or dormer windows; or
   E. Decorative ornamentation such as corbels, medallions (non-signage), niches, wrought iron, balconets, or horizontal and rhythm patterned brickwork.

e. **Big Box Retail**. A big box retail building with parking located in a front or street-side yard shall:

1. *Trees*.
   A. Increase the landscape area plantings to one canopy tree and two ornamental trees and two shrubs for every 1,500 square feet of required pervious area; and
   B. Provide two canopy trees within each required landscaped island.
2. *Landscaping*. Meet the parking and pervious area landscape requirements for all remaining areas of street frontage, together with the required street tree and building foundation landscaping; or
3. *Parking Lot Setback*. Increase the parking lot setback by 15 feet more than required in 3.3, *Parking, Loading, Stacking, and Access.*

Section 39.03.008 General Provisions

a. **Applicable Regulations and General Maintenance**. A vehicle use area shall:

1. *Standards*. Comply with the design and construction standards in this Division;
2. *Refuse and Debris*. Be maintained free of refuse or debris; and
3. *Availability*. Be available for the off-street parking, loading, or stacking function required for the facility.

b. **Lighting**. Lighting shall comply with Division 3.6, *Outdoor Lighting*.

c. **Associated Building, Use, or Structure**.

1. *Vehicle Use Area Required*. Vehicle use areas shall be maintained by the property owner whether the associated building, use, or structure is continued or not. No person shall utilize such building, use, or structure without providing the vehicle use areas required in this Division. In addition, outside of the Base Mixed-Use districts, it shall be unlawful to discontinue, reduce, or remove the required vehicle use areas apart from the discontinuance of the building, use, or structure, without establishing alternative facilities that meet these requirements.
2. *On-Site and Off-Site Parking*. Except for allowances for off-site and shared parking as established in Section 39.03.009, *Parking Ratios and Design*, a required vehicle use area shall be located on the same site as the use for which the vehicle use area is required.

d. **Screening**.

1. *Bufferyard*.
   A. A vehicle use area in a mixed-use or nonresidential district that adjoins a residential district shall be separated and screened from the residential district by, at minimum, a Type C bufferyard, as described in Section 39.03.016, *Bufferyard Landscaping*, unless such Section requires a greater bufferyard.
   B. A vehicle use area in a residential district that contains more than 10 spaces and that adjoins a single-family detached duplex, townhouse, or multiplex property in a residential district shall be separated from the adjoining property by, at minimum, a Type B bufferyard.
2. *Exceptions to Screening Requirement*. A screening device prescribed under Subsection 1.A or 1.B, above, shall be located on the property line unless:
   A. Existing vegetation will be harmed if the screen is placed on the property line;
   B. Placement of the screen on property lines would interfere with the visibility triangle established in Table 39.02.022-1, *Measurements*;
   C. Placement of the screen on the property line would interfere with an existing drainage feature or utility; or
   D. Placement of the screen on the property line would create consistent maintenance issues for both property owners, as determined by the Director of Planning.

e. **Maneuvering Space**.

1. *Prohibited*. No vehicle use area shall be designed so that a vehicle is required to maneuver into a public right-of-way or overhang or encroach into an adjacent property under separate ownership in order to park, load, unload, or stack, except:
   A. For single- and two-family dwelling units; or
   B. Where a cross-access easement as described in Section 39.04.010, *Easements*, is in place.

2. *Barrier*. In order to prevent overhang or encroachment described in Paragraph 1, *Prohibited*, above, a vehicle use area shall include a permanent curb, wall, or other physical barriers. Such physical barrier shall be of adequate height to prevent vehicular overhang or encroachment.

f. **Dedication of Spaces**. Vehicle use area spaces, including spaces for parking, loading, or stacking, shall not interfere with one another on separate properties nor shall they be used interchangeably to meet one another's requirements, except in instances of shared parking as allowed in Section 39.03.009, *Parking Ratios and Design*, or cross-access easements as allowed in Section 39.04.010, *Easements*. For example, spaces required in Section 39.03.011, *Stacking*, are not eligible to be counted as parking spaces.

g. **Insufficient Vehicle Use Area**. The Director of Planning may require a landowner to provide additional vehicle use area spaces if, due to land use, the provided number of spaces is not sufficient and customers, employees, or delivery vehicles are consistently required to park or unload on the street where on-street loading is prohibited or on other properties due to a lack of available vehicle use area.

h. **Surfacing and Drainage**. The surfacing of vehicle use areas shall consist of asphalt, concrete, or pervious paving as set forth in Subsection 39.03.009.m, *Pervious Pavement*, or other such paving material approved by the City Engineer and shall be in compliance with the City's Drainage Criteria Manual.

i. **Recreational Equipment or Trailers**.

1. *Generally*. The storage of recreational vehicles and oversized recreational equipment or trailers shall be permitted in the Base Residential zoning districts, subject to the following standards.

A. Recreational vehicles and oversized recreational equipment or trailers may be stored on private property in the rear or side yards anywhere up to the property line with no minimum setback (except the side yard adjacent to the street on corner lots as described below), or behind the established front yard setback line.

B. On corner lots, for the side street yard, no storage shall be allowed unless the recreational vehicle or oversized recreational equipment or trailer is behind a screening fence. In no event shall storage be allowed in the right-of-way or parkway.

C. No portion of any recreational vehicle or recreational equipment or trailer, regardless of size, shall extend over the property line or into the sidewalk area.

D. No person shall occupy or use any recreational vehicle as living or sleeping quarters, except that recreational vehicles may be used as living or sleeping quarters for a non-Lubbock resident visiting under the provisions of Subsection 2.B, below, for a maximum of seven days on any given lot or parcel of land during a 30-day period. No time period shall apply to recreational vehicles parked in accordance with Subsection 2.C, below.

2. *Exceptions*. The following shall be exceptions to Subsection 1.A, above:

A. Any recreational vehicle, oversized recreational equipment, or trailer parked by a resident, on his or her lot, while engaged in active loading or unloading for a period not exceeding 48 hours in a five-day period.

B. Recreational vehicles parked in a travel trailer park or on private parking lots of hospitals and/or clinics where parking of such vehicles is allowed.

C. Any pop-up or tent campers stored in the collapsed position.

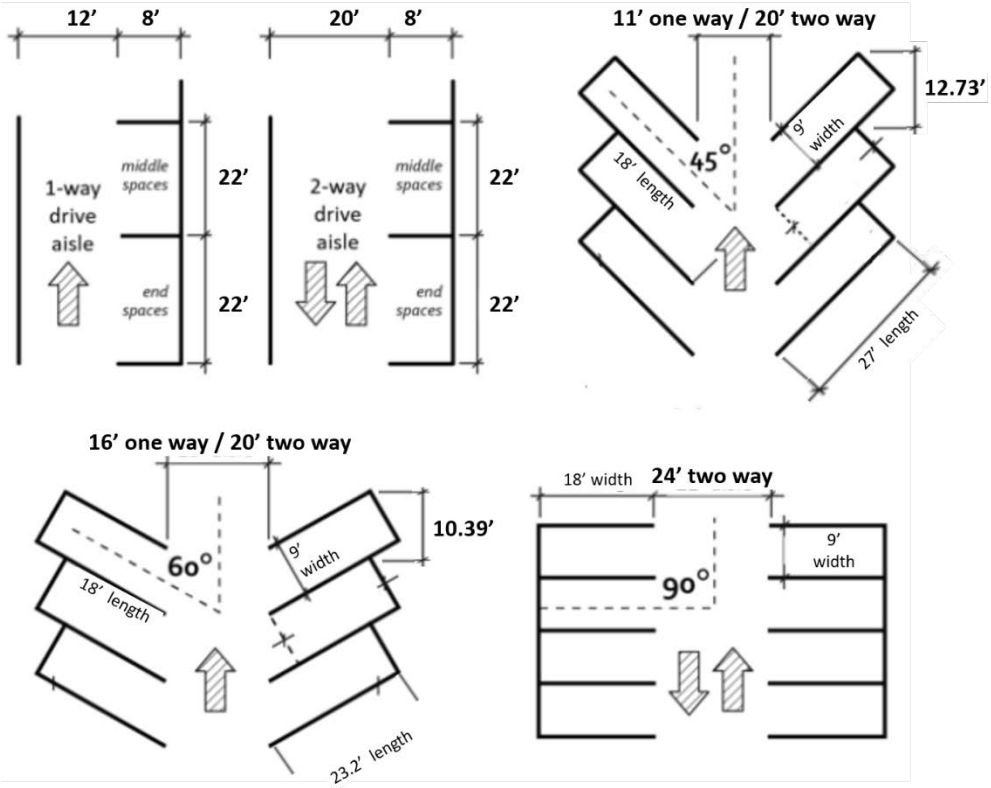
3. *On-Street Parking*. For provisions related to vehicle parking on streets, refer to the City of Lubbock Code of Ordinances Chapter 20, *Traffic*.

j. **Garages**. Except for apartments, garages for residential land uses shall not receive credit for off-street parking. Garages associated with apartments shall count toward off-street parking requirements.

a. **Generally**.

1. *Mixed-Use District Exemption*. The parking and loading space requirements in Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, shall not apply in a Base Mixed-Use District. However, if parking is voluntarily provided, the design requirements of this Section shall apply.
2. *Schedule Reference*. Except as otherwise provided in this Section, the number of spaces in a required parking facility shall comply with the requirements in Table 39.03.009-1, *Off-Street Parking and Loading Schedule*.
3. *Dimensions*. Individual surface parking spaces and drive aisles shall comply with the minimum dimensions depicted in Figure 39.03.009-1, *Minimum Surface Parking Dimensions*.

Figure 39.03.009-1
Minimum Surface Parking Dimensions



4. *Use of Space*. Required off-street parking shall:
   A. Be maintained for the duration of the use or existence of the building requiring the parking; and
   B. Be used for the temporary parking of passenger automobiles, motor vehicles, or light trucks or for any other activity permitted by this UDC or the City of Lubbock Code of Ordinances.
5. *Calculation*.
   A. Required off-street parking in Table 39.03.009-1, Off-*Street Parking and Loading Schedule*, is based on the following variables:
      i. Per Square Foot (sq. ft.). The phrase "per # sq. ft." means that the number of parking spaces is calculated based on the number of square feet devoted to the use, whether indoors or outdoors.

ii. Per Square Foot (sq. ft.) Gross Floor Area (GFA). The phrase "per # sq. ft. GFA" means that the number of parking spaces is calculated based on the gross floor area of the building where the use takes place. Refer to Section 39.02.022, *Measurements*, for GFA establishment.

iii. Per Dwelling Unit (DU) or Per Bedroom. The phrase "per DU" means that the number of parking spaces is calculated based on the number of dwelling units. In some cases, the parking requirements are based on the number of bedrooms in the dwelling unit.

iv. Per Seat Capacity. The phrase "per # seats" means that the number of parking spaces is based on the number of seats that are provided for guests (patrons, members, etc.), with benches or pews measured as one seat per each two feet of width.

v. Per Maximum Occupancy. The phrase "per maximum occupancy" means the requirement is based on occupancy as prescribed in the City's Building Code.

vi. Others. Other variables, such as "per classroom" or "per bedroom" are measured according to their meanings in professional planning, development, and construction practice.

B. If a calculation under Table 39.03.009-1 results in a fractional requirement, a fraction of 0.5 or greater is rounded to the next larger whole number.

C. The parking space requirement for a site with more than one use or for adjacent sites served by a common parking facility is the cumulative total of spaces required for each site or use, except as allowed under Subsection d., *Shared Parking*, below.

D. The applicant shall submit plans for off-street parking areas, except for single-family detached dwellings, to be checked and approved as to number of spaces, access, and ingress and egress by the Director of Planning.

6. *Reductions and Alterations*. A person shall not:

A. Reduce the parking spaces to a number less than the number of spaces prescribed in Table 39.03.009-1, except in accordance with the parking reduction allowances in this Section; or

B. Alter the design or function of a parking space in a manner that violates this Section.

7. *Parking on Driveway or Behind Screen*.

A. In areas where there are paved streets, all vehicles, including recreational vehicles, and recreational equipment or trailers, whether oversized or not, that are within the established front setback shall only be parked on driveways or on paved off-street parking areas.

B. In areas where there are paved streets, all vehicles, including recreational vehicles, and recreational equipment or trailers, whether oversized or not, that are within the side street setback, as depicted and described in Section 39.02.022, *Measurements*, shall only be parked on driveways, on paved off-street parking areas, or behind a screening fence.

C. In areas where there are paved streets, all recreational vehicles and oversized recreational equipment or trailers that are within the side street setback, shall only be parked behind a screening fence.

D. In no event shall parking of recreational vehicles and recreational equipment or trailers, whether oversized or not, be allowed in the right-of-way or parkway.

Table 39.03.009-1
Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Bicycle Spaces in MU, NIO, and CIO	Required Loading
Agricultural Uses			
Community Garden	--	--	--
Farm, Ranch, or Orchard	--	--	--
Farming, Landscaping, and Horticultural Sales and Services	1 per 500 sq. ft. GFA	--	--
Greenhouse / Nursery	1 per 500 sq. ft. GFA	--	--
Riding Stables	--	--	--
Other agricultural-related uses not specified	*1 per 1,000 sq. ft. GFA*	--	--
Residential Uses			
Single-Family Detached Dwelling	2 per DU	--	--
Duplex (2 du)	2 per DU	--	--
Single-Family Garden Home or Cottage	2 per DU	--	--
Townhouse (2 to 10 du)	2 per DU	--	--
Industrialized Housing	2 per DU	--	--
Apartment (>4 du)	1 per DU with 1 bedroom or per efficiency unit 1.25 per DU with 2 bedrooms 2 per DU with 3+ bedrooms	2	--
Boarding or Rooming House	1 per bedroom	--	--
Dormitory	1 per bedroom	2	--
Fraternity/Sorority House	0.5 per bedroom	2	--
Group Home	1 per bedroom	--	--
Live-Work Unit	2 per DU	--	--
Manufactured Home Park or Manufactured Home Subdivision	2 per DU	--	--
Multiplex (3 - 4 du)	1.25 per DU with 1 bedroom 1.75 per DU with 2 bedrooms 2.25 per DU with 3+ bedrooms	2	--
Retirement Housing	0.75 per DU	--	--
Vertical Mixed-Use	0.5 per DU	2	--
Accessory Dwelling Unit	1 space (in addition to spaces required for residential use)	--	--
Accessory Structures	--	--	--
Home Occupation	--	--	--
Short-Term Rental	1 space (in addition to spaces required for residential use)	--	--
Automobile Uses			
Automobile and Vehicle Wash	1 per 500 sq. ft. GFA	--	--
Automobile Structured Parking (Primary Use)	--	--	--
Automobile Parking Lot (Primary Use)	--	--	--
Automobile / Vehicle Parts and/or Accessories	1 per 500 sq. ft. GFA	--	♦
Automobile / Vehicle Sales and Rental	1 per 500 sq. ft. GFA	--	♦

Table 39.03.009-1
Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Bicycle Spaces in MU, NIO, and CIO	Required Loading
Automobile / Vehicle Repair and Auto Body	1 per 500 sq. ft. GFA	--	♦
Automobile / Vehicle Service	1 per 500 sq. ft. GFA	--	♦
Travel Plaza	1 space per 200 sq. ft. retail floor area, excluding fueling positions	--	♦
Truck Parking Lot (Primary Use)	--	--	--
Other automobile-related uses not specified	*1 per 1,000 sq. ft. GFA*	--	♦
Civic and Institutional Uses			
Adult Care Center	1 per 200 sq. ft. GFA	--	♦
Cemetery / Funeral Services	--	--	--
College or University	1 per classroom, laboratory, or instruction area + 1 per 4 students based on maximum occupancy	2	♦
Correctional Institution	1 per 1,000 sq. ft. GFA	--	♦
Child Care, Day Care Center	1 per 400 sq. ft. GFA + an off-street drive, having separate ingress and egress, capable of the temporary storage of 3 or more vehicles	--	♦
Club or Lodge	1 per 200 sq. ft. GFA	2	♦
Educational Services (excluding transportation-related instruction)	1 per 400 sq. ft. GFA	--	♦
Educational Services (transportation-related instruction only)	1 per 500 sq. ft. GFA	--	♦
School	**For Elementary & Junior High Schools:** 1 per classroom + 1 per 4 seats in any auditorium, or gymnasium **For High Schools:** 1 per classroom + 1 per 4 students based on maximum occupancy	2	♦
Governmental Service (Police, Fire, Emergency Medical Services)	**Fire Station**: 4 per emergency vehicle bay + 1 space per 100 sq. ft. of public meeting area **All other Government Service**: 1 per 800 sq. ft. GFA	--	♦
Hospital / Rehabilitative Care	1 per 2 beds	--	♦
Library, Museum, or Gallery	1 per 300 sq. ft. GFA	2	♦
Medical and Diagnostic Laboratories	1 per 500 sq. ft. GFA	--	♦
Medical Office / Clinic	1 per 300 sq. ft. GFA	--	♦
Place of Public Assembly, Indoor	1 per 200 sq. ft. GFA	--	♦
Religious Institution	1 per 4 seats in the main auditorium, chapel, or sanctuary	2	♦
Shelter	1 per 6 beds	2	♦
Other civic- and institutional-related uses not specified	*1 per 500 sq. ft. GFA*	--	♦
Commercial Uses			
Bank, Credit Union, and Financial Services	1 per 600 sq. ft. GFA	2	♦

Table 39.03.009-1
Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Bicycle Spaces in MU, NIO, and CIO	Required Loading
Brewpub, Microbrewery, Microdistillery, or Microwinery	1 per 175 sq. ft. of the retail, tasting, or eating area, and 1 per 2,000 sq. ft. of the manufacturing or storage area	2	♦
Building Materials and Hardware Sales	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	--	♦
Fuel Sales	1 space per 200 sq. ft. retail floor area, excluding fueling positions	2	♦
Grocery (Food Sales)	1 per 500 sq. ft. GFA for 3,500 sq. ft. or less; 1 per 300 sq. ft. from 3,501 up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	2	♦
Heavy Machinery Sales and Rentals	1 per 1,000 sq. ft. GFA	--	♦
Home Furnishing Store	1 per 400 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	--	♦
Kennel	1 per 500 sq. ft. GFA	--	♦
Manufactured Home Sales and Storage	1 per 500 sq. ft. GFA of sales office	--	♦
Hotel or Motel	1 per guest room + the required spaces for public assembly space	--	♦
Office, General	1 per 300 sq. ft. GFA	2	♦
Pawn Shop	1 per 300 sq. ft. GFA	2	♦
Personal Service	1 per 300 sq. ft. GFA	2	♦
Recreational Vehicle Parks and Campgrounds	1 per 4 recreational vehicles or camping spaces	--	--
Repair Service	1 per 400 sq. ft. GFA	--	♦
Restaurant	1 per 100 sq. ft. GFA	2	♦
Retail Sales	1 per 300 sq. ft. GFA up to 35,000 sq. ft. + 1 per 600 sq. ft. GFA above 35,000 sq. ft.	2	♦
Self-storage, mini-warehouse	1 per 300 sq. ft. GFA of office or retail + 1 per 100 rental units or 8, whichever is greater	--	--
Sexually-Oriented Business	1 per 500 sq. ft. GFA	--	♦
Studio (Arts, Crafts, or Recording)	1 per 300 sq. ft. GFA	2	♦
Veterinary Clinic and/or Service, Large Animal	1 per 1,000 sq. ft. GFA	--	♦
Veterinary Clinic and/or Service, Small Animal	1 per 500 sq. ft. GFA	--	♦
Other commercial-related uses not specified	*1 per 500 sq. ft. GFA*	--	♦
Entertainment and Recreational Uses			
Alcoholic Beverages, Off-Site Consumption (Package Store)	1 per 300 sq. ft. GFA	--	♦
Alcoholic Beverages, On-Site Consumption (Nightclub or Bar)	1 per 100 sq. ft. GFA	--	♦
Automobile / Motorcycle Race Track	1 per 4 persons based on maximum occupancy	--	--
Commercial Amusement, Indoor	1 per 250 sq. ft.	2	♦
Commercial Amusement, Outdoor	30 spaces + 1 additional space per each 1,000 sq. ft. TLA over 5 acres	2	♦

Table 39.03.009-1
Off-Street Parking and Loading Schedule

DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum
♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*

Use Category	Number of Required Parking Spaces	Required Bicycle Spaces in MU, NIO, and CIO	Required Loading
Outdoor Shooting / Archery Range	4 spaces + 1 additional space per shooting lane	--	--
Park & Recreation Facility or Center	1 per 400 sq. ft. GFA	2	--
Outdoor Swimming Pool	1 per 4 persons based on maximum occupancy	2	--
Other entertainment- and recreational-related uses not specified	*1 per 250 sq. ft. GFA*	--	♦
Industrial and Manufacturing Uses			
Bakery, Wholesale	1 per 1,000 sq. ft. GFA	--	♦
Batch Plant, Permanent	1 per 1,000 sq. ft. GFA	--	♦
Contractor's Shop and/or Service Yard	1 per 1,000 sq. ft. GFA	--	♦
Industrial and Manufacturing Product Sales and Supply	1 per 1,000 sq. ft. GFA	--	♦
Junkyard, Salvage Yard, and Wrecking Yard	1 per 1,000 sq. ft. GFA	--	♦
Manufacturing, Heavy (includes handling of explosive and/or foul materials)	1 per 4,000 sq. ft. GFA	--	♦
Manufacturing, Light (includes product assembly and processing)	1 per 1,000 sq. ft. GFA	--	♦
Meat Packing and Related Industries	1 per 1,000 sq. ft. GFA	--	♦
Micromanufacturing	1 per 1,000 sq. ft. GFA		--
Publishing Services	1 per 1,000 sq. ft. GFA	--	♦
Resource Extraction	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--	♦
Stockyard	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--	♦
Warehousing and Storage	1 per 4,000 sq. ft. GFA	--	♦
Other industrial- and manufacturing-related uses not specified	*1 per 1,000 sq. ft. GFA*	--	♦
Transportation, Utility, and Communication Uses			
Cargo Terminal	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--	--
Landfill	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--	--
Passenger Terminal	1 per 500 sq. ft.	--	--
Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)	1 per 300 sq. ft. GFA of office + 1 additional per 4,000 sq. ft. GFA of outdoor storage area	--	--
Utilities	--	--	--
Water and Sewage Treatment	1 per 1,000 sq. ft.	--	--
Water Storage	--	--	--
Wireless Telecommunications Tower	--	--	--
Temporary Uses			
All Temporary Uses	Subject to Temporary Use Permit	--	--

Table 39.03.009-1 Off-Street Parking and Loading Schedule			
DU = Dwelling Unit | sq. ft. = square feet | GFA = Gross Floor Area | TLA = Total Land Area | -- = no minimum ♦ = Off-Street Loading Required in accordance with Table 39.03.010-1, *Required Off-Street Loading Facilities*			
Use Category	**Number of Required Parking Spaces**	**Required Bicycle Spaces in MU, NIO, and CIO**	**Required Loading**
Nonresidential Accessory Uses			
Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk	--	--	--
Billboard	--	--	--
Donation Bin / Recycling Collection, Drop-Off	--	--	--
Drive-In or Drive-Through Facility	--	--	--
Helipad (Hospital/Public Safety)	--	--	--
Outdoor Display of Merchandise	1 per 1,000 sq. ft.	--	--
Outdoor Storage	1 per 2,000 sq. ft.	--	--

b. **Parking in Infill Overlay Districts.**

1. *Applicability*. This Subsection applies to required off-street parking in the Infill Overlay districts.
2. *Reduction*.
   A. To promote walkability, alternative methods of transportation, and pedestrian-oriented development patterns, the required off-street parking spaces in a Neighborhood Infill Overlay or Community Infill Overlay may be reduced by 50 percent, subject to the conditions in Paragraph 3, *Locations*, and subject to approval in Paragraph 5, *Approval*.
   B. If the development does not meet the requirements in Paragraph 3, *Locations*, then the required off-street parking in the Neighborhood Infill Overlay or Community Infill Overlay may be reduced by 25 percent, subject to approval in Paragraph 5, *Approval.*
3. *Locations*. This reduction applies if the use is:
   A. Within a quarter-mile of a Base Residential district and connected by a continuous system of sidewalks/pedestrian walkways;
   B. Within a quarter-mile of transit and connected by a continuous system of sidewalks/pedestrian walkways; or
   C. Abutting a nonresidential use in a Base Mixed-Use district.
4. *No Bicycle Reduction*. This reduction for required off-street parking does not apply to required bicycle spaces.
5. *Approval*. This reduction may be approved administratively through the Site Development Plan Review process.

c. **Parking Study**.

1. *Submittal, Credits, and Reductions*. An applicant may submit a parking study to support a request to reduce the number of required parking spaces required in this Section. The parking study shall include and support all requested reductions in parking.
2. *Parking Study Requirements*.
   A. *Qualifications*. A parking study shall be conducted by a qualified transportation planner or traffic engineer at the applicant's expense.

B. *Analytical Requirements*. The parking study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), and include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

3. *Application of Study*. Upon receiving a parking study that meets the requirements of this Section, the Director of Planning may rely on the recommendations of the study to establish off-street parking requirements for the proposed development.

d. **Shared Parking**.

1. *Reduction*. Where a shared parking facility serving more than one use is proposed, the total number of required parking spaces may be reduced up to 25 percent if:

A. The peak hours of use do not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces; or

B. The proposed shared parking will adequately serve each use.

2. In order to apply a parking reduction as a result of shared parking, the applicant shall provide a parking analysis prepared by a professional engineer.

3. *Approval.* Shared parking may be approved administratively through the Site Development Plan Review process.

4. *Agreement for Shared Parking*.

A. Sharing of parking shall require a written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Director of Planning for review and approval. The applicant shall record the agreement prior to the issuance of a Building Permit or a Certificate of Occupancy, if a Building Permit is not required, for any use to be served by the shared parking. A shared parking agreement may be terminated if all required off-street parking spaces will be provided in accordance with the requirements of this Section.

B. Shared parking agreements that existed prior to the adoption of this Code shall continue in force.

C. Amendments to pre-existing agreements shall be made pursuant to the terms of this UDC and shall be done by written agreement.

e. **Right-of-Way Condemnation**. The Director of Planning may reduce the parking space requirement triggered by a Site Development Plan or Site Development Plan revision application filed to relocate a facility as a direct result of right-of-way condemnation if the Director of Planning determines that a reduction:

1. *Reasonable*. Is reasonable given the present and anticipated future traffic volumes generated by the use of the site or the use of a nearby site; and

2. *Traffic Flow and Safety*. Will not:

A. Result in parking or loading on a public street that interferes with the free flow of traffic; or

B. Create a safety hazard.

f. **Off-Site Parking**. Off-site parking spaces may provide credit to satisfy the minimum parking space requirements in any Public and Nonresidential zoning districts subject to the Director of Planning's approval and the following:

1. *Generally*. The parking lot complies with all applicable requirements of this UDC;

2. *Location*. The off-site parking lot is within 300 feet of the subject property, measured from the nearest property lines along a sidewalk; and

3. *Zoning District*. The parking lot is wholly within a Mixed-Use zoning district or a Base Public and Nonresidential zoning district.

g. **On-Street Parking.** On-street parking spaces may provide credit to satisfy the minimum parking space requirements in any Public and Nonresidential zoning districts subject to the Director of Planning's approval and the following:

1. *Generally.* The on-street parking spaces comply with all applicable requirements of this UDC;
2. *Location.* The on-street parking spaces are within 300 feet of the subject property, measured from the nearest property lines along a sidewalk; and
3. *Road Separation.* On-street parking spaces separated by a street from the use shall not count towards the on-street credit.

h. **Ride-Sharing.** The number of required parking spaces may be reduced by five percent for parking areas of more than 50 spaces if the site provides a dedicated ride-share loading area.

i. **Change in Use Without Sufficient Parking**. A permitted use may be converted to another permitted use without full compliance with the required number of parking spaces if the Director of Planning determines:

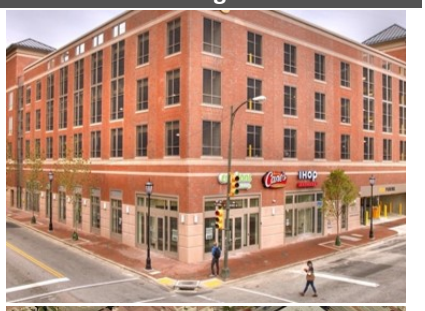
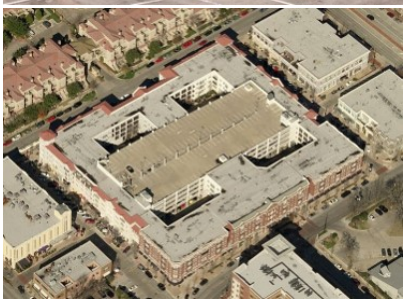
1. The maximum amount of parking spaces possible is provided without removing or partially removing a structure; and
2. The amount of parking available is at least 80 percent of the parking required for the new use in Table 39.03.009-1, *Off-Street Parking and Loading Schedule*.

j. **Structured Parking**.

1. *Structured Parking Types*. Tuck-under parking and stand-alone, activated, and integrated parking structures are each permitted in the NC, OF, AC, HC, LI, HDR, and Mixed-Use districts as depicted and described in Table 39.03.009-2, *Parking Structure Type Descriptions and Standards.*

Table 39.03.009-2
Parking Structure Type Descriptions and Standards

Description	Standards	Image
Tuck-under parking consists of a single row of covered parking spaces beneath a building.	Access to tuck-under parking shall be provided by a drive aisle in a parking lot or alley. Tuck-under parking may be combined with other surface or structured parking types. In the Base Mixed-Use districts, tuck-under parking shall be oriented toward an alley. Where visible from a public right-of-way other than an alley, tuck-under parking shall be screened from view by buildings or a wall that is a minimum of six feet in height.	
Stand-alone parking structures are freestanding structures located in the center of a larger block.	Stand-alone structures shall be separated from adjacent buildings by a minimum of 20 feet to provide sufficient light and privacy for adjacent structures. This separation may accommodate an alley and/or rear yards. In the OF district, stand-alone parking structures shall have foundation plantings as required in Section 39.03.015, *Development Landscaping*.	

Table 39.03.009-2 Parking Structure Type Descriptions and Standards		
Description	**Standards**	**Image**
Activated structures are parking structures with retail uses at the base that are oriented solely toward the street.	Liner buildings associated with activated structures may be directly attached or detached by a minimal fire separation distance.	
Integrated structures are parking structures located within an occupied building or surrounded by liner buildings as set forth in Subsection 39.03.005.k, *Liner*.	Integrated structures may be fully or partially integrated with the surrounding building.	

2. *Configuration of Structured Parking Spaces*. Individual parking spaces for structured parking facilities (parking garages) shall comply with Figure 39.03.009-1, Minimum *Surface Parking Dimensions*.
3. *General Design Standards*. Parking structures shall be designed as follows:
   A. *Rooftop Parking*. Rooftop open-air parking shall be screened with a parapet of at least four feet in height.
   B. *Safety Mirrors*. Pedestrian safety devices such as convex mirrors or other warning devices are required where it would be a significant risk to public health or safety without the installation of those devices.
   C. *Gates and Booths*. Any vehicle exit barrier, including but not limited to a gate or payment booth, shall be located at least 20 feet inside the exterior wall of the parking structure.
   D. *Lighting*. Parking structures shall contain lighting sufficient for security purposes.
4. *MU District Standards*.
   A. *Height*. The height of the parking structure shall not exceed the height of the structure it serves.
   B. *Liner Buildings on Integrated Structures*. Liner buildings that are part of an integrated parking structure shall comply with the following standards. Refer to Section 39.03.005.k, *Liner*, for liner building standards.
      i. Liner buildings shall be at least two stories in height with no less than 15 feet in depth.
      ii. Liner buildings may be detached from or attached to the principal building.
      iii. Liner buildings may be used for any purpose allowed on the lot on which they are located except for parking.
   C. *Stand-Alone Parking Structures*.
      i. *Exterior Design*. Facades on the ground floor of stand-alone parking structures shall meet one of the following standards:
         a. Be constructed of materials of similar quality and shall be compatible in appearance with adjacent buildings; or
         b. Be articulated using three or more of the following architectural features:

1. Windows or window-shaped openings with decorative mesh or similar features as approved by the Director of Planning;
2. Masonry columns;
3. Decorative wall insets or projections;
4. Awnings;
5. Changes in color or texture of materials;
6. Public art;
7. Integrated landscape planters; or
8. Other similar features approved by the Director of Planning.

ii. *Vehicle Entry/Exit Design*.

a. Vehicle entries and exits of stand-alone parking structures shall be oriented away from the primary street frontage and shall minimize conflicts with pedestrian circulation.

b. Street front openings in stand-alone parking structures shall not exceed 55 percent of facade area.

k. **Accessory Uses**. Parking spaces are not required for accessory uses, except for outdoor displays of merchandise and outdoor storage uses.

l. **Excess Spaces**. If an applicant provides more parking spaces for a use than required under this Section or under an approved Site Plan, the owner may share the excess spaces with another use in accordance with Subsection d., *Shared Parking*, above.

m. **Pervious Pavement**. An off-street parking area may use pervious pavement or pervious pavement systems.

Section 39.03.010 Off-Street Loading

a. **Loading Facility Required**. An applicant shall provide an off-street loading facility as required by Table 39.03.002-1, *Building and Site Design Applicability*, or for an addition or enlargement of an existing use of more than 10,000 square feet that requires loading spaces.

b. **Loading Standards**.

1. *Required Spaces*. An applicant shall provide a loading facility for each use in a building or on a site as prescribed in Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, and according to the following floor area square footage requirements in Table 39.03.010-1, *Required Off-Street Loading Facilities*.

Table 39.03.010-1
Required Off-Street Loading Facilities

Floor Area Square Footage	Minimum Number of Spaces
0 - 10,000	0
10,001 - 75,000	1
75,001 - 150,000	2
150,001 - 300,000	3
Over 300,000	1 for each 100,000

2. *Common Spaces*.

A. Multiple uses or occupancies located in a single building or on one site may be served by a common loading space if the Director of Planning determines that the loading space can adequately serve each use.

B. For a common loading space, the Director of Planning, in making their determination, shall apply Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, to the combination of buildings and uses served by the loading space instead of to each individual building and use. The schedule applicable to the use with the greatest load requirement applies.

3. *Gross Floor Area*.

A. An off-street loading facility requirement is based on the gross floor area. The gross floor area does not include enclosed or covered areas used for off-street parking or loading.

B. In this Section, each two square feet of exterior site area used for a commercial or industrial use equals one square foot enclosed floor area.

4. *Dimensional Requirements*.

A. The minimum dimensional requirements for loading facilities are 10 feet wide by 25 feet deep.

B. A required loading facility shall maintain a 14-foot minimum vertical clearance.

5. *Screening*. Loading facilities are required at a 50-foot minimum distance from any residential property unless completely enclosed by building walls, or a uniformly solid wall, or any combination of the two, as depicted in Figure 39.03.010-1, *Enclosed Loading*. Loading facilities within 25 feet of the nearest point of any street intersection are prohibited.

Figure 39.03.010-1
Enclosed Loading



Section 39.03.011 Stacking

a. **Applicability**. Any development that involves a drive-through facility shall provide stacking spaces within a stacking lane in accordance with this Section.

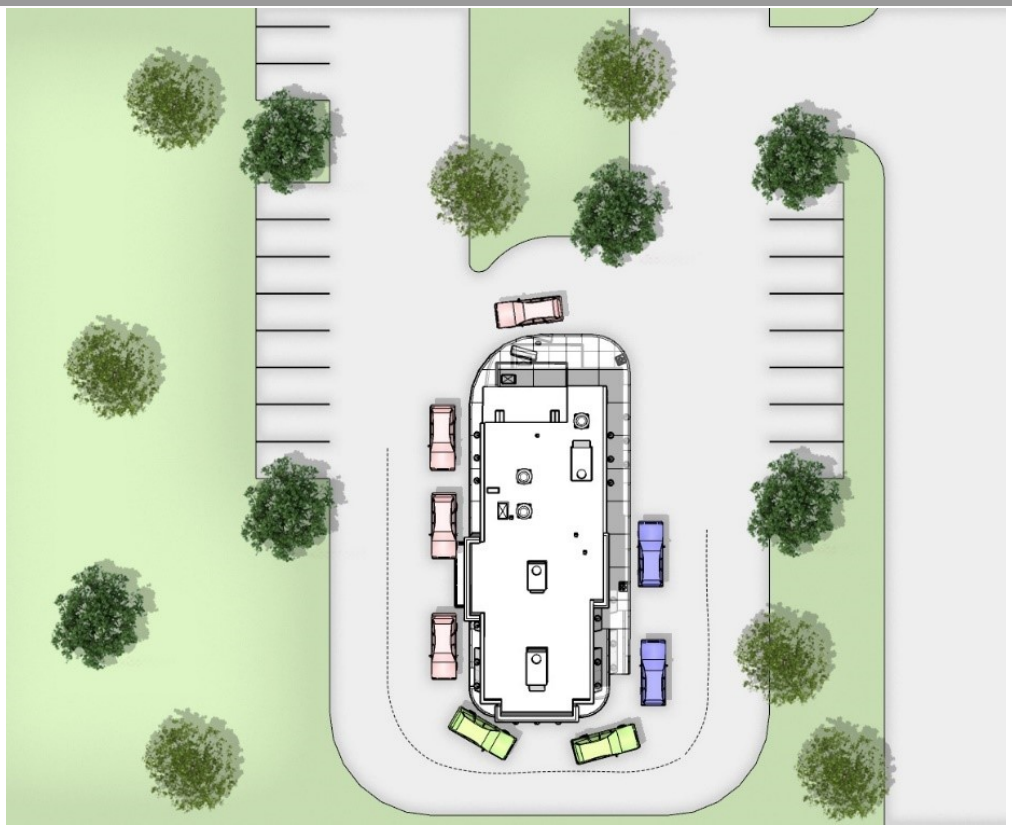
b. **Dimensions**. Stacking spaces shall be eight feet wide by 18 feet deep.

c. **Spaces**.

1. *Generally*. A minimum of three stacking spaces, measured from the window, ATM, or service entrance, are required for each stacking lane, as depicted in Figure 39.03.011-1, *Stacking Illustration*.

2. *Restaurants*. Any restaurant with a drive-through facility shall provide a minimum of five stacking spaces (measured from the point of order) for each stacking lane.

Figure 39.03.011-1
Stacking Illustration



Section 39.03.012 Parking Access and Circulation

a. **Direct Access**. All off-street parking must have direct access to a public street through an alley, driveway, or permanent access easement.

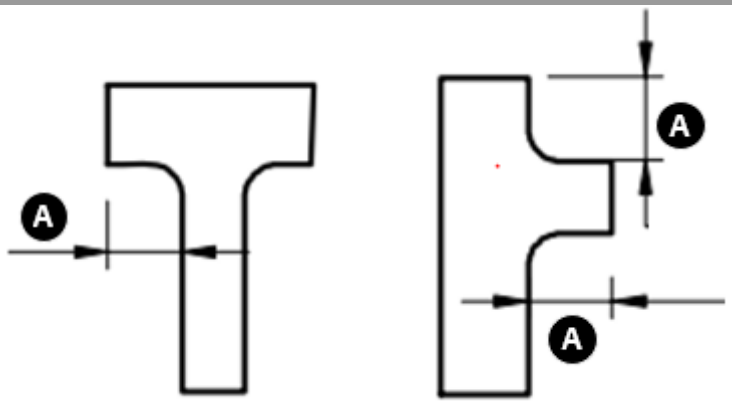
b. **Street Classification**. Entries for parking shall be placed along a collector street, where practicable.

c. **Moving Other Vehicles**. All required parking shall be designed so that vehicles enter or leave a parking space without having to move any other vehicle, except:

   1. Where valet or tandem parking is utilized; and
   2. In the case of single-family detached dwellings and duplexes.

d. **Vehicle Turn-Arounds**. Any parking row that does not provide two means of vehicular egress must provide, at the closed end, a space designated as a vehicular turn-around area as depicted in Figure 39.03.012-1, *Vehicular Parking Turnaround Configuration*. This space must be located at the end of a parking row, be designed with the minimum dimensions depicted in Figure 39.03.012-1, where the letter "A" equals 24 feet, or other dimensions and configuration acceptable to the City Engineer and include a "No Parking" sign.

Figure 39.03.012-1
Vehicular Parking Turnaround Configuration



e. **Cross-Access**. Cross-access for vehicle circulation shall be provided between abutting nonresidential developments, in accordance with Section 39.04.010, *Easements*.

f. **Emergency Access**. The applicant shall provide emergency access lanes where necessary to provide adequate protection for a structure.

1. *Dimensions*. Dimensions for emergency access lanes and turnarounds, including width and clearance, shall comply with the requirements of the Fire Code. Any emergency access lane shall either connect at each end to a dedicated public street or be provided with a turnaround established in the Fire Code, with an additional distance of 10 feet on all sides clear of permanent structures. The driving surface within emergency access lanes shall be designed and constructed according to standards established for local public streets.

2. *Location*. All structures shall be located within 150 feet of an emergency access lane or public street.

Section 39.03.013 Bicycle Parking

Bicycle parking is required in the Mixed-Use districts, Neighborhood Infill Overlay (NIO), and Community Infill Overlay (CIO), and is optional in other districts. All bicycle parking shall be provided in numbers required by Table 39.03.009-1, *Off-Street Parking and Loading Schedule*, and shall comply with the standards described in Subsection 39.02.005.a.5.G, *Bicycle Parking.*

Division 3.4 Trees, Landscaping, and Buffering

Section 39.03.014 General Provisions

a. **Zoning District Reference**. See Division 2.2, *Zoning Districts and Standards*, for the landscape surface ratio requirement for the zoning districts. The cumulative surface area of development landscaping and bufferyards shall meet or exceed the landscape surface ratio required for the zoning district.

b. **Required Landscaping Types**. Table 39.03.014-1, *Required Landscaping Types Summary*, sets out the landscaping types eligible for points in each zoning district. Figure 39.03.014-1, *Illustrative Landscape Types*, depicts these types.

Table 39.03.014-1 Required Landscaping Types Summary					
♦ = Required landscaping type | -- = Landscape type not required Refer to Sections 39.03.015, *Development Landscaping*, and 39.03.016, *Bufferyard Landscaping*					
Zoning Districts and Land Uses	**Development Landscaping**				**Bufferyards**
	Street Yard Trees	**Foundation Plantings**	**Parking Lot Landscaping**	**Site Landscaping**	
RE district for all uses	Exempt				
All single-family detached and duplex dwellings in any district where they are permitted	Exempt				♦
Townhouse	♦	--	--	--	♦
Multiplex, Apartment, Nonresidential, and Mixed Uses	--	♦	♦	♦	♦
LI and GI district	--	--	♦	♦	♦

Figure 39.03.014-1
Illustrative Landscaping Types

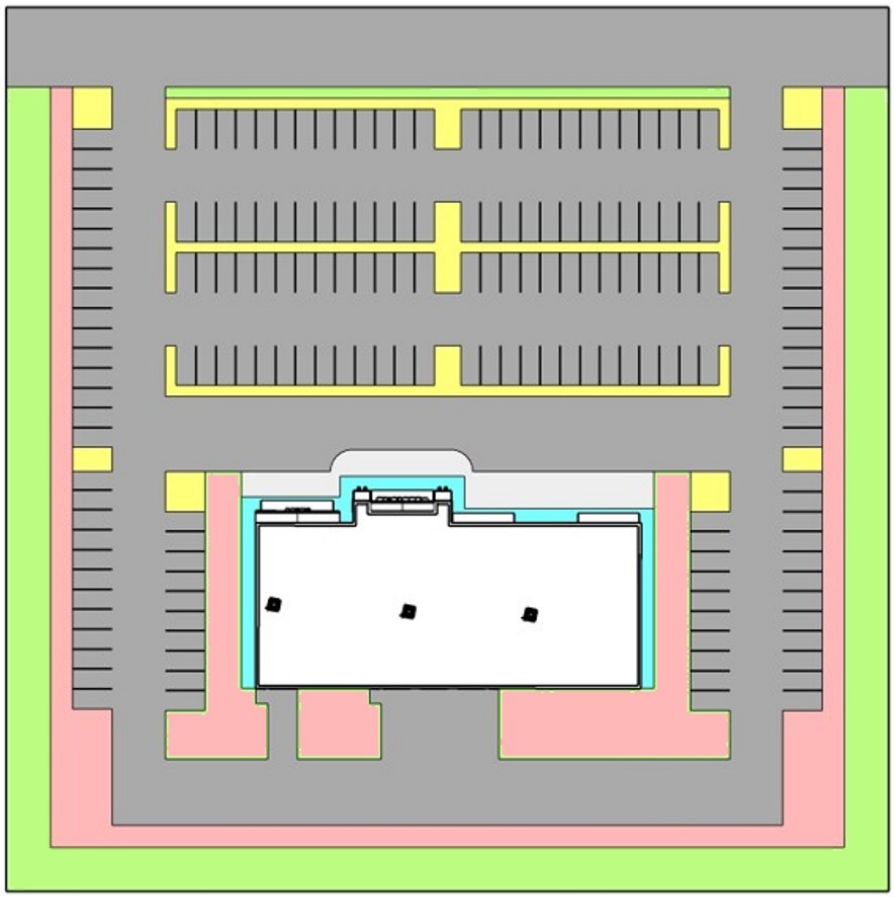


Figure Notes:
All colored areas count toward the landscape surface ratio requirement for the zoning district, as established in Division 2.2, *Zoning Districts and Standards*.
Yellow = Parking Lot Landscaping; Blue = Foundation Plantings; Pink = Site Landscaping; Green = Bufferyards

a. **Minimum Amount of Points Required.** Development subject to the standards of this Division shall achieve the following number of points from the menu of landscaping element options shown in Table 39.03.015-1, *Landscape Points System*.

1. Multiplex, Multi-Family, or Mixed-Use Development with less than 10 dwelling units: 20 points
2. Multi-Family or Mixed-Use Development with 10 to 50 dwelling units: 40 points
3. Multi-Family or Mixed-Use Development with more than 50 dwelling units: 60 points
4. Nonresidential Development with less than 10,000 square feet of gross floor area: 40 points
5. Nonresidential Development with 10,000 to 34,999 square feet gross floor area: 50 points
6. Nonresidential Development with 35,000 to 60,000 square feet gross floor area: 60 points
7. Nonresidential Development with more than 60,000 square feet gross floor area: 80 points

b. **Point Categories.** Points shall come from a minimum of two categories in Table 39.03.015-1, *Landscape Points System*, below. Categories in Table 39.03.015-1 consist of:

1. Street Yard Trees;
2. Foundation Landscaping;
3. Parking Lot Landscaping;
4. Site Landscaping; and
5. Other.

c. **Calculating Points.** For each landscaping element listed in Table 39.03.015-1 that is utilized, the corresponding amount of points will be earned or deducted as listed in the last column.

d. **Exceeding Minimum Points.** If the chosen landscaping elements for a development project exceed the minimum points required, the minimum landscape surface ratio (as determined by the subject property's zoning district in Division 2.2, *Zoning District and Standards*) may be reduced by one percentage point for every five points exceeding the required minimum. This reduction shall not exceed five percentage points.

e. **Groundcover Requirements**. Eligible groundcover area shall not include concrete, asphalt, or other impervious surfaces, with the exception of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete which may be used only within the first one and one-half feet of the parking island to allow persons to access their vehicle without stepping on landscaping. The height of the groundcover plant species chosen shall not interfere with the triangle established in Section 39.02.022, *Measurements,* along access drives or anywhere throughout the parking lot.

Table 39.03.015-1
Landscape Points System

Landscaping Element	Location and Design	Points Earned (+) or Deducted (-)
Street Yard Trees		
One canopy tree or two ornamental trees per street frontage	▪ Along the street right-of-way.	+10
Foundation Landscaping (as depicted in Figure 39.03.015-1, *Foundation Planting Example*)		

Table 39.03.015-1 Landscape Points System		
Landscaping Element	**Location and Design**	**Points Earned (+) or Deducted (-)**
Two ornamental trees or ten shrubs for each 50 linear feet in foundation planting area(s) facing the front setback(s) measured parallel to the building.	▪ In the OF, AC, and LI districts, the foundation plantings may be immediately abutting the foundation or within a maximum of 10 feet of the foundation. If the plantings are not immediately abutting the foundation, then the space between the foundation and plantings shall be designed for pedestrian circulation. ▪ In the HDR, NC, and MU-1 through MU-6 districts, the required foundation planting may be met with tree wells, planters, and landscaped plazas. ▪ In the MU-1 through MU-6 districts, where a building uses a gallery or arcade frontage type, such frontage type shall not interfere with the growth of the foundation plantings. ▪ The remainder of the area designated for foundation plantings shall be landscaped with groundcover or consist of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete.	+10
Two ornamental trees or ten shrubs for each 50 linear feet in foundation planting area(s) facing the side setback(s) measured parallel to the building.		+10
One ornamental tree or five shrubs for each 50 linear feet in foundation planting area(s) facing the rear setback(s) measured parallel to the building.		+5
Parking Lot Landscaping (as depicted in Figure 39.03.015-2, *Illustrative Parking Lot Planting Requirements*)		
Endcap island with groundcover and one canopy tree or one evergreen or two ornamental trees	▪ At minimum, at the end of alternating parking rows. ▪ Each endcap island shall be a minimum of 9' wide and the length of the parking row with 10-foot curb radii on the side closest to the drive aisle. For example, if there is a single row of 90-degree parking spaces, the length is 18 feet; if there is a double row of 90-degree parking spaces, the length is 36 feet.	+10 for each double parking row with an endcap island and +5 for each single parking row with an endcap island
Corner island with groundcover and one canopy tree or one evergreen or two ornamental trees	▪ At the corners of parking lots. ▪ Each corner island shall be a minimum of 200 square feet in area and defined by the intersection of the parking rows at each corner of the parking lot.	+5 for each corner island
Interior island with groundcover and one canopy tree, one evergreen tree, or two ornamental trees or 15 shrubs	▪ In the middle of parking rows planted at intervals of not less than one island for each 15 parking spaces. ▪ Each interior island shall be a minimum of 9' wide and the length of the parking row with 5-foot curb radii on the side closest to the drive aisle. For example, if there is a single row of 90-degree parking spaces, the length is 18 feet; if there is a double row of 90-degree parking spaces, the length is 36 feet.	+10 for first one and +5 for each additional one
Median with groundcover and ornamental grasses, shrubs, or planters	▪ At minimum, along the entire centerline of alternating double parking rows. ▪ Each median shall be a minimum of 5' wide.	+10 for each median in a double parking row
Site Landscaping		
One canopy or two ornamental trees per 1,000 square feet of site landscaping area	▪ All areas not designated in Figure 39.03.015-1, *Foundation Planting Example*, as foundation plantings, bufferyards, parking lot landscaping, or utilized for pedestrian and vehicular access to the building (for example, sidewalks, parking spaces, loading spaces, service areas, and drive-in or drive-through facilities) shall be landscaped with groundcover or consist of xeriscape groundcover, rocks, decorative pavers or stamped, dyed concrete, and designated as site landscaping area.	+15 for entire site
Six shrubs per 1,000 square feet of site landscaping area		+10 for entire site
One shrub per four linear feet of sign base on each side	▪ The shrubs shall be planted around the sign base within three feet of the sign.	+5
Other		

Table 39.03.015-1 Landscape Points System		
Landscaping Element	**Location and Design**	**Points Earned (+) or Deducted (-)**
100 to 50 percent of water in irrigation system comes from treated production water	--	+15
25 to 49 percent of water in irrigation system comes from treated production water	--	+5
100 percent of water in irrigation system comes from an approved well on-site	--	+10
Use of locally sourced mulch wherever mulch is provided on-site	▪ Shall be provided at a minimum depth of three inches.	+5
Tree quantity exceeds required quantity based on the requirements of this Section (per tree)	--	+1
Approved rainwater harvesting system	--	+15
Drip / subsurface drip irrigation system in all areas 15 feet or less in width	--	+15
Drought tolerant sod is primary variety of turf grass	--	+10
Majority of landscape area is depressed or shaped to hold water	--	+5
50 percent of all plant material is water efficient as listed in Appendix A Plant List	--	+5
Polymer injection system or other water saving technology	--	+5
More than 35 percent of the required landscaping area is proposed to be turf grass	--	-10
Existing tree material larger than 12-inch caliper is removed	--	-10
Fescue and/or St. Augustine grass is primary type of groundcover	--	-15
Slope within 10 feet of street or parking area exceeds 20 percent	--	-10
Undesirable tree species are used as listed in Appendix A Plant List	--	-10

Figure 39.03.015-1
Foundation Planting Example



Figure 39.03.015-2
Illustrative Parking Lot Planting Requirements

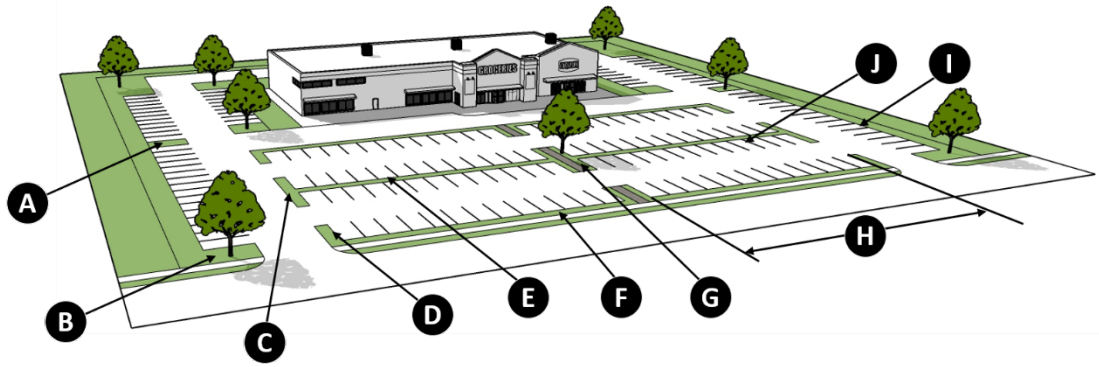


Figure Notes:
A = Single Interior Island; B = Corner Island; C = Double Endcap; D = Single Endcap; E = Median; F = Parking Bufferyard; G = Double Interior Island; H = Maximum Interval; I = Single Parking Row; J = Double Parking Row

Section 39.03.016 Bufferyard Landscaping

a. **Generally**. Required bufferyards are based on the amount of buffering and screening they provide. Bufferyards are classified in terms of intensity from less ("Type A") to moderate ("Type B") to heavier ("Type C") and to heaviest ("Type D").

b. **Bufferyard Types**. Bufferyards shall be required for:

1. *District*. Between differing zoning districts, along the side or rear property lines, in the form of a district bufferyard as detailed in Table 39.03.016-1, *District Bufferyard Standards* and Figure 39.03.016-1, *Bufferyard Examples*;
2. *Parking*. Around vehicle use areas, in the form of a parking buffer as detailed in Paragraph e, *Bufferyard Standards*; and
3. *Street*. Along public and private streets, in the form of a street bufferyard as detailed in Paragraph e, *Bufferyard Standards*.

c. **Table Instructions**. Table 39.03.016-1, District Bufferyard Standards, shows all base zoning districts. The rows indicate the zoning of the parcel proposed for development, and columns indicate the zoning of the adjoining or adjacent land. The letters indicate which type of bufferyard is required to be planted on the parcel proposed for development as detailed in Table 39.03.016-2, *Bufferyard Classifications*. Where "--" is found there is no bufferyard required. Refer to Section 39.03.018, *Alternative Compliance*, for situations such as infill development, that may allow for a lesser buffer than required in the table.

Table 39.03.016-1
District Bufferyard Standards

Zoning of Parcel Proposed for Development	Zoning of Adjoining District							
	RE	SF-1, MU-1	SF-2, MDR, HDR	MU-2 through MU-6	NC, OF	AC, HC, IP	LI	GI
RE	--	--	--	--	--	--	--	--
SF-1, SF-2, MU-1	A	--	--	--	--	--	--	~~D~~ --
~~SF-2,~~ MDR, HDR	B	A	--	--	--	--	--	~~D~~ --
MU-2 through MU-6	B	B	--	--	--	--	--	--
NC, OF	B	B	B	B	--	--	--	--
AC, HC, IP	C	C	C	B	A	--	--	--
LI	C	C	C	B	B	B	--	--
GI	D	D	D	C	C	C	B	--

Figure 39.03.016-1
Bufferyard Examples

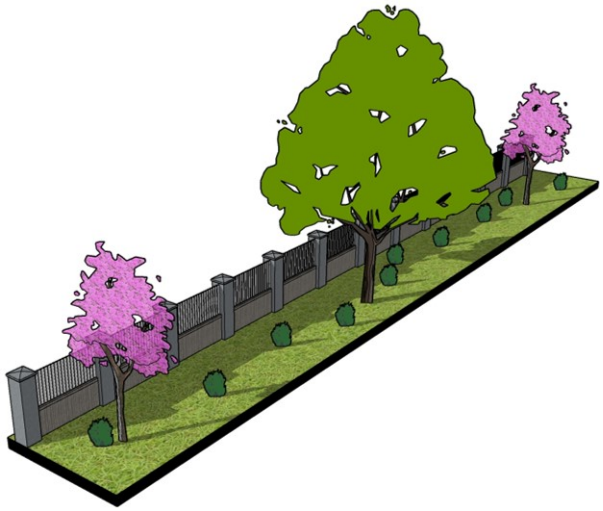
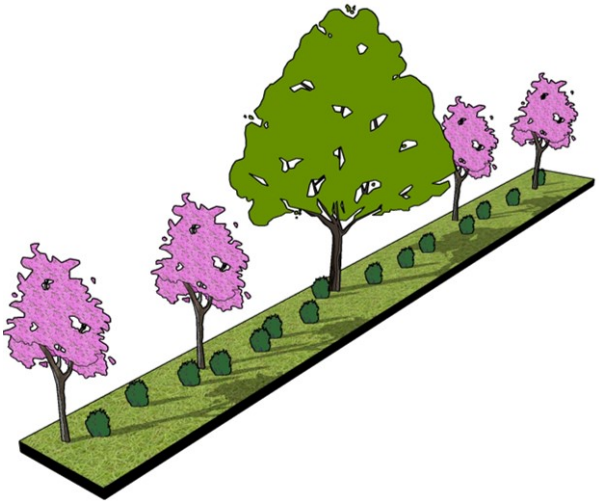
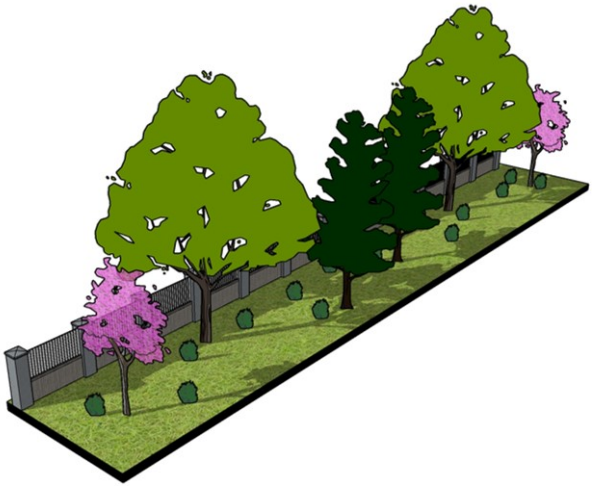
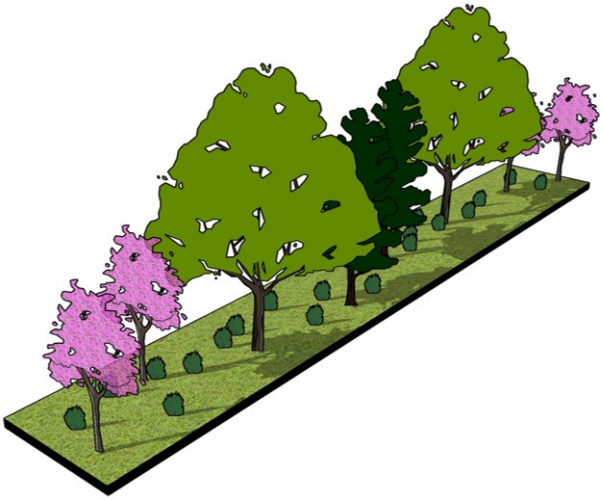
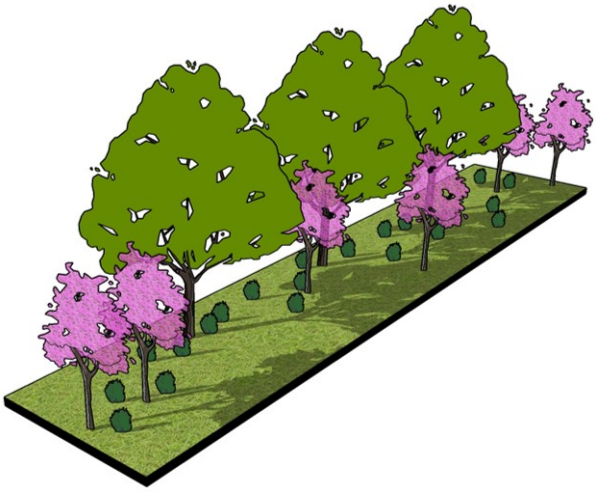
Type A Bufferyard (Structural)	Type A Bufferyard (Natural Without Berm)
	
Type B Bufferyard (Structural)	**Type B Bufferyard (Natural Without Berm)**
	
Type C Bufferyard (Structural)	**Type C Bufferyard (Natural Without Berm)**
	

Figure 39.03.016-1
Bufferyard Examples

Type D Bufferyard (Structural)	Type D Bufferyard (Natural With Required Berm)
	

d. **Composition of Bufferyards**.

1. *Structural and Natural*. Bufferyards, as established in Table 39.03.016-2, *Bufferyard Classifications*, may be classified as:
   A. *Structural Bufferyards*. Structural bufferyards include the use of plant materials and a wall or fence to achieve the required level of buffering and screening; and
   B. *Natural Bufferyards*. Natural bufferyards include the use of a higher density of plant materials to achieve the required level of buffering and screening. Any natural bufferyard may include an earthen berm; however, the Type D natural bufferyard requires a berm.
2. *Classification*. The bufferyard type requirements of a particular zoning district shall be determined by the adjacent zoning district.
3. *Spacing of Plants*. Trees or shrubs in a bufferyard shall generally be clustered in order to present a naturalistic character.
4. *Table Instructions*. In Table 39.03.016-2, *Bufferyard Classifications*:
   A. In the column titled "Required Plantings per 100 Linear Feet," the first number in the pair (-/-) refers to the required plantings in a structural bufferyard and the second number refers to the required plantings in a natural bufferyard.
   B. In the column titled "Height of Wall or Fence / Berm," the first number in the pair (-/-) refers to the required fence or wall height and the second number refers to the required berm height.
5. *Substitutions*.
   A. Bufferyard areas beneath an overhead powerline may contain two ornamental trees in place of one required canopy tree.
   B. Two ornamental trees may be substituted with one evergreen tree.

Table 39.03.016-2 Bufferyard Classifications					
Bufferyard Type	Width (feet)	Required Plantings per 100 Linear Feet (Structural / Natural)			Height of Wall or Fence / Berm (feet)
		Canopy	Ornamental	Shrubs	
A	Structural or Natural without berm: ~~10~~5 Natural with berm: 34	1 / 1	2 / 4	10 / 15	6 / 4
B	Structural or Natural without berm: ~~15~~10 Natural with Berm: 34	2 / 2	4 / 6	15 / 20	6 / 4
C	Structural or Natural without berm: ~~20~~15 Natural with Berm:34	3 / 3	4 / 6	20 / 20	6 / 4
D	Structural: 30 Natural with Berm: 34	4 / 4	6 / 8	30 / 30	6 / 4

e. **Bufferyard Standards**.

1. *Generally*.

A. *Voluntary Increase in Bufferyard.* Where a lower classification bufferyard is required, the applicant may voluntarily provide a higher classification bufferyard, in part or in whole.

B. *Groundcover Requirements.* In addition to the required plantings, walls, fences, and berms, the remaining portions of all bufferyards shall contain groundcover.

2. *District Bufferyard Standards.*

A. *Applicability.* Bufferyards shall be required to create a separation between districts in accordance with Table 39.03.016-1, *District Bufferyard Standards.*

B. *Composition*. Required bufferyards may be fully natural or structural with natural accents as follows:

i. *Fences and Walls*. Fences and walls that are part of the required district bufferyard shall:

a. Be composed of treated wood, composite material, or masonry only. Prohibited materials include, but are not limited to: plywood, corrugated steel sheets, and chain-link with or without weave mesh or slats;

b. Not encroach into the public right-of-way;

c. Be maintained by the business, homeowner or homeowners' association, property owners' association, or public improvement district or tax increment finance district as applicable;

d. Include natural accents, including landscaping and groundcover, in accordance with Table 39.03.016-2, *Bufferyard Classifications,* in addition to the structure; and

e. Have plans and details designed and sealed by a licensed professional engineer and be approved by the ~~City Engineer~~ Building Official if required.

ii. *Berms*. Earthen berms that are part of a required district bufferyard shall have:

a. A minimum two-foot-wide flat area on top;

b. Slopes of not less than four feet horizontal for each one foot vertical; and

c. In order to accommodate a berm, the bufferyard may need to be wider than required in Table 39.03.016-2, *Bufferyard Classifications*. For example, a Type A bufferyard would have to be over 34 feet in width in order to accommodate the berm but will only require the number of plantings required for a Type A bufferyard.

C. *Exemptions*. Except in the LI and GI districts, in the event that a setback permits a structure closer than the required bufferyard distance between districts, the wall of a building may serve as a buffer as long as natural accents, including landscaping and groundcover, are provided in the additional space if required.

3. *Parking Bufferyard Standards*.

A. *Applicability*. All parking areas with more than 10 parking spaces shall have a bufferyard between the street and the edge of the parking areas as follows:

i. *Dimensions and Landscaping Setback*.

a. The parking area bufferyard shall be a minimum of five feet wide, measured from the front property line.

b. The landscaped area shall be set back from parking spaces:

1. Three feet from the edge of pavement if there are no curbs or wheel stops; or

2. Three feet from the face of the curb or parking bumper that faces the parking space.

B. *Composition*. A parking area buffer shall be composed of one of the following screening devices that are two feet tall:

i. Continuous hedge;

ii. Continuous row of ornamental grasses;

iii. Berm with a hedge or ornamental grasses along 90 percent of the linear dimension of the berm; or

iv. Masonry wall.

C. *Exemptions*. A parking area bufferyard is not required under the following circumstances:

i. The elevation of the parking lot is a minimum of three feet below the crown of the street;

ii. The area between the parking lot and the street is occupied by a building or access point to the parcel proposed for development;

iii. The nearest edge of a parking area is 50 feet or greater from a public or private street or a residentially used or zoned property and vehicle headlights are not visible from such streets or properties; or

iv. When an existing wall, fence, or berm a minimum of three feet in height above grade is in the same location as the required parking bufferyard.

4. *Street Bufferyard*. A street bufferyard shall be required for any new residential development that is developed using the Cluster subdivision option or any applicable development in the OF or AC zoning districts based on the classification of the adjacent street in the current City of Lubbock Master Thoroughfare Plan and according to Table 39.03.016-3, *Street Bufferyard Requirements*. The street bufferyard shall be located along the entire length of the street (except for alleys) and shall be owned and maintained by the property owner, homeowners' association, property owners' association, Public Improvement District (PID), or Tax Increment Finance District (TIF). These buffers shall meet the requirements of the district bufferyard standards in composition.

A. ~~A street bufferyard shall be required for any new residential development that is developed using the Cluster subdivision option or any applicable development in the OF or AC zoning districts based on the classification of the adjacent street in the current City of Lubbock Master Thoroughfare Plan and~~

~~according to Table 39.03.016-3, *Street Bufferyard Requirements*. The street bufferyard shall be located along the entire length of the street (except for alleys) and shall be owned and maintained by the property owner, homeowners' association, property owners' association, Public Improvement District (PID), or Tax Increment Finance District (TIF). These buffers shall meet the requirements of the district bufferyard standards in composition.~~

B. ~~A street bufferyard shall only be a natural bufferyard.~~

5. *Big Box Retail Parking or Street Bufferyard*. Instead of a Type A bufferyard, as required in Table 39.03.016-3, a big box retail use may utilize a six-foot-tall masonry wall in a parking or street bufferyard where the subject property is separated by a Base Residential or Mixed-Use district by a local street.

Table 39.03.016-3
Street Bufferyard Requirements

-- = No street bufferyard required

Use or District	Abutting Street Classification		
	Arterial Street	Collector Street	Local Street
Cluster Residential Development	~~D~~C	~~C~~B	--
OF or AC District	C	B	A

Section 39.03.017 Tree Preservation Credit

a. **Credit for Preservation of Existing Trees**. It is the policy of the City to promote the preservation of its healthy, mature tree canopy. Healthy, mature trees that are preserved on-site shall count for the purposes of the landscaping requirements, as follows:

1. *Credits Awarded.* In place of all or a portion of required landscaping and buffering, an applicant shall receive credit towards such requirements for the preservation of existing trees, as outlined in Table 39.03.017-1, *Credit for Preservation of Trees*.

2. *Quality of Existing Trees.* Existing trees that are protected according to this Section count towards the planting requirements of this Article, provided that they are either on the approved plant list or established for at least five years and not on the prohibited plant list, as set out in the in Appendix A Plant List.

Table 39.03.017-1
Credit for Preservation of Trees

Preserved Healthy Tree Unit of Measurement (use whichever column produces more credit)		Credit
Diameter at Breast Height	Tree Height	
At least 3.5 inches, but less than 5 inches	At least 10 ft., but less than 15 ft.	1 tree
At least 5 inches, but less than 7 inches	At least 15 ft., but less than 24 ft.	2 trees
At least 7 inches, but less than 9 inches	At least 24 ft., but less than 32 ft.	3 trees
At least 9 inches, but less than 11 inches	At least 32 ft., but less than 40 ft.	4 trees
11 inches or more	40 ft. or more	5 trees

b. **Application of Tree Preservation Credit.** The tree preservation credit shall be applied towards the requirements for the area in which the tree is planted. If there are no requirements for that area, the credit applies in the following order of descending priority:

1. Site landscaping requirements;
2. Parking lot landscaping requirements; and
3. Bufferyard requirements, provided that the tree is located between the bufferyard to which the credit applies and the building or use that is being buffered.

c. **Tree Preservation Standards**. The following conditions shall be met in order for these tree credits to apply:

1. Each existing tree shall be in a healthy and growing condition;
2. During site preparation and construction, each existing tree shall be protected by the placement of a barrier around the area below the drip line;
3. A minimum of 75 percent of the drip line zone of a tree to be preserved shall be maintained as a permanent, landscaped area at grades existing prior to site development unless special provisions are made for the protection and survival of the tree. Such special provisions, including, but not limited to, the use of permeable paving materials, shall be subject to the approval of the Director of Planning;
4. No part of the drip line zone of trees to be preserved may be paved with concrete, asphalt, or other impervious material; and
5. Soil or other materials shall not be temporarily or permanently stored in locations that would cause suffocation of root systems of trees to be preserved.

d. **Replacement of Credited Trees.** Should any tree for which credit is received under the provisions of this Section die or be removed at any time, the owner shall, within 180 days, replace the tree. The owner shall replace the tree with the number of credited trees (for example, if a nine-inch caliper existing tree dies, then the owner shall replace the tree with four new trees). The replacement trees shall be of an equivalent species or a species that will obtain the same height, spread, and growth characteristics.

Section 39.03.018 Alternative Compliance

a. **Generally**. Under the criteria of this Section, the Director of Planning may review and approve an alternative compliance Landscape Plan upon determining that such plan meets the following criteria:

1. *Purpose*. The alternative compliance Landscape Plan meets the purpose of this Division, as established in Section 39.03.001, *Purpose*; and
2. *Conditions*. Site conditions inhibit creative site design or pose prohibitive constraints to appropriate development as a result of strict compliance with the requirements set forth in this Section. The conditions must be constrained in a minimum of one of the following manners:
   A. *Features*. The subject property contains unique natural features such as soil characteristics, geological characteristics, water features, and significant existing vegetation;
   B. *Limitations*. The subject property has space limitations as a result of the locations of existing structures, paved areas, surrounding existing development, and other built features; or
   C. *Shape and Size*. The subject property is peculiarly shaped, through no action of the owner or previous owner, or contains an extensive undeveloped and naturally vegetated area.

b. **Financial Hardship**. Financial hardship shall not be justification for alternative compliance.

c. **Administrative Reductions Permitted**. An alternative compliance Landscape Plan may have landscaping reductions as follows.

1. *District Bufferyard Width*. The width of Type B, C, or D Bufferyards may be reduced by half provided that the bufferyard contains both the wall or fence of a structural bufferyard and the increased plantings of a natural bufferyard.

2. *Infill*. Type B or C Bufferyards required on an infill development site that is ~~less than one and one-half acres~~ one-half acre or less in area and that is not in the LI or GI district, may be reduced to a Type A ~~or B, respectively~~bufferyard.

Section 39.03.019 Installation and Maintenance

a. **Selection of Materials.**

1. *Generally*. Biodiversity of the genus and species of trees and shrubs is required in order to prevent monocultures which could result in large-scale losses in the event of disease or blight.
2. *Standards*. Within each category of required landscaping (canopy trees, ornamental trees, evergreen trees, and shrubs):
   A. Not more than 60 percent shall be of any one genus; and
   B. Not more than 40 percent shall be of any one species.
3. *Nursery Stock*. Trees and shrubs planted pursuant to this Section shall be good, healthy nursery stock.
4. *Xeriscape*. Xeriscape plant materials, as listed in the Approved Plant List in this UDC, are encouraged to promote the use of water-wise landscaping.
5. *Approved, Allowed, and Prohibited Plants.* Only approved plant materials count towards the landscape requirements of this Division. A list of approved plant materials is set out in Appendix A Plant List. Plants that are not listed as prohibited are allowed but do not count toward compliance with this Section. The Director of Planning may add plants to the approved category if the applicant demonstrates by credible evidence that the species:
   A. Provides habitat for native wildlife;
   B. Is either native to the region or not invasive; and
   C. Is not on any of the following lists:
      i. The Texas State Noxious Weed List, U.S. Department of Agriculture; or
      ii. The Prohibited Plant List, which is part of Appendix A Plant List.
6. *Minimum Size of Plants at Installation.*
   A. Plant material that is installed to comply with the requirements of this Section shall be of the sizes set out in Table 39.03.019-1, *Minimum Size of Plants at Installation*.
   B. Two one-gallon shrubs are the equivalent of one three-gallon shrub. The minimum number of shrubs required per this Division is based on three-gallon shrubs. If one-gallon shrubs are used, the required number of shrubs shall increase to comply with the 2:1 ratio.

Table 39.03.019-1
Minimum Size of Plants at Installation

Type of Plant Material	Minimum Size at Installation
Canopy Tree	3" caliper
Ornamental Tree	2.5" caliper
Evergreen Tree	6' in height
Shrub	3 gal. container

b. **Installation**.

1. *Installation Standards*. All landscaping shall be installed in accordance with accepted professional landscaping standards and all plant materials shall be true to name, variety, and size and shall conform to all applicable provisions of the latest edition of American Standard for Nursery Stock.
2. *Tree Topping*. Unless a tree is interfering with an overhead power line, no trees may be topped if the limbs are three inches in diameter or greater.
3. *Visual Clearance*. All trees, landscaping, and buffering shall be designed to have no impact on the visibility triangle established in Section 39.02.022, *Measurements*. Such sight triangles providing for vision clearance shall be shown on site plans in accordance with this UDC and shall be approved by the Director of Planning or City Engineer.
4. *Screening Device Installation*. A screening device required in this Division shall be installed prior to or concurrently with the first building permit issued in a development that creates the need for the device and shall be permanently maintained.

c. **Removal of Diseased or Dangerous Trees and Vegetation**.

1. *Diseases or Pests*. In accordance with Article 14.06, *Diseased Trees*, of the City of Lubbock Code of Ordinances, upon direction from the Director of Parks and Recreation, a property owner may be required to treat or remove trees suffering from transmittable diseases or pests or allow the City to do so, charging the actual cost to the property owner.
2. *Dangerous Trees*. The Director of Code Enforcement may require the removal of a tree or part of a tree or any other vegetation that is within or overhanging a public right-of-way or easement if the tree or vegetation:
   A. Is interfering with safety and property maintenance of the right-of-way or easement;
   B. Is creating a traffic hazard or sight distance hazard for traffic on a public street; or
   C. Is diseased or infested and in danger of falling.

d. **Irrigation and Mulching**.

1. *Generally*. The irrigation of all landscaped areas shall be provided for by one of the following methods:
   A. All nonresidential and multiple-family buildings greater than 3,000 square feet in building footprint in the Base Public and Nonresidential districts shall require an automatic underground irrigation system sufficient to provide complete coverage of the required landscaped areas. All irrigation systems shall be designed and sealed in accordance with the Texas Licensed Irrigators Act and shall be professionally installed.
   B. All buildings 3,000 square feet or less may use hose bibs provided that a hose attachment shall be within 100 feet of all plant material.
2. *Type and Design.* Irrigation systems shall meet acceptable industry standards and shall be designed to be contained on the property without spraying onto adjacent property or streets.
3. *Xeriscape Areas*. Regardless of building size, areas consisting entirely of xeriscape plantings may be irrigated with a hose bib.
4. *Alternative Water Sources*. A development may utilize reclaimed, recycled, gray water, non-potable surface water, rainwater, or alternative water harvesting systems for irrigation in accordance with Texas Commission on Environmental Quality (TCEQ) standards.
5. *Backflow Prevention*. Irrigation shall comply with Section 28.10.051 of the Code of the City of Lubbock, commonly known as the Backflow Prevention Ordinance.
6. *Mulch and Inorganic Ground Cover*. Wood-based mulch and inorganic ground cover, including rock and wood chips, may be used around all plantings and in all plant beds. Large areas of wood mulch or inorganic ground

cover that do not contain plantings are not permitted except when used around a site amenity. Synthetic turf is prohibited except in limited applications deemed acceptable by the Director of Planning.

e. **Maintenance**.

1. *Generally*. The property owner, or homeowners' association, property owners' association, public improvement district, or tax increment finance district for a multi-tenant development shall be responsible for the maintenance of all landscaping and screening devices. This shall include watering, mowing, edging, pruning, weeding, fertilizing, and other such activities common to the maintenance of landscaping.
2. *Visual Clearance*. Landscape materials shall be maintained in such a manner that they comply with the visual clearance requirements.
3. *Free of Trash, Litter, and Weeds.* Landscaped areas shall be kept free of trash, litter, weeds, and other such materials that are not a part of the landscaping.
4. *Healthy and Growing Condition*. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
5. *Replacement*. Plant material that dies shall be replaced with plant material of similar variety and size within 180 days.
6. *Maintenance Easement*. In a multi-tenant development, a maintenance easement a minimum of five feet in width shall be dedicated to the homeowners' or property owners' association, PID, or TIF along applicable property lines within the development.

f. **Existing Trees, Fences, and Walls**. Existing trees, fences, and walls may be counted towards the development and bufferyard landscaping requirements, as applicable, provided that:

1. *Tree Preservation Credit*. Credit shall be given for existing trees according to the standards of Section 39.03.017, *Tree Preservation Credit*;
2. *Compliance.* The trees, fences, and walls comply with the standards of this UDC (including being a species on the Plant List);
3. *Structurally Sound.* The Director of Code Enforcement verifies that the fences or walls are structurally sound, in good repair, and of an upright condition; and
4. *Height*. The height and level of screening of the fence or wall meets the requirements of this Division with regard to buffering.

g. **Protection of Planting Areas**. All required planting areas shall be protected by wheel stops or six-inch curbs. Curbs may have openings to allow for stormwater flows into biological treatment areas, as applicable, pursuant to an approved drainage plan, provided that the openings do not interfere with their protective function.

h. **Distance from Utilities**. As measured from the nearest easement line of such utilities:

1. *All Utility Easements*. No trees shall be planted under or within a utility easement unless specifically authorized by the holder of the easement.
2. *Overhead Utility Lines.* No canopy trees shall be planted under or within 40 lateral feet of any overhead utility lines.
3. *Underground Lines.* No canopy trees shall be planted within five lateral feet of any public underground water or wastewater line.

i. **Landscape Plan and Certificate of Occupancy**.

1. *Landscape Plan.* Prior to the issuance of a Building Permit on any site within a zoning district to which this Division applies, a Landscape Plan shall be required as part of the Site Plan. Landscape Plans shall provide the information required in by the Director of Planning.

2. *Certificate of Occupancy.* No final Certificate of Occupancy shall be issued prior to completion of landscape requirements. When seasonal conditions warrant, the Building Official may issue a temporary Certificate of Occupancy for a maximum of 180 days pending completion of landscaping.

Division 3.5 Signs

Section 39.03.020 General Provisions

a. **Compliance Required.** It shall be a violation of this Division for any person to erect, install, convert, relocate, enlarge, or structurally modify a sign on private property, in any manner, except as specifically allowed within this Division.

b. **Building Code**. All signs shall meet the standards of the City's Building Code.

c. **Sign Permit Required**. Except as provided in this Division, no person or business firm, acting either as principal or agent, shall alter or erect any sign or sign structure until the Building Official issues a Sign Permit to a registered contractor or the owner of the premises where the work occurs.

d. **Maintenance and Repair**. No Sign Permit is required for painting, repainting, cleaning, or other normal maintenance and repair of a sign not involving structural alterations.

e. **Sides**. No more than two sides of a sign, sign structure, or sign support are allowed for display, and these sides shall be placed back to back and parallel with each other.

f. **Sign Support Location**. No sign, sign structure, or sign support shall project over any property line, except that a wall sign that is on the property line may project pursuant to the standards in this Division.

g. **Illegal Sign Supports**. Objects including, but not limited to, trees, rocks, bridges, fences, windmill towers, and dilapidated buildings shall not be used as sign supports.

h. **Illumination.** Internal or external illumination of signs is permitted as follows:

1. *Generally*

A. Externally illuminated signs may be illuminated by either ground-mounted lights or wall-mounted light bars.

B. Internally illuminated signs may include halo lighting, neon, or other sources that do not exceed the brightness or flashing light standards below.

2. *Electronic Message Displays (EMDs)*

A. *Hold Time.* Messages on an EMD must continuously display for at least eight seconds.

B. *Brightness.* EMDs shall not operate at brightness levels of more than 0.3 foot-candles above ambient light as measured using a foot-candle (Lux) meter at a distance measured as the square root of the product of the sign area multiplied by 100. [*Example: For a 50 square foot sign, the measurement distance = √(50 square feet x 100) = 70.7*]

3. *Flashing Lights*. Signs with flashing, blinking, or traveling lights shall have light bulbs that do not exceed 35 watts each.

i. **Measurements**.

1. *Sign Area.*

A. *Square Feet*. Sign area shall be measured in square feet.

B. *Frame or Cabinet Signs*. As depicted in Figure 39.03.020-1, *Sign Measurement*, where a sign is enclosed in a frame or cabinet, the area of the sign is measured as the entire surface of the sign face within a single continuous perimeter enclosing the extreme limits of the sign and not passing through or between any adjacent elements of the sign. Such perimeter does not include any structural or framing elements lying outside the limits of the sign face unless such elements consist of a corporate logo that is part of the face, frame, or cabinet of the sign.

C. *Individual Letters*. As depicted in Figure 39.03.020-1, where a sign consists of individual letters, words, or symbols attached to a surface (also known as channel letters), the area of the sign is measured as smallest rectangle that completely encompasses all such letters, words, or symbols and any accompanying background of a color different than the color of the wall or sign face.

D. *Freestanding Signs.* The sign structure, including the base, side, and top frame not including the sign copy will not be included in the sign area calculation.

2. *Sign Width.*

A. *Freestanding Signs.* The width of a freestanding sign shall include the sign structure, including the base, side, and top frame.

B. The width of a sign shall be measured in linear feet and be calculated from the two outer edges of the smallest rectangle that will enclose the entire sign face.

3. *Sign Height.*

A. As depicted with letter "A" in Figure 39.03.020-1, sign height shall be measured in linear feet and shall be measured from the topmost point of the sign to the lowest grade level adjacent to the sign.

B. *Freestanding Signs.* The base and sign supports shall be included as part of the sign height.

4. *Setbacks.* As depicted with letters "B" and "C" in Figure 39.03.020-1, setbacks shall be measured from property lines to the nearest edge of the sign.

5. *Spacing.* The required spacing between signs is not measured from signs located on lots across public or private streets.

6. *Sign Projection.* The projection of a sign is measured from the exterior wall or canopy to the outermost edge of a wall, canopy, or blade sign.

Table 39.03.020-1
Sign Measurements

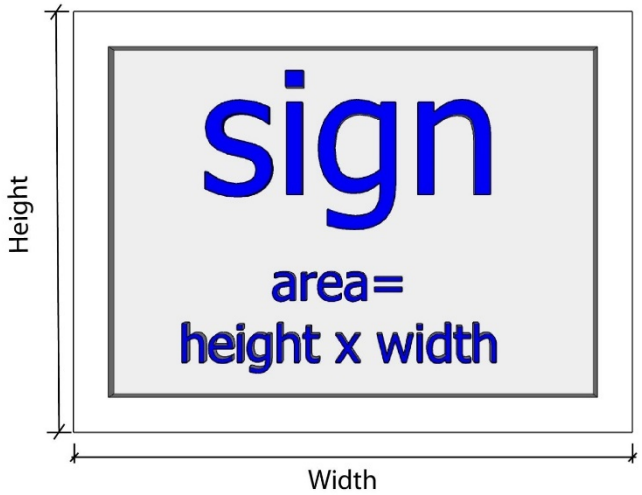
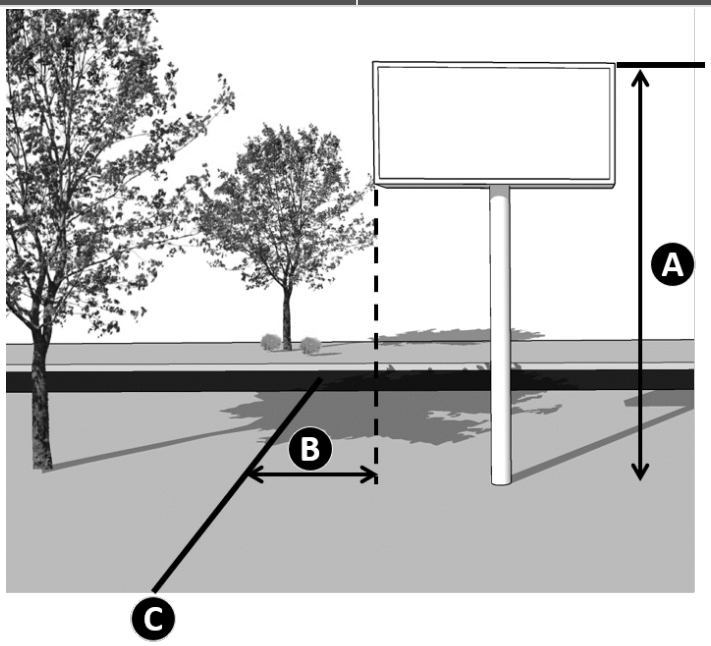
Frame or Cabinet Sign Area	Channel Letters Area
	
Sign Height	

Table 39.03.020-1 Sign Measurements	
Frame or Cabinet Sign Area	Channel Letters Area



Section 39.03.021 Signs Exempt from Regulation

a. **Generally**. The following signs are exempt and shall not require a Sign Permit:

1. Signs not visible from a public or private street.
2. Signs erected by the City, state (including its political subdivisions), a school district, or the United States government, or otherwise required by federal, state, or local laws. This exemption does not apply to school districts.
3. Signs or commemorative plaques that are an integral part of the historical character of a designated historic district or a building that has been designated a landmark.
4. Headstones and other facilities that are essential to the function of cemeteries.
5. Signs inside a building, not attached to a window or door.
6. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets Texas Department of Transportation standards.
7. Address and postbox numerals.

b. **All Other Signs**. All other signs not listed in Subsection a., *Generally*, above, are not exempt from regulation and may either be:

1. Prohibited (see Section 39.03.022, *Prohibited Sign Types, Materials, Design Elements, and Locations*);
2. An allowed permanent sign type (See Section 39.03.023, *Permanent Signs*); or
3. An allowed temporary sign type (See Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*).

Section 39.03.022 Prohibited Sign Types, Materials, Design Elements, and Locations

The following signs are prohibited in all districts:

a. **Signs in Right-of-Way**. Any signs and supports that are located on the public right-of-way, except signs and supports required by a governmental authority or for which a street use license is issued. The public right-of-way includes, but is not limited to, public streets, alleys, medians, and parkways. This Section does not apply to signs on commercial vehicles or commercial trailers lawfully operated or parked in those areas, but it does apply to the use of vehicles and trailers prohibited in this Division.

b. **Flashing, Blinking, or Traveling Lights**.

1. *Within 50 Feet of Street Right-of-Way.* Signs with flashing, blinking, or traveling lights that are located within 50 feet of any street right-of-way, except permitted electronic message displays in accordance with Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*.
2. *Within 1,000 feet of Street Intersection.* Signs with flashing, blinking, or traveling lights that are located within 1,000 feet of any street intersection except electronic message displays.

c. **Certain Temporary Signs**. Searchlights, twirling signs, balloons or other gas-filled objects, or tube signs, except as permitted in this Division.

d. **Deceptive Signs**.

1. *Words*. Any signs that resemble an official traffic sign or signal or that bears the words "Stop," "Go Slow," "Caution," "Danger," "Warning," or similar words.
2. *Design*. Signs which, by reason of their size, location, movement, coloring, or manner of illumination, may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

e. **Obstructive Signs**. Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any building, as required by law, or which hide from view any traffic or street sign or signal or device.

g. **Parking of Advertising Vehicles**. No person shall park an advertising vehicle or trailer on a public right-of-way or on public property. Any such vehicle parked on private property, visible from the public right-of-way, shall be used on a regular basis within each business week as a means of transportation for the business that is advertised.

h. **Nuisances**.

1. *Glare*. Any sign that causes any direct glare into or upon any residential building or premises, other than the building or premises to which the sign is attached.
2. *Other*. Any sign which emits sound, odor, or visible matter which serves as a distraction to persons within the public right-of-way.

Section 39.03.023 Permanent Signs

a. **Generally**. The City allows the following permanent signs, as depicted in Figure 39.03.023-4, *Sign Types*, and regulates them by zoning district. Refer to Figure 39.03.023-4, *Sign Types*. Additional sign area and height are achievable if a Master Sign Plan is approved for an eligible property pursuant to Section 39.07.024, *Sign Permit and Master Sign Plan*.

b. **Monument Signs.**

1. *General Description*. See "Sign, Monument" and "Sign, Subdivision Entry" in Section 39.10.002, *Definitions*.
2. *Land Uses*. Monument signs in a residential district shall be allowed only in association with nonresidential uses, agricultural uses, and multiple-family uses.
3. *Subdivision Entry Sign*.

A. *General Description*. See "Sign, Subdivision Entry" in Section 39.10.002, *Definitions*, subject to the following:

B. *Location.* Subdivision entry signs shall be:

i. Located within 500 feet of the subdivision entry or in a median within the subdivision entry. For purposes of this Subsection, the "subdivision entry" means an imaginary line connecting the street corner intersections of the property lines along any street at the perimeter of the subdivision or development and a street or drive internal to the subdivision or development; and

ii. Placed so as not to obstruct visibility from any driveway curb cut, alley return, or driveway-alley combination.

C. *Maximum Area*. The maximum square footage for each permitted subdivision entry sign shall be 25 square feet.

D. *Allocation Toward Sign Allowance.* A subdivision entry sign is not counted towards any other zoning district maximum.

E. *Design.*

i. Subdivision entry signs shall be of a pedestal or monument type.

ii. Construction materials shall be compatible with other structural forms and materials located within, and representative of, the subdivision. Elevation drawings shall be submitted for staff review prior to issuance of a building permit, showing construction materials and detail.

iii. Subdivision entry signs may be mounted on subdivision perimeter walls.

4. *Multi-Information Signs*. Two or more items of information may be included on a single sign face.

5. *Construction Materials*. Construction materials shall be compatible with other structural forms on the development lot. Elevation drawings shall be submitted for staff review and approval prior to issuance of a building permit, showing construction materials and detail.

6. *Setback from Driveways and Alleys*.

A. The sign shall be at least 10 feet from any driveway curb cut, alley return, or driveway-alley combination.

B. The sign shall be placed so that the visibility will not be obstructed from any driveway curb cut, alley return, or driveway-alley combination.

7. *Side Setback.*

A. This Subsection applies to the HDR, Mixed-Use, NC, AC, HC, LI, GI, OF, and IP districts.

B. The minimum setback from the side property line is based on frontage:

i. 0-150 feet of frontage = 30 foot setback.

ii. 151-300 feet of frontage = 40 foot setback.

iii. 301-450 feet of frontage = 50 foot setback.

iv. > 450 feet of frontage = 60 foot setback.

8. *Separation*. Monument or pole signs are permitted on one street frontage when 400 feet of frontage is provided. The total area of both signs shall not exceed the maximum sign area listed in the table below and the minimum separation between signs is 200 feet.

9. *Visibility*. No sign shall be placed within the visibility triangle as defined in Section 39.02.022, *Measurements*.

10. *Sign Area Computation*. To compute the allowable square footage of sign area, only one side of a double face sign is considered.

11. *Electronic Message Displays*. Electronic message display signs are allowed for monument signs, subject to Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*.

c. **Canopy**.

1. *General Description*. Any sign painted, printed, attached, or otherwise applied to the surface of an awning or canopy.
2. *Extension from Canopy*. Signs attached to a canopy/awning shall not extend more than three feet above the top of the canopy.
3. *Suspension Under Canopy*. Signs attached to and suspended from the underside of a canopy/awning shall not extend more than one foot below the bottom edge of the canopy.

d. **Wall**.

1. *General Description*. A sign that:

   A. Is fastened to a wall of a building or other structure so that the wall becomes the supporting structure for, or forms the background surface of, the sign; and

   B. Does not project more than 18 inches from a building surface, unless projecting horizontally from the building surface, such as a projecting or blade sign.

2. *Land Uses*. Wall signs in a residential district shall be allowed only in association with nonresidential uses, agricultural uses, and multiple-family uses.
3. *Placement*. All signs shall be placed flat against the wall of a building and shall not project above the parapet wall or side wall of the building.
4. *Clearance*. Wall signs shall maintain an eight-foot minimum clearance from the ground to the bottom of the sign.
5. *Sign Area Computation.*

   A. To compute the allowable square footage of sign area, only one side of a double face sign is considered.

   B. For multi-tenant buildings in the NC, AC, OF, HC, IP, LI, GI, MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6 districts, the maximum percentage for tenant space is applied to the primary facade of each individual tenant space on the ground floor of the building. For corner lots, each street-facing facade is considered a "primary facade" for purposes of this Subsection.

6. *Illumination*. All wall signs may be back lighted, indirectly lighted, internally lighted, or lighted by spots.
7. *Electronic Message Displays*. Electronic message displays are subject to Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*.

e. **Mural**.

1. *General Description*. A sign that is painted onto the exterior wall of a nonresidential or mixed-use building.
2. *Sign Area Computation.* For multi-tenant buildings in the NC, AC, OF, HC, IP, LI, GI, MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6 districts, the maximum percentage for tenant space is applied to the primary facade of each individual tenant space on the ground floor of the building. For corner lots, each street-facing facade is considered a "primary facade" for purposes of this Subsection.
3. *Facing Residential Districts or Uses*. A mural in the NC, AC, OF, LI, GI, HC, or IP district or in an MU district that faces a residential use or zoning district shall have a maximum sign area of 20 percent of the facade or 10 percent of the tenant space.
4. *Residential Districts*. A mural is only permitted in a residential district in association with an educational services use.

f. **Marquee.**

1. *General Description*. A sign that:

   A. Is affixed to a permanent roof-like structure suspended, constructed of rigid materials, and supported by and extending from the facade of a building;

B. Does not project more than six feet from a street-facing building facade.

2. *Clearance*. Marquee signs shall maintain an eight-foot minimum clearance from the ground to the bottom of the sign.
3. *Placement*. Marquee signage may be distributed to all three visible sides of the marquee.
4. *Illumination*. Marquee signs may be back lighted, indirectly lighted, internally lighted, or lighted by spots.
5. *Electronic Message Displays*. Electronic message displays are subject to Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*.

g. **Hanging Sign**. The maximum sign height for a hanging sign refers to the distance from the top of the sign to the highest ground surface immediately below the bottom of the sign.

h. **Incidental and Miscellaneous Signs**. Refer to Section 39.03.024, *Temporary, Incidental, and Miscellaneous Signs*.

i. **Regulations and Signs Permitted in Base Residential (RE, SF-1, SF-2, MDR, and HDR) Districts.** The following signs in Base Residential (RE, SF-1, SF-2, MDR, and HDR) Districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.023-1, *Base Residential Districts Sign Standards*.

Table 39.03.023-1
Base Residential Districts Sign Standards

EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
RE, SF-1, SF-2, MDR, and HDR	Subdivision Entry	Yes	2 per entry to subdivision	25 sq. ft.	No max	8 ft.	10 ft.	200 ft. from other related subdivision signs	--	No
	Monument	Yes	1 per lot, per street frontage	Based on frontage: up to 50 ft. = 15 sq. ft. 51-75 ft. = 20 sq. ft. 76-100 ft. = 30 sq. ft. 100-125 ft. = 40 sq. ft. >125 ft. = 50 sq. ft.	No max	Based on frontage: 0-100 ft. = 5 ft. >100 ft. = 10 ft.	10 ft.	50 ft. from any other freestanding sign	--	No
	Wall	Yes	1 per building	48 sq. ft.	50% of building facade	--	--	--	18 inches; 0' horizontal projection from wall	No

Table 39.03.023-1 Base Residential Districts Sign Standards										
EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable										
Zoning District	**Sign Type**	**Sign Permit Required**	**Number of Signs (max)**	**Sign Area (max)**	**Sign Width (max)**	**Sign Height (max)**	**Sign Setback (min)**	**On-Site Spacing (min)**	**Sign Projection (max)**	**EMD Allowed**
	Mural	Yes	1 per building	75% of facade or 1,500 square feet, whichever is less	75% of facade	30 ft. from grade	--	--	--	No

j. **Regulations and Signs Permitted in Base Public and Nonresidential (NC, AC, OF, HC, IP, LI, and GI) Districts.** The following signs in Base Public and Nonresidential (NC, AC, OF, HC, IP, LI, and GI) Districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.023-2, *Base Public & Nonresidential Districts Sign Standards.*

Table 39.03.023-2 Base Public & Nonresidential Districts Sign Standards										
EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable										
Zoning District	**Sign Type**	**Sign Permit Required**	**Number of Signs (max)**	**Sign Area (max)**	**Sign Width (max)**	**Sign Height (max)**	**Sign Setback or Placement (min)**	**On-Site Spacing (min)**	**Sign Projection (max)**	**EMD Allowed**
NC, AC, OF, LI, GI, HC and IP	Monument	Yes	1 per lot, per street frontage	Based on frontage: up to 300 ft.= 50 sq. ft. 300-450 ft. = 120 sq. ft. 451-625 ft. = 180 sq. ft. > 625 ft.= 250 sq. ft.	15 ft.	Based on frontage: up to 300 ft.= 15 ft. 301-450 ft. = 25 ft. 451-625 ft. = 30 ft. >625 ft. = 35 ft.	Based on height: Up to 15 ft. in height = 20 ft. 15 to 25 ft. in height = 30 ft. 25 to 30 ft. in height = 40 ft. 30 to 35 ft. in height = 45 ft.	50 ft. from any other freestanding sign	--	Yes
	Canopy	Yes	1 per canopy	--	75% of canopy width	3 feet above roofline	--	--	18 inches	No
	Wall	Yes	No max	20% of facade 10% per tenant – see d., *Wall*, above	75% of facade or tenant space	--	--	--	18 inches	No

Table 39.03.023-2
Base Public & Nonresidential Districts Sign Standards

EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
	Mural	Yes	No max	750 sq. ft.	35 ft.	--	--	--	--	No
	Pole: Frontage on arterial or collector	Yes	1 per lot, per street frontage	Based on frontage: up to 300 ft.= 50 sq. ft. 300-450 ft. = 120 sq. ft. 451-625 ft. = 180 sq. ft. > 625 ft.= 250 sq. ft.	15 ft.	Based on frontage: up to 99 ft. = 5 ft. >99 ft = 5 ft., plus 1 foot of sign height for each 20 f.t of lot frontage. In no case shall sign height exceed 30 ft.	Front: 10 ft. or 1.43 ft. for each foot of sign height, whichever is greater. Side: .25 of the lot frontage	--	--	Yes
	Pole: Frontage on expressway	Yes	1 per lot, per street frontage		15 ft.	Based on frontage: up to 99 ft. = 20 ft. >99 feet = 20 ft., plus 1 foot of sign height for each 40 ft. of lot frontage. In no case shall sign height exceed 35 ft.	Front: 1.22 ft. for each foot of sign height Side: .25 of the lot frontage	--	--	Yes
	Projecting (Blade)	Yes	1 per building facade	24 sq. ft.	3 ft.	10 ft.	20 ft. clear-ance	--	48 inches	No

k. **Regulations and Signs Permitted in Base Mixed-Use (MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6) Districts.** The following signs in Base Mixed-Use (MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6) Districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.023-3, *Base Mixed-Use Districts Sign Standards.*

Table 39.03.023-3
Base Mixed-Use Districts Sign Standards

EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6	Monument	Yes	1 per lot, per street frontage	50 sq. ft.	10 ft.	10 ft.	10 ft.	50 ft. from any other freestanding sign	--	Yes
	Canopy	Yes	1 per canopy	50 sq. ft.	75% of Canopy Width	3 ft. above roofline	--	--	18 inches	No
	Wall	Yes	No max	20% of facade 10% per tenant – see d., *Wall*, above	75% of facade or tenant space	--	--	--	18 inches	No
	Mural	Yes	No max	50% of facade 10% per tenant – see e., *Mural*, above	75% of facade or tenant space	--	--	--	--	No
	Marquee Sign	Yes	1 per street facing building facade	50 sq. ft. per side or 100 sq. ft. total, whichever is lesser	No max	4 ft.	8 ft. clearance	--	6 ft.	Yes
	Projecting (Blade)	Yes	1 per building facade	24 sq. ft.	3 ft.	10 ft.	20 ft. clearance	--	48 inches	No
	Hanging	Yes	--	6 sq. ft.	3 ft.	15 ft. above grade	8 ft. clearance	--	--	No
	Incidental	Yes	No max	100 sq. ft.	No max	10 ft.	10 ft.	10 ft. from any other incidental sign	--	No

l. **Billboards (poster panels or bulletins, multi-prism signs, or painted or printed bulletins).** Billboards are only permitted subject to the following conditions.

1. Billboards shall be constructed to meet the construction standards as established in the City's Building Code.
2. Billboards require a Specific Use Permit and are only permitted in the LI and GI zoning districts, as provided in Section 39.02.016, *Land Use Matrix*. A Specific Use Permit shall not be issued for the billboard unless an

existing land use permitted in the LI or GI zoning district, excluding railroad right-of-way, is within 500 feet of the request.

3. The maximum area of any billboard shall be 750 square feet.
4. There shall be a minimum separation of 700 feet between all billboards on the same side of the street, provided, however, this shall be increased to 1,500 feet on expressways.
5. Billboards shall have a front setback of at least the greater of:
   A. 43 feet; or
   B. The greatest setback of all the front buildings on the lot on which the billboard is located, or if none, then that of the lots contiguous to the lot upon which the billboard is located.
6. Billboards shall have a maximum height of 35 feet.
7. All lighting of billboards shall be so shielded as not to produce intensive or excessive light or glare on adjacent property.
8. Billboards shall be prohibited from being placed within the Canyon Lakes Policy Zone and within 1,500 feet of any property line of the Memorial Civic Center area.
9. Billboards with electronic message displays shall be subject to all operational requirements for electronic message display signs.

Figure 39.03.023-4,
Sign Types

Subdivision Entry



Monument



Canopy



Wall



Mural

Marquee

Figure 39.03.023-4,
Sign Types



Projecting/Blade



Hanging





Pole



Section 39.03.024 Temporary, Incidental, and Miscellaneous Signs

a. **Banners**. The City allows miscellaneous signs and regulates them by zoning district. Miscellaneous signs include banners. Banners, including pennants, shall meet the standards prescribed in Tables 39.03.024-1 through 39.03.024-3, and the following.

1. *Attachment*. Banner signs shall be secured at all points to the wall of the building.
2. *Material*. Banner signs shall consist of a weather/wind-resistant material.
3. *Maintenance*. Banner signs that are not maintained in good condition are deemed a public nuisance.
4. *Timeframe.* Allowed for no more than 28 days during any calendar year.
5. *Land Use*. Banners shall only be permitted in association with nonresidential, agricultural, and multiple-family uses.

b. **Flags**. The City allows flags and regulates them by zoning district.

1. *Public, Nonresidential, and Multiple-Family Uses.*

A. *Attachment*. Flags shall be attached to a permanently affixed flag pole.

B. *Clearance*. Each flag shall maintain a 12-foot minimum clearance from the ground to the bottom of the flag.

C. *Material*. Flags shall consist of a weather/wind-resistant material.

D. *Maintenance*. Flags that are not maintained in good condition are deemed a public nuisance.

2. *Single-Family Uses.*

A. *Attachment*. Flags shall attach to a permanently affixed feature.

B. *Material*. Flags shall consist of a weather/wind-resistant material.

c. **Incidental Signs.**

1. *Message or Content*. The City allows incidental signs on private property within its corporate limits. An incidental sign is a sign with copy located on a panel and mounted on a pole or a wall or similar structure, with or without a structural frame, which is normally incidental to the allowed use of the private property, but it can contain any message or content. [*Note: examples of customary uses for incidental signs include directional signs, real estate signs, auxiliary signs, noncommercial opinion signs, menu boards, garage sale signs, holiday decorations, property or tenant identification names or numbers, names of occupants, signs on mailboxes or newspaper tubes, signs posted on private property relating to circulation or private parking, political signs or signs warning the public against trespassing or danger from animals, or similar signs. This paragraph is provided to clarify the regulations and does not limit the content of incidental signs.*]

2. *Maximum Area*. The maximum sign area allowed in the table below shall be the square footage for the combination of all allowed signs.

d. **Temporary Signs**.

1. *Maximum Area and Height*.

A. The maximum width and height is 18 inches by 24 inches, whether in landscape or portrait orientation.

B. The maximum sign area allowed in the table below shall be the square footage for the combination of all allowed signs.

e. **Electronic Message Display.** Electronic message display signs are allowed for freestanding signs and are subject to the following operational requirements:

1. *Operational limitations*. Electronic message displays shall contain static messages only and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity.

2. *Message Change Sequence*. A maximum of 0.3 seconds is allowed between each message/page displayed on the sign. No message is to appear to be written on or erased from the display piecemeal, i.e., less than the entire message at once.

3. *Minimum Display Time*. Each message/page on the sign must be displayed for at least eight seconds.

f. **GOBO Projection Signs**.

1. *Purpose*. This Subsection allows signs that distinguish the City's mixed-use districts as regionally unique retail, entertainment, and cultural destinations where innovative and vibrant signs enliven the pedestrian experience, promote economic development, and identify them as exciting urban environments.

2. *Generally.*
   A. GOBO projection signs require a sign permit.
   B. Because GOBO projection signs are temporary in nature, they do not count toward the calculation of maximum allowable signs or sign area.
3. *Location*.
   A. Each principal building in a Base Mixed-Use (MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6) district may display one GOBO projection sign.
   B. Additionally, each ground floor use may project one static GOBO projection sign onto the adjacent sidewalk.
   C. GOBO projection signs may not project upon parts of buildings that are used for residential or lodging purposes.
4. *Dimensions*.
   A. GOBO projection signs shall not project above the top floor of a building.
   B. Animated videos in a GOBO projection sign shall not exceed 1,600 square feet.
5. *Hours of Operation*. GOBO projection signs may only project from 7:00 p.m. to 2:00 a.m. the following day.
6. *Visibility*. GOBO projection signs shall be oriented so that they are not visible from a limited-access highway.

g. **Feather Signs**. The City allows feather signs in Base Public and Nonresidential zoning districts subject to the standards prescribed in Table 39.03.024-2, *Base Public & Nonresidential Districts Temporary, Incidental, and Miscellaneous Sign Standards,* and the following.
   1. *Material*. Feather signs shall consist of a weather/wind-resistant material.
   2. *Maintenance*. Feather signs that are not maintained in good condition are deemed a public nuisance.
   3. *Timeframe*. Allowed for no more than 28 days, three times a year, during any calendar year.
   4. *Separation*. There shall be a minimum separation of 50 feet of frontage between feather signs, whether such signs are on the same parcel or different parcels.

h. **A-Frame Signs or Easels and Portable Signs**. A-frame signs or easels and portable signs shall be allowed to be displayed only during business hours.

i. **Regulations and Temporary Signs Permitted in Base Residential (RE, SF-1, SF-2, MDR, and HDR) Districts.** The following temporary signs in Base Residential (RE, SF-1, SF-2, MDR, and HDR) districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.024-1, *Base Residential Districts Temporary, Incidental, and Miscellaneous Sign Standards*.

Table 39.03.024-1
Base Residential Districts Temporary, Incidental, and Miscellaneous Sign Standards

EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
RE, SF-1, SF-2, MDR, and HDR	Banners	No	2 per lot	50 sq. ft.	No max	--	--	--	--	No
	Incidental	No	4 per lot	32 sq. ft.	No max	4 ft.	10 ft.	--	--	No
	Temporary	No	2 per lot	18 x 24 inches (3 sq. ft.)	18 or 24 inches	18 or 24 inches	5 ft.	30 ft.	--	No

Table 39.03.024-1 Base Residential Districts Temporary, Incidental, and Miscellaneous Sign Standards										
EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable										
Zoning District	**Sign Type**	**Sign Permit Required**	**Number of Signs (max)**	**Sign Area (max)**	**Sign Width (max)**	**Sign Height (max)**	**Sign Setback (min)**	**On-Site Spacing (min)**	**Sign Projection (max)**	**EMD Allowed**
	Flags	No	--	--	8 ft.	--	5 ft.	--	--	No

k. **Regulations and Temporary Signs Permitted in Base Public and Nonresidential (NC, AC, OF, HC, IP, LI, and GI) Districts.** The following temporary signs in Base Public and Nonresidential (NC, AC, OF, HC, IP, LI, and GI) districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.024-2, *Base Public & Nonresidential Districts Temporary, Incidental, and Miscellaneous Sign Standards*.

Table 39.03.024-2 Base Public & Nonresidential Districts Temporary, Incidental, and Miscellaneous Sign Standards										
EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable										
Zoning District	**Sign Type**	**Sign Permit Required**	**Number of Signs (max)**	**Sign Area (max)**	**Sign Width (max)**	**Sign Height (max)**	**Sign Setback (min)**	**On-Site Spacing (min)**	**Sign Projection (max)**	**EMD Allowed**
NC, AC, OF, LI, GI, HC, and IP	Incidental	Yes	No max	100 sq. ft.	No max	10 ft.	10 ft.	10 ft. from any other incidental sign	--	No
	Temporary	No	No max	100 sq. ft.	No max	4 ft.	10 ft.	10 ft. from any other incidental or temporary sign	--	No
	Banners	No	2 per lot	50 sq. ft.	No max	--	--	--	--	No
	Flags	No	--	--	8 ft.	--	5 ft.	--	--	No
	Feather	No	3 per lot	24 sq. ft.	3 ft.	8 ft.	5 ft.	--	--	No

l. **Regulations and Signs Permitted in Base Mixed-Use (MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6) Districts.** The following signs in Base Mixed-Use (MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6) districts shall meet the regulations in this Section and the standards prescribed in Table 39.03.024-3, *Base Mixed-Use Temporary, Incidental, and Miscellaneous Sign Standards.*

Table 39.03.024-3
Base Mixed-Use Temporary, Incidental, and Miscellaneous Sign Standards

EMD = Electronic Message Display | max = maximum allowed | min = minimum required | ft. = feet | sq. ft. = square feet | -- = not applicable

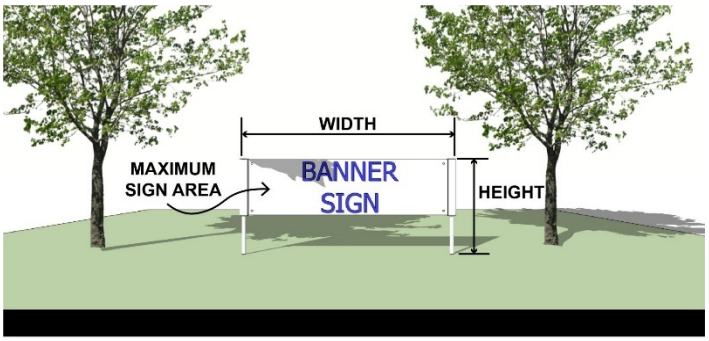
Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6	Incidental	Yes	No max	100 sq. ft.	No max	10 ft.	10 ft.	10 ft. from any other incidental sign	--	No
	Temporary	No	No max	100 sq. ft.	No max	4 ft.	10 ft.	10 ft. from any other incidental or temporary sign	--	No
	Banners	No	2 per lot	50 sq. ft.	No max	--	--	--	--	No
	A-Frame or Easel	No	1 per ground-floor entrance	12 sq. ft.	3 ft.	6 ft.	--	--	--	No
	Flags	No	3 per lot	40 sq. ft.	8 ft.	--	5 ft.	--	--	No
	Portable	No	1 per lot	4 sq. ft.	2 ft.	4 feet	--	--	--	No

Figure 39.03.024-1
Temporary, Incidental, and Miscellaneous Sign Types

A-Frame or Easel or Portable Sign



Banner



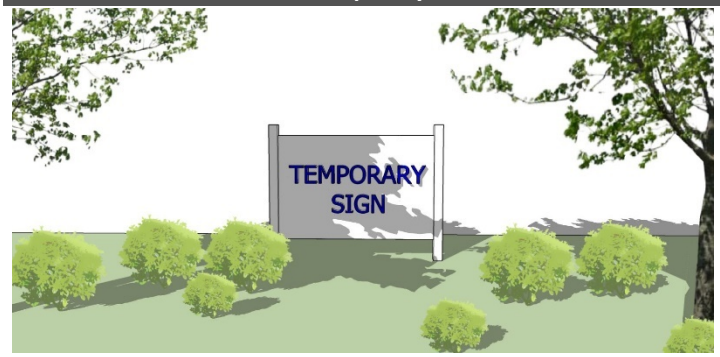
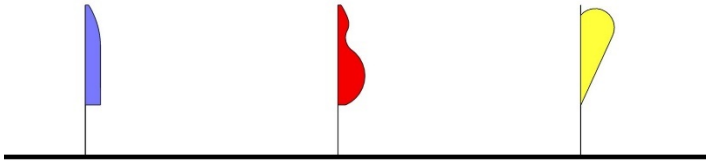
Flag



Incidental



Figure 39.03.024-1
Temporary, Incidental, and Miscellaneous Sign Types

A-Frame or Easel or Portable Sign Temporary	Banner Feather Flag
	

Section 39.03.025 Installation and Maintenance

a. **Installation**. Signs and sign structures shall meet the standards of the City's Building Code. Signs must be maintained in a safe, readable, and proper operating condition. Dilapidated or otherwise unsafe signs are not allowed to remain on any premises.

b. **Abandoned Signs or Damaged Signs.**

1. *Owner Duties*. The property owner shall:

A. Remove all abandoned signs and their supports within 60 days from the date of abandonment; and

B. Repair or remove all damaged signs within 30 days after notification by the City.

2. *Extension*. The Director of Code Enforcement may grant an additional 90-day time extension for the removal of an abandoned or damaged sign.

3. *City Demolition and Removal*. If the Director of Code Enforcement determines that any sign is in violation of this Division, he or she shall give written notice via certified mail to the owner responsible for such sign according to the tax records. If the permittee, owner, agent or person having the beneficial use of the premises fails to remove or repair the sign or contact the Director of Code Enforcement to come into compliance within 30 days after notice is sent, such sign may be removed. The Director of Code Enforcement shall send the noticed property owner a statement showing the amount owed to the City for demolition and/or removal. If not paid within 30 days of notice, the City shall file a lien against the property in the amount of the cost for demolition and/or removal.

c. **Nonconforming Sign Abatement**.

1. *Deemed Nonconforming*. The following signs are deemed nonconforming on the effective date of this UDC and shall be brought into compliance or removed within six months of the effective date of this Division.

A. Signs with flashing, blinking, or traveling lights, which are located within 50 feet of any street right-of-way except electronic message displays meeting the requirements of this Division.

B. Signs with flashing, blinking, or traveling lights, which are located within 1,000 feet of any street intersection except electronic message displays meeting the requirements of this Division.

C. Any sign which is affixed to sign supports prohibited in this Division.

D. Banners, pennants, searchlights, twirling signs, sandwich, or "A" frame signs, sidewalk or curb signs, balloons, or other gas-filled objects, except as provided in this Division.

E. Flags, except as provided in this Division.

F. Any sign which resembles an official traffic sign or signal, or which bears the words "Stop," "Go Slow," "Caution," "Danger," "Warning," or similar words.

G. Signs which, by reason of their size, location, movement, coloring, or manner of illumination may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

H. Portable or wheeled signs.

I. Any sign which emits sound, odor, or visible matter which is distracting to persons within the public right-of-way.

J. Any signs and their supports that are located on public property and that are in violation of this Division are deemed a trespass on public property. The Director of Code Enforcement may remove those signs immediately. This removal should preserve the value of signs and supports whenever possible. If the Director of Code Enforcement directs an independent contractor to remove signs and supports, the Director of Code Enforcement shall minimize the cost of that work to the extent reasonably possible.

K. Electronic message displays.

2. *Owner Notification*. The Director of Code Enforcement shall notify the owners of any removed signs and supports found in violation of this Division, except signs made of paper or cardboard or their supports. The first attempt at notice is within three days of the removal of the sign and supports. The Director of Code Enforcement shall use the manner of notice that is most effective under the circumstances, including the use of certified mail, hand delivery, or publication. Refusal of certified mail which is properly addressed and posted does not void the notice. Publication may be used when the addressee or their whereabouts are unknown. The Director of Code Enforcement shall provide publication in the same manner as prescribed for a zone change in the Texas Local Government Code for service of process by publication. Notice by publication is sufficient regardless of its effect as actual notice.

3. *Contents of Owner Notification*. The notice shall inform the recipient that the City is in possession of certain signs and supports, why they were removed, and where they may be reclaimed, costs owed to the City for removal if any, as well as the information contained in the remainder of this Section.

4. *Removed Sign Storage*. With the exception of signs made of paper or cardboard and their supports which may be disposed of immediately, removed signs and supports shall be stored for up to 14 days beginning the first day of effective notice, whether actual or constructive. The Director of Code Enforcement will levy a storage charge of five dollars per day beginning the fourth day of that 14-day period. Before the storage period expires, the owner of the sign and supports may reclaim their property upon payment of any storage charges and the cost of removal. If the sign and supports are not reclaimed by the expiration of the storage period, the Director of Code Enforcement shall determine the manner of disposal. If the Director of Code Enforcement determines that the sign and supports are not capable of being sold, then they may be discarded. If the sign and supports are sold, the Director of Code Enforcement shall apply the proceeds in the following order of priority, up to the remaining balance:

   A. The storage charge and removal charge if any;

   B. The remaining balance to the past owner of the sign and supports, if reasonably possible; and

   C. To the general fund of the City.

5. *Altered Signs*. If the height, area, location, or supports of an existing sign are altered, the sign shall be brought into compliance at the time of alteration.

Section 39.03.026 Signs in Extraterritorial Jurisdiction of City

a. **Generally**.

1. *Applicability to ETJ*. In accordance with Texas Local Government Code Section 216.902, the sign and billboard provisions of this Division are hereby extended to apply and control within the extraterritorial jurisdiction (ETJ) of the City.
2. *Limits of ETJ*. The ETJ is as defined in the Texas Local Government Code, and specifically includes all areas lying outside the corporate limits of the City, but within five miles of the corporate limits. Annexations extending the corporate limits, without further action, automatically extend into the ETJ area so that it becomes subject to the provisions of this Division.
3. *Comparable Use Determination*.
   A. The requirements for signs and billboards for each zoning district within the City apply to each area of use of property within the ETJ when the Director of Planning determines that the use is comparable to a use allowed by any district within the corporate limits, based on the submittal of an application for Comparable Use Determination in accordance with the applicable provisions in Article 39.07, *Development Review Procedures*. In that case, the same sign and billboard requirements that govern the least intense zoning district where the comparable use is permitted apply to the ETJ area determined to be comparable to that specifically zoned district. For example, Automobile / Vehicle Service is permitted in the AC, LI, and GI zoning districts. Therefore, for purposes of regulation of signs, the use would be treated as if it were located in the AC zoning district.
   B. The comparable use area within the ETJ shall only include the area actually used for the comparable use, and any area immediately adjacent to that area and reasonably necessary for that use.
   C. All areas within the ETJ, inclusive of vacant property, are deemed comparable to the Residential Estates (RE) district until an application for Comparable Use Determination is submitted and acted upon by the Director of Planning or until that area is actually annexed.

b. **Sign Permit and Construction**.

1. *Sign Permit*. Prior to construction, the applicant shall secure a Sign Permit in accordance with Section 39.07.024, *Sign Permit and Master Sign Plan*.
2. *Construction*. Signs or billboards shall be constructed in strict conformity to the terms and conditions of the order or decision and the requirements of this UDC.

c. **Existing Signs.**

1. *Effective Date*. All signs and billboards located in the ETJ on the effective date of this UDC or located within areas added to the ETJ by subsequent annexation upon the effective date of each subsequent annexation, are declared nonconforming and entitled to remain under and subject to the rules applicable in this UDC to other nonconforming signs if those signs are registered with the City within the time and manner provided below.
2. *Registration*. Within six months after the effective date of this UDC as to areas designated as within the current ETJ or within six months after the effective date of a subsequent annexation that extends the area of the ETJ, all signs or billboards desired to be designated as nonconforming shall be registered as provided below. Signs or billboards not registered within six months are conclusively presumed illegal and not nonconforming. The property owner shall remove those signs immediately without cost to the City.
3. *Declaration of Nonconforming Sign*. Registration of nonconforming signs and billboards shall be accomplished upon filing (within the time provided) of a Declaration of Nonconforming Sign upon forms to be provided by the City. Those forms shall require any information as necessary or helpful to a determination by the Director of Planning, including but not limited to:
   A. A written legal description of the parcel location;
   B. A scaled drawing or photograph of all signs showing:

i. Dimensions;

ii. Height;

iii. Setback (front and side) from property lines; and

iv. Location on the parcel in relation to adjacent streets and other public property.

C. A certification that the sign or signs presented as nonconforming are the only nonconforming signs on the property;

D. The names of all owners, lessees, or any other person, firm, or corporation claiming any interest in the area sought to be defined as nonconforming; and

E. If the applicant is other than the fee simple owner as reflected by the Deed Records of Lubbock County, then instruments reflecting his authority to file the application shall be furnished.

4. *Posting*. The Director of Planning shall post a copy of the application in a display area open to the public at or near its offices. Each posted application shall contain a notice to the public as to how the nonconforming designation may be challenged.

5. *No Challenges Received*. If after verification of the contents, there are no challenges received within 15 days of the date of posting, the Director of Planning shall post, approve, and file the application within 30 days.

6. *Challenges Received*. If an application is challenged, or, if the Director of Planning determines that the application contents are insufficient, the Director of Planning may require the applicant to provide additional information as needed to determine whether the application complies with this Section. Requests for additional information shall be mailed to the applicant by certified mail within 25 days after the application is posted. If the validity of the declaration of nonconforming use is still not reasonably reflected by the information before the Director of Planning after the additional information is received, or if the application is challenged, the Director of Planning shall set a date for a hearing upon the application. The Director of Planning shall give notice to the applicant and person who challenges the application. The hearing date shall be at least 10 days after the date of mailing the notice.

7. *Final Decision*. If the Director of Planning determines that the sign was in place on the effective date of this UDC after the hearing is closed, then the Director of Planning shall accept the application. If the Director of Planning determines that the sign was not in place upon the effective date of this UDC, then the application shall be denied.

8. *Appeal*. Any person aggrieved by the decision of the Director of Planning may appeal the decision to the Zoning Board of Adjustment in accordance with Section 39.07.039, *Appeal of Administrative Decision*, and the Texas Local Government Code.

9. *Substitute*. The Director of Planning may designate a substitute to act in their place for the purpose of any hearing required above if they are ill, disabled, or absent.

Division 3.6 Outdoor Lighting

Section 39.03.027 Exemptions

The following types of outdoor lighting are exempt from the requirements of this Division:

a. **Emergencies**. Lighting used only under emergency conditions;
b. **Street Lights**. Lighting used for the principal purpose of illuminating streets and sidewalks;
c. **Residential**. Lighting for single-family dwellings, multiplexes, townhouses, and manufactured homes;
d. **Signs**. Lighting solely used for Signs (which is regulated by Division 3.5, *Signs*);
e. **Temporary Uses**. Lighting associated with an approved temporary use;
f. **Temporary Lighting**. Temporary lighting associated with a development site;
g. **Monuments and Statues**. Lighting for public monuments and statues;
h. **Water Features**. Underwater lighting in fountains, swimming pools, and other water features;
i. **State and Federal Mandates**. Lighting required pursuant to state and federal laws (e.g., FAA);
j. **Building Code**. Lighting required by the City's Building Code;
k. **Ornamental Lighting**. Ornamental Lighting with a rated initial luminaire lumen output of 525 lumens or less.; and
l. **Seasonal Lighting**. Seasonal Lighting.

Section 39.03.028 Prohibited Outdoor Lighting

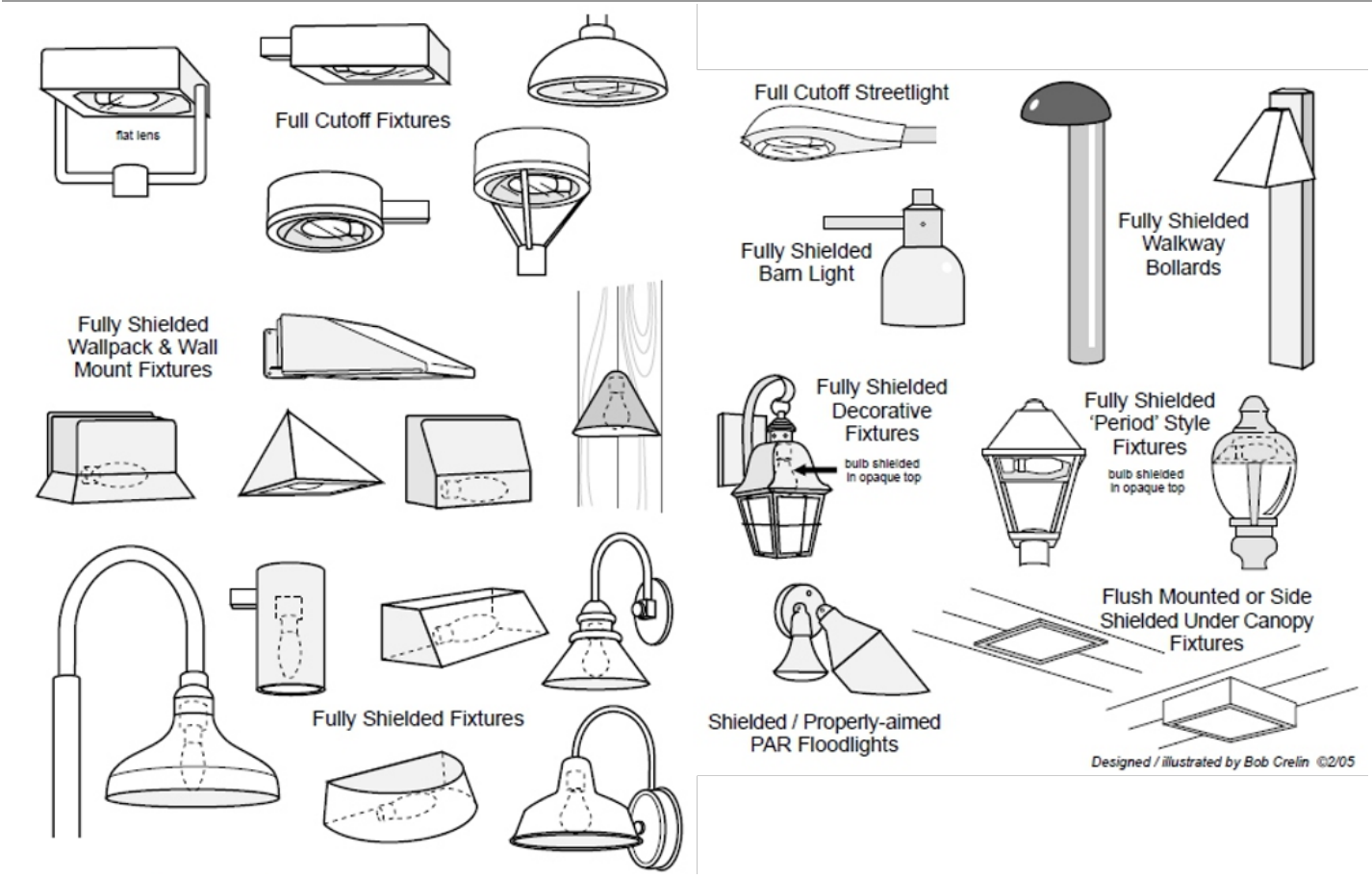
The following types of outdoor lighting are prohibited in the City:

a. **Outdoor Lighting Resembling Emergency Signals.** Outdoor lighting that contains reflectors or glaring, strobe, or rotating lights, beacons, beams or flashing illumination resembling an emergency signal; and
b. **Searchlights, Aerial Lasers, and Beacons.** Searchlights, aerial lasers, or any type of beacon used to attract attention to a property, without prohibiting the use of a searchlight by authorized personnel for emergency purposes.

Section 39.03.029 Standards

a. **Height**.
    1. *Wall-Mounted*. All wall-mounted fixtures shall comply with the maximum building height requirements specified in Division 2.2, *Zoning Districts and Standards*, for the district where the fixture is located.
    2. *Freestanding*.
        A. Freestanding fixtures with fully shielded luminaires shall be 30 feet in height or less.
        B. Freestanding fixtures without fully shielded luminaires shall be 15 feet in height or less.
b. **Location.** All fixtures shall be located outside of utility easements.
c. **Shielding.** All luminaires with initial lamp output of over 1,500 lumens shall be fully shielded. Examples of fully shielded luminaires are illustrated in Figure 39.03.029-1, *Examples of Fully Shielded Luminaires*.

Figure 39.03.029-1
Examples of Fully Shielded Luminaires



d. **Lighting Timing and Levels.**

1. *Timers, Dimmers, and Sensors*. Timers, dimmers, or vacancy or motion sensors are required when continuous lighting is not needed for safety or operational purposes.
2. *IECC*. Individual lighting power allowances for building exteriors are specified in the International Energy Conservation Code, codified into Article 28.16, *International Energy Conservation Code*, of the City of Lubbock Code of Ordinances.

e. **Vertical Illuminance at Lot Lines**.

1. *Vertical Illuminance*. The maximum allowable vertical illuminance at a lot line is based on the zoning of the adjacent lot, as specified in Table 39.03.029-2, *Maximum Vertical Illuminance at Lot Lines*.

Table 39.03.029-2
Maximum Vertical Illuminance at Lot Lines

Zoning District of Adjacent Lot	Vertical Illuminance (maximum)
RE, SF-1, SF-2, or MDR district	0.5 foot-candles
HDR district	1.0 foot-candles
NC, AC, OF, LI, GI district	2.0 foot-candles

Table 39.03.029-2 Maximum Vertical Illuminance at Lot Lines	
Zoning District of Adjacent Lot	**Vertical Illuminance (maximum)**
MU-1, MU-2, MU-3, MU-4, MU-5, MU-6, and any other district	2.5 foot-candles
Street or Alley	2.5 foot-candles

2. *Measurement*. Maximum vertical illuminance levels are measured in foot-candles:
   A. At the lot line;
   B. Five feet above the ground; and
   C. With the light meter facing towards the adjacent lot, street, or alley.

f. **Correlated Color Temperature (CCT).**

1. *Blue Light Emissions*. Blue light emissions can be harmful to flora and fauna and can result in decreased nighttime visibility and increased skyglow. In order to minimize blue light emission, warm spectrum, amber lighting shall be utilized rather than cool spectrum, blue, or white lighting, as specified in Paragraph 2., *Maximum Kelvins*, below.
2. *Maximum Kelvins*. The CCT of luminaires installed pursuant to the provisions of this Division shall be 3,000 Kelvins (3000K) or less.

g. **Intensity and Special Purpose Outdoor Lighting**.

1. *Complex Sites and Particular Uses*. Lighting not complying with the technical requirements of this Division but consistent with its intent may be installed for complex sites or uses or particular uses including, but not limited to, the following applications:
   A. Correctional facilities;
   B. Theme and amusement parks;
   C. Parking structures;
   D. Industrial sites;
   E. Outdoor amphitheaters; and
   F. Sports facilities including, but not limited to, open courts, fields, and stadiums.
2. *Justifications*. Applicants shall demonstrate in the Outdoor Lighting Plan that the proposed lighting installation:
   A. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures; and
   B. Employs lighting controls to reduce outdoor lighting at a project-specific curfew time to be established in the Outdoor Lighting Plan.

h. **Required Fixtures**. New developments in the Base Mixed-Use districts are required to utilize fixtures certified as "Dark-Sky Approved" through the International Dark-Sky Association Fixture Seal of Approval (FSA) program. Fixtures certified through the FSA program minimize glare, reduce light trespass and skyglow, and improve the community aesthetic.

i. **Outdoor Lighting Plan Required**. An Outdoor Lighting Plan demonstrating compliance with this Division shall be submitted as part of a Site Development Plan in accordance with Section 39.07.013, *Site Development Plan*.

j. **Nonconforming Luminaires**.

1. *Non-Glaring*. Luminaires lawfully in existence as of the effective date of this UDC are considered nonconforming. Those fixtures may be maintained and repaired in accordance with the provisions of Article 39.08, *Nonconformities*.

2. *Glaring*. The Director of Code Enforcement may declare luminaires lawfully in existence as of the effective date of this UDC that direct light or glare onto rights-of-way and/or residential lots a public nuisance if the luminaire exceeds the maximum vertical illuminance at the lot line specified in this Section. Those fixtures shall be altered to reduce the light level to the maximum specified in this Section within 180 days of receipt of a written notice from the City.

ARTICLE 39.04: SUBDIVISION STANDARDS

Contents:

Division 4.1 Purpose and Applicability
- Section 39.04.001 Purpose
- Section 39.04.002 Applicability

Division 4.2 Subdivision Design Standards
- Section 39.04.003 Design Principles
- Section 39.04.004 General Improvement Standards
- Section 39.04.005 Street Network and Design
- Section 39.04.006 Street Cross-Sections
- Section 39.04.007 Street Name Signs and Street Lights
- Section 39.04.008 Blocks
- Section 39.04.009 Lots
- Section 39.04.010 Easements
- Section 39.04.011 Sidewalks and Accessibility
- Section 39.04.012 Public Water Systems
- Section 39.04.013 Public Wastewater Systems
- Section 39.04.014 Storm Drainage
- Section 39.04.015 Open Space Standards and Dedication
- Section 39.04.016 Markers and Monuments

Division 4.3 Subdivision Types
- Section 39.04.017 Subdivision Types by District
- Section 39.04.018 Conventional
- Section 39.04.019 Cluster
- Section 39.04.020 Village

Division 4.4 Public Improvements Dedication and Acceptance
- Section 39.04.021 Recording of Plat and Dedication of Improvements
- Section 39.04.022 Acceptance and Maintenance

Division 4.1 Purpose and Applicability

Section 39.04.001 Purpose

a. **Generally**. This Article sets out regulations for the substantive review of subdivisions of land to serve the needs of all public and private interests within the City and surrounding areas.

b. **Statement of Policy**. Texas law allows cities to coordinate the platting, replatting, and conversion of raw land into subdivisions, including streets, alleys, and development parcels. This process, also known as platting, has long-range impacts on the development of Lubbock. The regulations of this Article are formulated to serve the needs of all public and private interests within the City and surrounding areas. Lubbock citizens are entitled to live in a city with healthy and safe development patterns. The development sector should be free to create that environment in a positive business atmosphere and accept the public responsibility of his or her profession. The regulations of this Article include not only protection for the subdivider's needs, but also the wants and needs of Lubbock citizens in the future.

c. **Purposes.** The purposes of this Article are to:

1. *Health and Safety*. Require healthy and safe development patterns;
2. *Economic Development*. Promote economic development;
3. *Future Needs*. Protect the subdivider's and citizens of Lubbock's needs in the present and in the future;
4. *Harmonious Development*. Provide for the harmonious development of the City, for the coordination and alignment of streets within subdivisions with other existing or planned streets, or with other features of the City;
5. *Open Space*. Provide for appropriate open space for recreation, public facilities, light, and air;
6. *Capital Improvements Projects*. Ensure conformance of development plans with the capital improvements projects that the City undertakes;
7. *Compatibility*. Ensure that development is compatible with and properly integrated into existing and future neighborhoods;
8. *Acceptance and Maintenance*. Assure that facilities to be accepted and maintained by the City government are properly located and constructed;
9. *Infrastructure*. Facilitate adequate provision of transportation, potable water, wastewater, drainage, schools, parks, and other public requirements; and
10. *Contamination Protection*. Protect groundwater and surface water resources from contamination.

Section 39.04.002 Applicability

a. **Generally**. This Article shall apply to land where any subdivided piece is less than or equal to five acres within the City limits and to all plats and all subdivisions of land where any lot is less than or equal to 10 acres in area within the City's extraterritorial jurisdiction (ETJ) as defined in Texas Local Government Code Chapter 212.

b. **Requirement to Plat**. Except as set forth in Subsection e., *Exemption from Platting*, below, the owner or owners of a tract of land within the City limits or in the ETJ who divides the land into two or more parts shall have a plat of the subdivision prepared in accordance with the Texas Local Government Code, Title 7, Chapter 212.004. Plats within the extraterritorial jurisdiction shall also come under the authority, review, and approval of the Lubbock County Commissioners Court in accordance with Chapter 232 of the Texas Local Government Code.

c. **Compliance with UDC Required to Subdivide**. Unless a subdivision is specifically exempted from the requirements of this Article, it shall be unlawful for any person or entity to take any of the following actions until an appropriate plat is approved and recorded in conformity with this Article:

1. *Subdivide*. Subdivide any tract, lot, or parcel of land; and
2. *Utilities*. Connect or serve any utility service or facility to any tract, lot, or parcel of land.

d. **Requirements for Building Permit**.

1. *Generally.* Building Permits will be issued only on whole lots and tracts illustrated on recorded subdivision plats.
2. *On or after June 26, 1975*. For plats recorded on or after June 26, 1975, a Building Permit may be issued on a legally described portion of a platted lot that is wholly owned and the owner(s) of the remainder of the platted lot(s) will not consent to a replat. Under these circumstances, the issuance of a Building Permit is subject to approval by the Director of Planning. The Director of Planning's denial of a permit may be appealed to the Planning and Zoning Commission.
3. *Water and Wastewater*. A Building Permit shall not be issued on a platted lot or tract, or any portion authorized under the procedure in Subsection 2., *On or after June 26, 1975*, above, until such time as water and public wastewater service has been installed, accepted, and is operational as determined by the City Engineer or a Waiver or Delay is authorized in accordance with Section 39.07.044, *Waiver of Improvements*, or Section 39.07.045, *Delay of Improvements,* and the platted lot or tract is made accessible by way of an all-weather surface to the satisfaction of the Fire Marshal in accordance with the International Fire Code.
4. *Structures*. Building Permits may be issued by the Building Official for construction or improvement of structures on a tract other than a lot in a duly recorded subdivision as follows:
   A. Installation of any sign, support, fence, or other structure not intended or designed to shelter or enclose persons or movable property;
   B. Alterations, repairs, or remodeling made to an existing building or structure;
   C. Permits issued for the installation of and/or work on building systems, such as electrical, plumbing, mechanical (HVAC), irrigation systems, fire suppression systems, etc.;
   D. Construction of additional building floor area (attached to any building already in existence, or detached, on the same tract) which does not exceed more than 50 percent of the floor area of the principal building on the same tract no more than once in a 12-month period;
   E. Accessory structures, as defined in Division 10.2, *Definitions;*
   F. Moving a building or structure off of a lot or parcel;
   G. Demolition of any existing building or structure; or
   H. Other work as determined appropriate by the Director of Planning and the City Engineer.

e. **Exemption from Platting**. Certain divisions of land may be exempt from platting in accordance with Texas Local Government Code Chapter 212.

Division 4.2 Subdivision Design Standards

Section 39.04.003 Design Principles

a. **Generally**.

1. *Application*. The principles of this Section shall be applied to the maximum extent practicable.
2. *Granting A Waiver.* An administrative body may require a proposed subdivision plat to comply with applicable provisions of this Section in order to justify the granting of a Waiver in accordance with Section 39.07.044, *Waiver of Improvements*.
3. *Context of Other Standards.* The principles of this Section shall be applied and interpreted in the context of the other applicable standards that are set out in this UDC.

b. **Compatibility**. The proposed subdivision plat shall be designed in a way that:

1. *Buffering.* Provides appropriate space for bufferyards and transitions between land uses or obvious changes in density or intensity alongside rear lot lines as set out in Division 3.4, *Trees, Landscaping, and Buffering*;
2. *Environment*. Protects and preserves the environmental resources to the benefit of the subject property and abutting properties;
3. *Connectivity*. Provides appropriate, context-sensitive vehicular and pedestrian linkages, providing access while protecting neighborhood integrity and individual property values;
4. *Common Open Space*. Maximizes the access to and benefit of common open spaces by providing for a connection to or continuation of the open spaces of abutting or adjacent properties and providing for sufficient frontage and access to such open spaces;
5. *Access*. Minimizes interference with existing access to adjacent and nearby properties, unless new and improved access is provided by the proposed development; and
6. *Level of Service*. Does not reduce the level of service of public infrastructure that is provided to surrounding development.

c. **Connectivity**. Subdivisions are to be designed as a group of interconnected residential neighborhoods with appropriate commercial and industrial and public facilities. Space for religious, recreational, educational, and shopping facilities to serve the residents of and visitors to the area should be provided and designed as an integral part of each neighborhood, as appropriate.

d. **Topography and Natural Features**. The arrangement of lots, blocks, and the street system should be designed to conserve or cause minimal disruption to topography and natural physical features.

e. **Street Arrangement**. The general arrangement of streets should conform to the functional street classification system and the network alignments of the current City of Lubbock Master Thoroughfare Plan.

f. **Tree Preservation**. Where not required for preservation, trees and other plant materials should be preserved where practicable.

g. **Renewable Resources**. The blocks, lots, and buildable areas of a subdivision should be designed to take full advantage of sun and shade, and, where appropriate, wind, and other sources of renewable energy.

Section 39.04.004 General Improvement Standards

a. **Additional Provisions**. In addition to the requirements of this Article and Article 39.07, *Development Review Procedures*, all subdivisions shall comply with the following:

1. *Code of Ordinances*. All applicable provisions of the City of Lubbock Code of Ordinances;
2. *Public Health, Environment, Railroads, and Utilities*. The rules of the City of Lubbock Health Department, Texas Commission on Environmental Quality, U.S. Army Corps of Engineers, and other applicable agencies;
3. *State Roadways*. The rules of the Texas Department of Transportation, if the subdivision or any lot within it abuts a state-maintained roadway;
4. *Standard Specifications*. The City's Engineering Minimum Design Standards and Specifications, Drainage Criteria Manual, Master Sewer Plan, and Master Drainage Plan; and
5. Any other applicable state, county, or federal regulations.

b. **Transportation Safety**. All projects undertaken on or near public rights-of-way shall be controlled in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Traffic control plans and measures, including, but not limited to, signing, marking, barricading, flagging, detouring, and closure shall all be conducted in accordance with TMUTCD criteria prior to lane closures.

c. **Silt and Erosion Control**. All projects subject to the Texas Pollutant Discharge Elimination System (TPDES) shall conform with City of Lubbock Code of Ordinances Article 22.11, *Stormwater Regulations*, commonly known as the City Storm Water Ordinance.

Section 39.04.005 Street Network and Design

a. **Generally**. Streets serve several major functions, including traffic and pedestrian movement and drainage. The subdivider shall consider the impact of any proposed development on each of these functions.

b. **Conformance to Thoroughfare Plan**. The arrangement, character, extent, width, grade, and location of all major streets shall conform to the current City of Lubbock Master Thoroughfare Plan.

c. **Street Layout**. New and substantially improved streets in a subdivision shall be planned and laid out in accordance with the following standards.

1. *General Design*. Streets shall be designed to integrate as much as possible with the topography and natural resources of the site, to discourage the use of through-traffic where inappropriate considering the character of the area, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary for the convenient and safe access to property.
2. *External Access Points*. Streets shall be arranged in such a manner as to cause no hardship in the subdividing of adjacent properties with external access points provided in accordance with Subsection 39.04.005.d, *Access*, below.
3. *Internal Connectivity*. Street patterns in the SF-1 and SF-2 district may be of a radial design consisting of curvilinear streets, cul-de-sacs, and/or U-shaped streets. Street patterns in the HDR and Base Mixed-Use districts shall consist of an interconnected grid network. Streets in a master planned or commercial setting may consist of a mix of such designs.
4. *Future Streets*. Lots shall be so arranged as to permit the logical location and opening of future streets, consistent with the current City of Lubbock Master Thoroughfare Plan.
5. *Abutting Streets*. Each subdivision shall provide for the continuation of all abutting streets.
6. *Extension to Boundary*.
    A. Unless waived by the City Engineer, proposed streets within a subdivision shall extend to the boundary lines of the tract to be subdivided without the use of reserve strips, as prohibited in Subsection 39.04.005.l, *Reserve Strips*, below. The City Engineer may require a temporary turnaround at the end of such stubbed streets, pending their extension, where such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency or service vehicles.
    B. A barricade shall be required for all stub streets.
    C. A turnaround shall have a paved radius as required in 39.04.005.h, *Cul-de-Sacs*, below, or be of such other design approved by the City Engineer. A stubbed street shall be a maximum of 400 feet in length measured from the nearest right-of-way line of the intersecting street, along the centerline of the street, to the center of the turnaround. Stubbed streets with temporary turnarounds that are greater than 400 feet in length shall comply with the standards in Subsection 39.04.005.h, *Cul-de-Sacs*, below.
7. *Traffic Generation*. All streets shall be designed based on the City's Engineering Minimum Design Standards and Specifications and Thoroughfare Plan.
8. *Nonresidential Development*. In nonresidential developments, the arrangement of streets and other accessways shall consider the arrangement of lots, the location of rail facilities, the provision of alleys, truck loading and maneuvering areas, pedestrian movements, and parking areas so as to minimize conflicting movements between the various types of traffic, including pedestrians.

9. *Dedication*. If a portion of a street designated on the current City of Lubbock Master Thoroughfare Plan is located within the proposed subdivision, the total required right-of-way width shall be dedicated. If such street is located adjacent to the outer edge of the subdivision, the amount of right-of-way to be dedicated shall be determined by the proposed alignment of the thoroughfare, and in most cases, no less than one-half of the required right-of-way.
10. *Half-Streets*. The dedication of half-streets is only permitted where a subdivision adjoins undeveloped property and a Collector A, Collector B, Minor Arterial A, Minor Arterial B, Principal Arterial A, or Principal Arterial (Modified) as shown on the current City of Lubbock Master Thoroughfare Plan for the perimeter of the property or as needed for half width construction. Wherever a half-street is adjacent to an unsubdivided tract, the other half of the street shall be dedicated when the adjacent tract is platted. Approval by the City Engineer shall be required for half-width paving where full width dedication exists.
11. *TxDOT Approval*. Any access to TxDOT rights-of-way shall be subject to approval by TxDOT.
12. *Circulation*. Circulation shall take place in a new subdivision according to the following standards.
    A. *Perimeter Arterials*. Arterial streets shall generally not be located within a residential subdivision. They may only be located on the perimeters of a residential subdivision. A residential subdivision shall not be located adjacent to a freeway unless the subdivider provides a screening wall that abates noise to the satisfaction of the City Engineer. Such screening wall shall be located, owned, and maintained on property owned by the homeowners' or property owners' association or publicly owned and maintained under appropriate mechanisms as may be approved by the City (such as PIDs). For a nonresidential parcel or tract located adjacent to a freeway, the following shall apply:
        i. If an existing arterial accesses the freeway, the parcel or tract shall take access from such arterial.
        ii. If no arterial access is available, access to the expressway shall be provided by a collector street. No local street shall have direct access to an expressway other than to a frontage or access road.
    B. *Local Street Conversion*. New subdivisions shall be designed so that future development shall not require the conversion of local streets to collector streets or arterial streets.
13. *Thoroughfares*. Whenever a subdivision includes a street which, according to the current City of Lubbock Master Thoroughfare Plan requires an ultimate cross-section with a higher functional classification than a collector street, the developer shall:
    A. *Right-of-Way Dedication*. Dedicate the right-of-way required by the Thoroughfare Plan and the Bicycle Master Plan for an arterial street; and
    B. *Street Construction*. Construct their portion of the arterial street, install curb and gutter along the arterial adjacent to the site perimeter, or be assessed the required impact fee as may be provided for under Chapter 41, *Impact Fees*, of the City of Lubbock Code of Ordinances.

d. **Access.**

1. *Intent.* The intent of this Subsection is to provide for adequate spacing between driveways, cross-streets, median openings, and signalized intersections by:
    A. Promoting consistent and suitable traffic flows and speeds by establishing appropriate and uniform spacing;
    B. Decreasing the density of access points to limit conflicts and improve safety;
    C. Maintaining safe distances between access points to provide appropriate stopping, intersection, and decision sight distances; and
    D. Avoiding the functional areas of interchanges and intersections to the extent practical to limit conflicts and maintain capacity.

2. *Connection Spacing Requirements.*

A. *Minimum Spacing.* Access connection spacing criteria for all new or modified street and access connections to thoroughfares (collectors and arterials as designated by the Master Thoroughfare Plan) in the City of Lubbock shall meet or exceed the minimum connection spacing requirements provided in Table 39.04.005-1, *Minimum Connection Spacing by Street Classification,* and shown in Figure 39.04.005-1, *Minimum Driveway and Access Connection Spacing*, except as noted below.

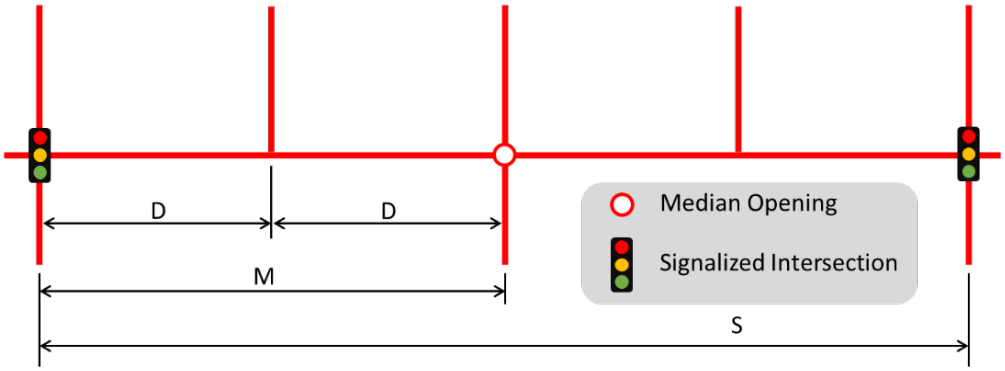
Table 39.04.005-1
Minimum Connection Spacing by Street Classification

Functional Classification		Number of Lanes	Driveway Spacing[1] (D)	Minimum Signalized Intersection Spacing[2] (S)	Median Opening Spacing[2] (M)
Arterial	Principal	5-7	300 ft.	1,320 ft.	420-650 ft.
	Modified Principal	5	250 ft.	1,000 ft.	320-530 ft.
	Minor				
Collector	Nonresidential	2-3	60 ft.	600[3] ft.	--
	Residential	2-3	30 ft.	600[3] ft.	--
Local	Nonresidential	2	60 ft.	--	--

Notes:

1. Measured center to center
2. Measured center to center
3. Signalization may only be appropriate at collector/collector intersections in some cases. Typically, an all-way stop-controlled intersection is more appropriate in these situations.

Figure 39.04.005-1
Minimum Driveway and Access Connection Spacing



B. *Desirable Spacing.* While the minimum distances are required to maintain safe and efficient traffic flow, the typical Lubbock one-mile grid may be configured with additional space between connections. Additional spacing which is beyond the minimums is not required but is desired by the City. As an example, the desirable spacing of driveways, median openings, and traffic signals along the typical one-mile grid is shown in Figure 39.04.005-2, *Desirable Driveway and Access Connection Spacing for Arterials*.

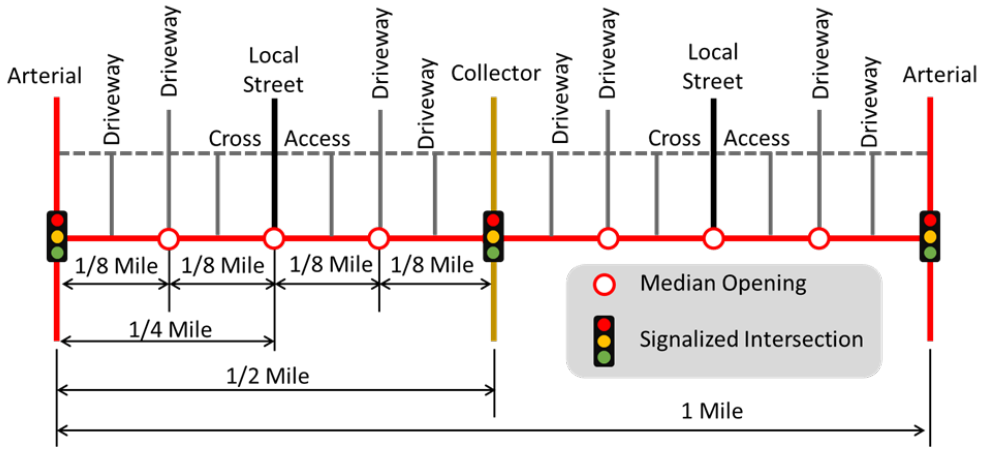
C. *Measuring Spacing Distances.*

i. Distance D is measured along the edge of the traveled way from the closest edge of pavement of the first access connection to the closest edge of pavement of the second access connection.

ii. Connection spacing distances shown in the table must be measured between the endpoints shown in the figure.

iii. The remaining distances are measured center to center.

Figure 39.04.005-2
Desirable Driveway and Access Connection Spacing for Arterials



D. *Strategies to Reach Minimum Spacing.* Joint-access driveways, cross-access connections, and public access easements are some of the strategies that can be used to avoid violating these minimum spacing requirements. Refer to Section 39.04.010, *Easements*, for joint access and cross-access standards.

E. *Alternative Compliance Standards for Constrained Properties*. The intent of access management is to meet the minimum or desired access spacing. However, some circumstances may exist in which the minimum access spacing cannot be met due to the size and location of a property. In these cases, the property is not to be denied access, but shall meet the below standards, as applicable.

i. *Nonresidential Driveways*. Driveways for constrained nonresidential properties shall meet the following standards:

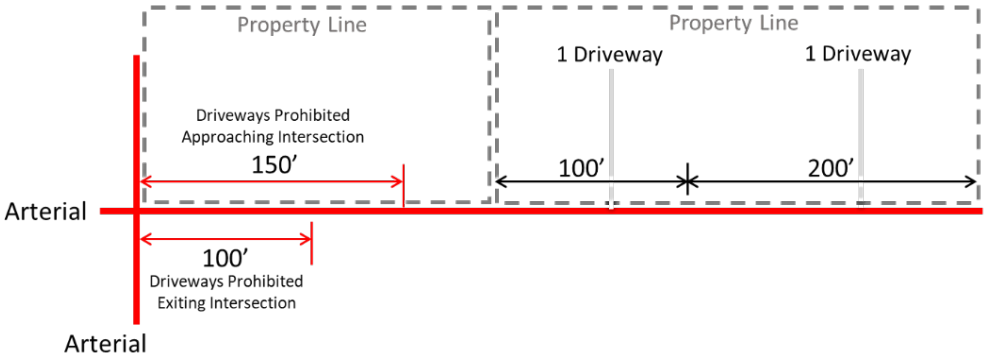
a. One driveway may be permitted within the first 100 feet of frontage. Properties with 300 feet of frontage or more may be allowed additional drives per 200 feet of frontage.

b. Driveways are not allowed within 150 feet approaching an arterial-arterial intersection or within 100 feet exiting the intersection.

c. In the case of nonresidential driveways along arterials, Figure 39.04.005-3, *Nonresidential Driveway Allowances in Constrained Circumstances,* lists the number of driveways a nonresidential property is allowed under constrained circumstances.

d. In the event none of the alternative compliance methods can be achieved, a property owner may apply for a Variance from the Zoning Board of Adjustments (ZBA) in accordance with Section 39.07.037, *Variance*.

Figure 39.04.005-3
Nonresidential Driveway Allowances in Constrained Circumstances



ii. *Single-Family Detached Driveways*. Driveways for constrained properties with single-family detached dwellings on local roads shall meet the standards for the number of driveways per property provided in Table 39.04.005-2 *Single-Family Detached Driveway Guidelines*.

Table 39.04.005-2
Single-Family Detached Driveway Guidelines

Roadway Frontage of Single-Family Detached Dwelling	Allowable Driveway Configuration
75' or Less	One Perpendicular Driveway
Greater than 75'	One Circular Driveway; or One Perpendicular Driveway
Greater than 125'	Up to two perpendicular driveways; or One perpendicular driveway and one circular driveway

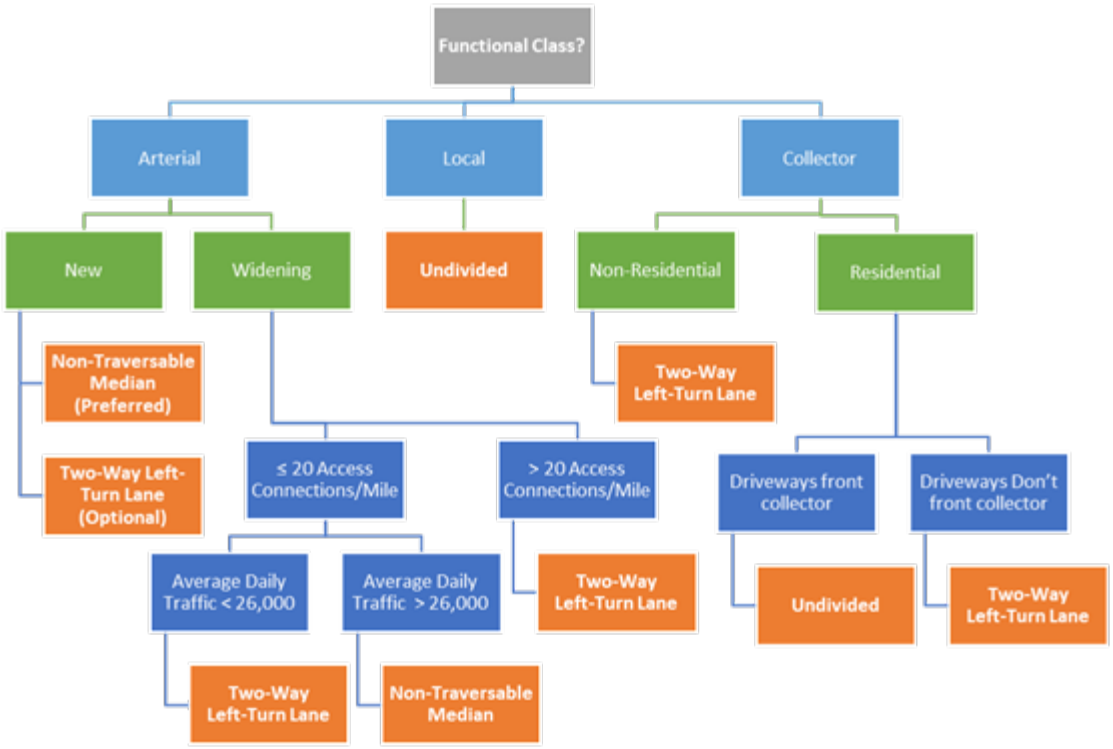
3. *Driveway Throat Length.* Table 39.04.005-3, *Minimum Driveway Throat Length*, lists the minimum driveway throat length that shall be provided to allow traffic entering the site to be stored on-site without affecting traffic flow on the abutting roadway. Driveway throat length is defined as the distance from the edge of the major street to the first point of conflict in the driveway and is based on the anticipated number of parking spaces. Exceptions to the minimum throat length standards will require a queuing analysis based on anticipated site trip generation and approval of the City Engineer. The length of multiple throats may be combined to meet the standard. For example, a 100-space parking lot with two driveways could allow for two 25-foot throats.

Table 39.04.005-3
Minimum Driveway Throat Length

Total Number of Parking Spaces	Minimum Throat Length (ft.)
20-49	25 ft.
50-199	50 ft.
200+	75 ft.

4. *Medians*. Guidance on selecting a type of median is provided in the Transportation Research Board's Access Management Manual, as amended. The decision tree presented in Figure 39.04.005-4 *Median Type Decision Tree,* represents a starting point in considering which type of median to use, as approved by the City Engineer. In addition to this decision tree, further study and evaluation may be needed in addition to obtaining public input from affected stakeholders.

Figure 39.04.005-4
Median Type Decision Tree



e. **Street Network Connectivity.**

1. *Intent*. The intent of this Subsection is to provide for maximizing the connectivity of the thoroughfare network, which provides many benefits to the transportation system including:

   A. Shorter trip lengths;

   B. Better access to schools and businesses for vehicles and pedestrians; and

   C. Improved arterial crossings for bicycles and pedestrians.

2. *Requirements*. Connectivity in Lubbock can be improved by focusing on the collector network as new development occurs. To maintain collector connectivity, the following practices, which are illustrated in Figure 39.04.005-5, *Illustrated Examples of Collector Connectivity*, shall be followed:

   A. New developments are required to provide stub-outs extending to their property boundary to provide connectivity to adjacent properties;

   B. New developments building collector facilities are required to align with existing collectors, if possible, except in the following circumstances and with approval of the City Engineer:

      i. Physical constraints such as playa lakes;

      ii. Areas where discontinuous facilities are desired as a traffic calming measure; or

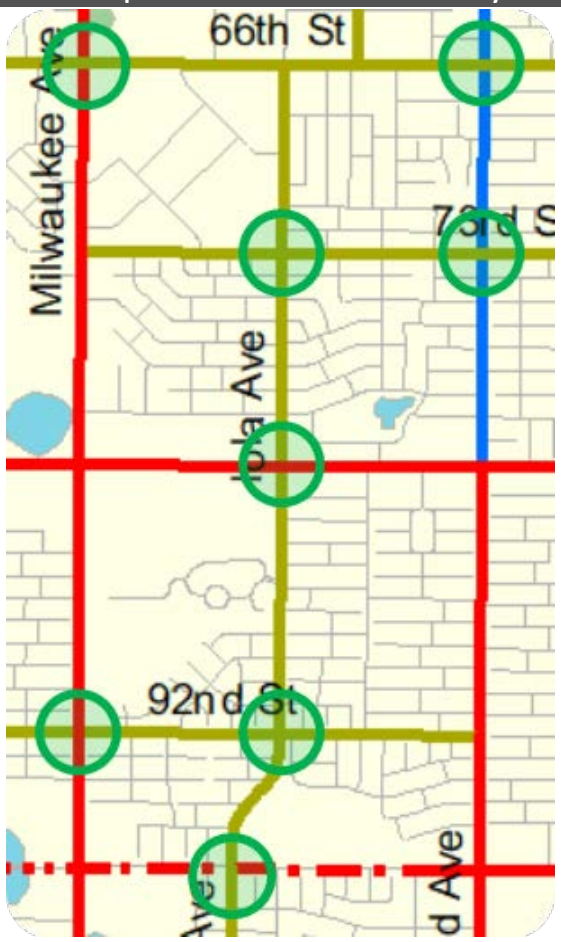
      iii. A Master Thoroughfare Plan amendment is formally filed and approved.

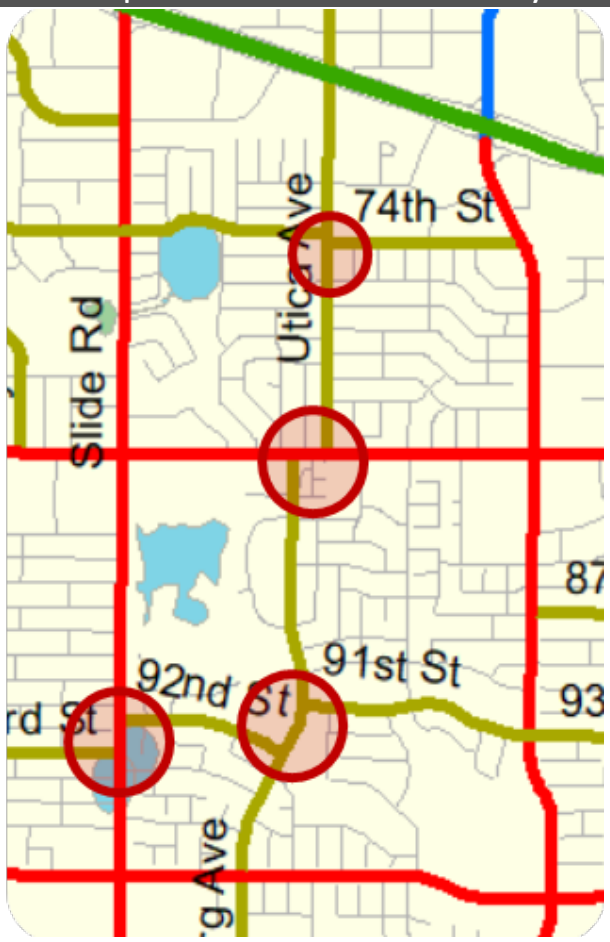
   C. Collectors must include pedestrian facilities on both sides in accordance with City's Engineering Minimum Design Standards and Specifications; and

D. Where possible, collector/arterial connections should be made at signalized intersections or locations suitable for future signals.

Figure 39.04.005-5
Illustrated Examples of Collector Connectivity

Example of Good Collector Connectivity	Example of Deficient Collector Connectivity





f. **Intersections**.

1. *Ninety-Degree Intersections*. Streets shall be designed to generally intersect at right angles, and shall not, in any case, intersect at an angle of less than 75 degrees. An oblique street shall be curved approaching an intersection and shall be approximately at a right angle to the other street for at least 50 feet from the intersection. No more than two streets shall intersect at any one point.
2. *Alignment*. Proposed new intersections along an existing street shall, wherever practicable, directly align with existing intersections on the opposite side of the street.
3. *Centerline Offsets*. Street designs with centerline offsets of less than 125 feet shall be avoided and considered by the City only when specific circumstances dictate a need for lesser offset.
4. *Curb Radius*. At each street intersection, the right-of-way line at each block corner shall have a 15-foot by 15-foot angled cut-off at street intersections. Any collector or thoroughfare designated street intersecting another thoroughfare or freeway designated street shall have a 30-foot by 30-foot angled cut-off at the street intersections.

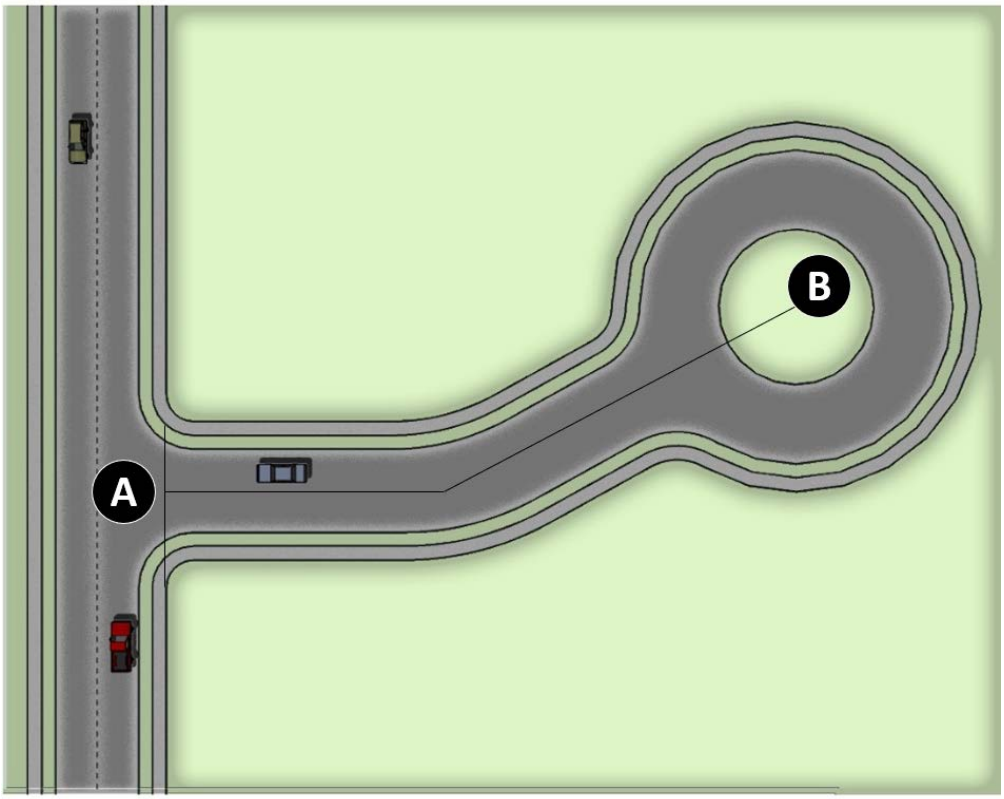
5. *Sight Distance*. Intersections shall be planned and located to provide as much sight distance as possible and shall meet the visibility triangle provisions in Section 39.02.022, *Measurements*. Consideration shall be given to both the vertical and horizontal planes. Stopping sight distance shall be provided as the minimum sight distance for all approaches. A subdivider shall remove all earth banks, existing vegetation, etc., that limits this sight distance.
6. *Intersection with State or Federal Highway.* The design of an improvement of an intersection of any new City-maintained street with an existing state or federal highway shall be in accordance with the specifications of the Texas Department of Transportation, but in no case shall the standards be less than the applicable City specifications and the requirements of this UDC.

g. **Dead-End Streets**. Other than cul-de-sacs, permanent dead-end streets are prohibited.

h. **Cul-de-Sacs**. A cul-de-sac shall generally not exceed a maximum length of 600 feet measured from the nearest right-of-way line of the intersecting street (Letter "A" in Figure 39.04.005-6, *Maximum Cul-De-Sac-Length*), along the centerline of the cul-de-sac, to the center of the turning radius of the turnaround (Letter "B" in Figure 39.04.005-6). Coordination between the subdivider and the Fire Marshal shall be required for cul-de-sacs that exceed 600 feet in length in order to discuss additional design requirements such as larger cul-de-sac bulbs or the provision of a gate with an emergency key box (commonly known as a Knox Box). The turnaround shall comply with the following minimum standards:

1. *Base Residential Zoning Districts*. The right-of-way radius shall be as depicted in Plates 38-5 and 38-6 of the City's Engineering Minimum Design Standards and Specifications.
2. *Islands or Planters*. An unpaved island may be provided at the center of the turnaround provided that:
   A. The island is surrounded by a mountable curb;
   B. The surface of the island is landscaped or covered with decorative pavers;
   C. Landscaping or other elements located in the island do not interfere with the visibility triangle established in Section 39.02.022, *Measurements;*
   D. The island has a minimum radius of six feet measured to the back of the curb;
   E. The island is owned and maintained by a homeowners' or property owners' association or a public improvement district; and
   F. The radii of both the right-of-way and pavement must be increased 10 feet to accommodate the island. See Plate 38-5 of the City's Engineering Minimum Design Standards and Specifications for the non-island dimensions
3. *Base Nonresidential Zoning Districts*. The right-of-way radius shall be as depicted in Plates 38-5 and 38-6 of the City's Engineering Minimum Design Standards and Specifications.
4. *Base Mixed-Use Zoning Districts*. Cul-de-sacs are prohibited in the Base Mixed-Use districts.
5. *Terminus of a Cul-de-Sac*. The terminus of a cul-de-sac shall be considered to be the right-of-way line at the end of the cul-de-sac turnaround.

Figure 39.04.005-6
Maximum Cul-De-Sac-Length



i. **Street Design.**

1. *Grading, Drainage, and Drainage Structures*. The necessary grade and drainage structures to facilitate the proper use and draining of streets, highways, and ways, and for public safety shall be provided in accordance with this UDC, the City's Engineering Minimum Design Standards and Specifications, and the Drainage Criteria Manual.
2. *Pavement*. All streets and paved access alleys within or abutting the proposed subdivision shall be paved as shown on the standard specifications in accordance with the ROW width shown on the plat.
3. *Preliminary Grades*. Preliminary grades shall be established for all streets and alleys prior to actual utility installation to prevent damage to buried utilities.
4. *Responsibility*. The subdivider is responsible for the coordination of installation of utilities within streets, alleys, and easements and the submittal of as-built drawings of the City utilities installed within their subdivision at the time the as-built drawings of the paving improvements are submitted.

j. **Alleys**. Alleys may be provided in any zoning district, or the City may approve plats where other definite and assured provision, such as public access easements, is made for service access. Alleys, where provided, must be paved in accordance with the City's Engineering Minimum Design Standards and Specifications.

1. *Base Residential Districts*. In the Base Residential districts, alleys, where provided, shall be provided parallel or approximately parallel to the frontage of all streets.

2. *Alley Width*. If alleys are provided, the right-of-way width shall be 20 feet and the improved width shall be 10 feet. The subdivider shall be responsible for obtaining the full right-of-way dedication width from the adjacent owner(s) if necessary.
3. *Alley Intersections*. Where two alleys intersect at an angle from 85 to 95 degrees, the required cut-off shall be 15 feet along each right-of-way line. Where two alleys intersect at an angle less than 85 degrees or exceeding 95 degrees, the developer shall provide adequate clearance for solid waste truck movement as required by the City Engineer. Utility meters, risers, and pedestals are prohibited from being installed along the right-of-way cut-off line or in any manner which would interfere with solid waste truck movement.
4. *Alley Connectivity and Access to Roads*. When used, alleys shall connect to collectors or local roads, and shall not connect with arterials. Four-way alley intersections are prohibited. Exceptions to this policy will be considered by the City Engineer if the alley meets access connection spacing criteria, similar to a driveway.
5. *Direction Change*. Where an alley has a direction change of 15 degrees or greater, a cut-off of not less than 15 feet by 15 feet along the inside right-of-way line from the angle point shall be provided. If the change in direction exceeds 95 degrees, the developer shall provide adequate clearance for solid waste truck movement as required by the City Engineer.
6. Dead-End Alleys. Dead-end alleys serving more than 2 lots are prohibited.
7. *Drainage.* Alleys shall be arranged to assure proper drainage.
8. *Entry Length.* Alleys shall have a minimum straight entry length of 75 feet from all street types.
9. *Alley Stabilization Requirements.*
   A. Alleys shall be improved in a method consistent with best practices for vehicular traffic as well as installation and maintenance of utilities. Alley stabilization methods shall be a minimum of 10 feet in width, centered on the alley.
   B. The paved alley shall be of a concrete ~~or asphalt~~ suitable for providing ~~H-20~~ HL-93 loading to include solid waste vehicles. The pavement section options and requirements are defined in the City's Engineering Minimum Design Standards and Specifications.
   C. Rear access proposed for development projects shall be constructed in concrete (in accordance with the City's Engineering Minimum Design Standards and Specifications) a minimum of 10 feet in width, centered on the alley.

k. **Paved Access Alleys**. Certain development projects may use rear access. In these cases, consideration must be provided for the primary access and secondary access function being combined on the alley. When rear access is proposed, the subdivider shall provide:

1. *Dedication*. A standard alley with a right-of-way width of 20 feet shall be dedicated, or provided for in an access easement if dedication is not possible, and meet the requirements set out in Subsection 39.04.005.j, *Alleys*.
   A. The subdivider shall ensure the installation of all public utility services and utility service taps to each adjacent lot prior to preparation for and actual paving of the alley. Tap locations shall be properly identified for future location. Every vehicular access to the alley paving shall be paved.
   B. The following requirements for alleys adjacent to townhouse development shall be met:
      i. A 10-foot minimum width concrete paved vehicular access easement from the paved alley to the front street shall be provided for each 270 feet of development. The paved connection to the front street shall be via a standard residential drive approach that is a minimum of 10 feet wide at the property line.

ii. The access easements shall be included as a part of each adjacent lot and may only be platted as a separate lot or tract with documentation of perpetual maintenance by a homeowners' association or other similar entity.

iii. Maintenance of such access easements shall remain a private responsibility.

l. **Reserve Strips**. Proposed streets within a subdivision shall extend to the boundary lines of the tract to be subdivided as required in Subsection 39.04.005.c.6, *Extension to Boundary*, above. Reserve strips controlling access to property shall be prohibited unless the reserve strip is dedicated to the public under conditions approved by the City.

m. **Building Permit**. A Building Permit shall not be issued on a lot or tract platted under these subdivision standards until such time as the City Engineer issues notification described in Section 39.07.020.d, *Platting*, or a Waiver or Delay of paving improvements has been authorized by the City Engineer in accordance with Section 39.07.044, *Waiver of Improvements*, or Section 39.07.045, *Delay of Improvements*.

Section 39.04.006 Street Cross-Sections

a. **Street System Minimum Standards**. Streets in a new subdivision or that are required to be extended due to the platting of a new subdivision shall comply with the standards of this UDC, and the City's Engineering Minimum Design Standards and Specifications, all other applicable standards of the City of Lubbock Code of Ordinances, and federal and state regulations and specifications.

b. **Right-of-Way Widths.** Right-of-way width, paved width, and other features of a street cross-section for collector and arterial streets are established in the current City of Lubbock Thoroughfare Plan. Right-of-way width, paved width, and other features of a street cross-section for local streets are established in the City's Design Standards and Specifications. The following shall apply to the rights-of-way for all new subdivisions:

1. *Local Streets*. Local streets serve residential areas in low-traffic volume neighborhoods, connect to higher capacity streets, and are not shown on the current City of Lubbock Master Thoroughfare Plan.

2. *Other Streets*. Collector A, Collector B, Minor Arterial A, Minor Arterial B, Principal Arterial A, and Principal Arterial (Modified) streets shall be required at locations as shown on the current City of Lubbock Master Thoroughfare Plan. If factors such as topographic problems or special subdivision design dictate an alternate Collector street location within the subdivision, or if a proposed subdivision contains unique circumstances that cannot be accommodated by the street widths required in this Article, the subdivider may request a Waiver of the Collector street location in accordance with Section 39.07.044, *Waiver of Improvements*. However, in no case shall the subdivider be exempted from providing a Collector street or approved alternative within the subdivision.

Section 39.04.007 Street Name Signs and Street Lights

a. **Street Name Signs.**

1. *Signs*. Street name signs for streets shall be provided at all street intersections within or abutting the proposed plat in accordance with the City of Lubbock Code of Ordinances Chapter 36, *Streets, Sidewalks, and Other Public Ways*. Street name sign locations will be determined by the City Engineer during plat review. Street name signs shall be paid for by the subdivider and produced and installed by the Traffic Engineering Department.

2. *Payment*. Payment for street name signs shall be provided by the subdivider for the original sign and installation. The cost for street name signs shall be set annually in the City's budget ordinance. If no fee is established by budget ordinance, a minimum cost of $200.00 per street name sign shall be required prior to recording of the Final Plat and shall be paid to the City Engineer.

b. **Street Lights**.

1. *Location*. Street lights shall be provided at all street intersections and other locations within and abutting the subdivision with the exception of thoroughfare lighting.
2. *Number*. Street lights shall be placed in accordance with the current City standards for both location and number.
3. *Installation and Inspection*. Engineering design and installation as well as the actual inspection of the street light construction shall be performed by Lubbock Power and Light. Lubbock Power and Light will provide design and specifications for stock light standards and fixtures to be used in all subdivisions.
4. *Cost for Street Light Fixtures*. A cost recovery fee for the design of materials, preparation of specifications, installation of lighting, and the inspection of construction shall be charged for stock standards and fixtures. The cost for stock light standards and fixtures and the cost recovery fees for the design of materials, installation, specifications, and inspection of construction shall be set annually in the City's budget ordinance. If no fee is established by budget ordinance, Lubbock Power and Light shall charge fees established through Lubbock Power and Light's electric rate tariff/schedule. Lubbock Power and Light will notify the plats coordinator when such fees are paid.
5. *Non-Stock Street Light Fixtures*. Non-stock light standards and fixtures must be approved by the City Engineer prior to approval of the Final Plat. It will be the subdivider's responsibility to receive approval from Lubbock Power and Light for the locations and installation of the streetlights. If the subdivider chooses non-stock light standards and/or fixtures, the subdivider shall provide design and specifications and receive approval of lighting improvements prior to approval of the Final Plat. The subdivider is also responsible for selecting and paying a contractor for installation of the non-stock light standards and fixtures. An inspection fee shall also be paid to Lubbock Power and Light.

   A. A subdivider may choose Lubbock Power and Light as the contractor for non-stock street lighting and shall negotiate a price for materials and labor. A cost recovery fee for the design of materials, preparation of specifications, installation of lighting, and the inspection of construction shall be charged for non-stock light standards and fixtures when Lubbock Power and Light is the contractor.

   B. The subdivider will maintain and store at least three non-stock light standards and fixtures as replacement inventory and provide them to Lubbock Power and Light when replacements are needed. If at any time the subdivider does not provide such inventory, standards and fixtures will be replaced with stock inventory.

   C. Any appeal of a decision of Lubbock Power and Light shall be to the Planning and Zoning Commission. Any appeal of a decision of the Planning and Zoning Commission shall be to the City Council. The decision of the City Council shall be final.

6. *Base Mixed-Use District*. Refer to Subsection 39.02.005.a, *General Mixed-Use Standards*, for street light standards related to the Base Mixed-Use districts.

Section 39.04.008 Blocks

a. **Generally**. The lengths, depths, and shapes of blocks shall be determined with due regard to:

1. *Building Sites*. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
2. *Convenience*. Needs for convenient access, circulation, control, and safety of street traffic. In areas where residential streets intersect, five-way intersections shall be avoided; and
3. *Limitations and opportunities of Topography*. Not only shall conditions within the proposed plat be considered, but also the topography of adjacent and abutting properties, whether platted or unplatted.

b. **Dimensions.**

1. *Length*.

A. *Maximum Residential*.

i. Except in the RE and Base Mixed-Use zoning districts, the maximum block length for a residential subdivision shall be 1,200 feet measured along the centerline of the block (along the rear property lines) between four-way intersections. The maximum block length shall be 1,800 feet between a T-intersection and another intersection.

ii. Block length is measured along the exterior side lot lines of the end lots, as depicted in Figure 39.04.008-1, *Block Length and Depth Measurement.*

iii. In the RE zoning district, the maximum block length for a residential subdivision shall be 2,000 feet.

B. *Base Mixed-Use Districts*. In the Base Mixed-Use districts, the maximum block length shall be 750 feet.

C. *Nonresidential*. There is no minimum or maximum block length for nonresidential developments.

D. *Cul-de-Sacs*. Please refer to Subsection 39.04.005.h, *Cul-de-Sacs*.

2. *Depth*.

A. *Residential Blocks*.

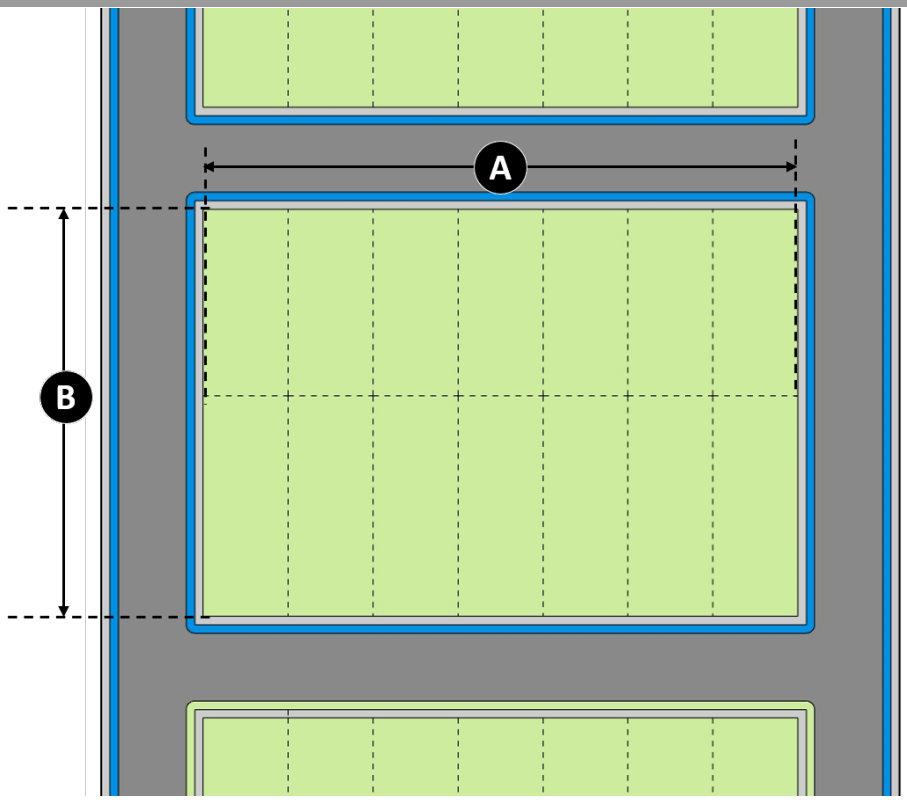
i. Residential blocks shall be of sufficient depth to allow for two tiers of lots of the required dimensions, but in no case shall be less than 130 feet.

ii. Exceptions to this prescribed block depth shall be permitted for blocks adjacent to major streets, railroads, or waterways where only one tier of lots is developed; provided other applicable provisions of this Section are met.

iii. Block depth is measured along the shorter end of the block from one front lot line to the front lot line of the lot to the rear, as depicted in Figure 39.04.008-1, *Block Length and Depth Measurement*, where letter "A" is the block length measurement from exterior side lot line to exterior side lot line and letter "B" is the block depth measured from front lot line to front lot line.

B. *Nonresidential Blocks*. Nonresidential blocks should be of a depth suitable for the intended use, with due allowance for off-street parking, cross-access, and loading facilities.

Figure 39.04.008-1
Block Length and Depth Measurement



Section 39.04.009 Lots

a. **Generally**. The lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

b. **Minimum Standards**. Lot dimensions shall conform to the requirements as stated in Section 39.02.004, *Base Residential Districts*, Section 39.02.005, *Base Mixed-Use Districts*, and 39.02.006, *Base Public and Nonresidential Districts*.

c. **Direct Access Required**. Every building erected or moved and every plat submitted after the effective date of this UDC shall be on a lot or parcel with direct access to one of the following:

1. *Public Street*. An improved public street or alley;
2. *Private Street*. A private street or alley that complies with the requirements of this Division; or
3. *Access Easement*. An access easement that has access to a public street and is deemed appropriate for access by the City Engineer.

d. **Double Frontage Lots**. Double frontage residential lots shall be discouraged, except where essential to provide separation of residential development from thoroughfares or to overcome specific disadvantages of topography and orientation. The street frontage providing primary access to any double frontage residential lot shall be the lesser designation of the two streets involved. When double frontage lots occur, the plat shall indicate that the lesser designated street frontage involved will provide primary access to the lots in question.

e. **Side Lot Lines**. In general, side lot lines shall be at right angles to straight street lines or radial to curving street lines or cul-de-sac turnarounds. A subdivider may utilize alternative configurations to accomplish a public purpose, such as the preservation of natural resources.

f. **Corner Lots**. Corner lots shall have the width necessary to allow for the construction of structures that meet the required setbacks from both streets. Corner lots shall allow for the dedication of a triangular area at the intersection that meets the City's Engineering Minimum Design Standards and Specifications.

Section 39.04.010 Easements

a. **Generally**.

1. *Types of Easements*. During development review, the City or other governmental agency may require a variety of easements. These easements may be for purposes including, but not limited to:
   A. Water;
   B. Wastewater;
   C. Street lights;
   D. Other utilities;
   E. Stormwater drainage and impoundment, floodways, and floodplains;
   F. Emergency access; or
   G. Vehicle and pedestrian access across properties.
2. *Granting and Utility Placement*. The subdivider shall grant easements to the public or franchised utility providers that are required for the proper functionality of the subdivision. Alternatively, the City Engineer may allow such services within the public right-of-way. Any such easements may be granted by plat or by separately prepared instrument.
3. *Encroachment*. No structure, foundation, slab, or other permanent improvements shall be placed within any public easement.
4. *Private Easements*. When private easements exist that may potentially interfere with a proposed public dedication or easement, the subdivision shall be designed to mitigate or minimize the number and extension of such conflicts.
5. *Form*. All required public easement instruments shall be acceptable as to form to the City Attorney.

b. **Locations and Widths of Public Easements**.

1. *Front Location.* Utility easement placement, as may be required, shall be coordinated with the City Engineer and franchise utilities. Front utility easements shall be at least five feet in total width, contiguous with front lot lines; however, The City Engineer may require larger widths as pipe size increases as specified in this Article.
2. *Adjacent to Property Under Separate Ownership*. Where the proposed subdivision abuts an unplatted area or property under separate ownership on which no easements exist, and the subdivider cannot arrange for one-half of the required easement to be granted by separate instrument, the easement shall be entirely within the proposed subdivision.
3. *Adjacent to a Future Phase*. When an easement is required along a boundary between a current and future phase of a proposed subdivision, the entire required easement width shall be required on the current phase.
4. *Water and Wastewater Easements*. All public water, wastewater, and drainage facilities shall be placed in public easements or public rights-of-way (streets or alleys) as described in the City's Engineering Minimum Design Standards and Specifications and as required in Table 39.04.010-1, *Minimum Water and Wastewater Easement Required*. Five additional feet of width shall be required for depths over 20 feet and 10 additional feet shall be required for depths over 30 feet.

5. *Drainage or Impoundment Easements or City Property*. No Final Plat shall contain a utility easement within any stormwater drainage or impoundment easement, City owned park, or other City property without prior written approval of the City Engineer.

Table 39.04.010-1
Minimum Water and Wastewater Easements Required

Type of Development	Easement Width (feet)
Individual water or wastewater lines	10
Individual water or wastewater lines if depth is greater than 10 feet	20
Water and wastewater lines in the same easement	20

c. **Street Lights**. Where street lights are required or proposed, the subdivider shall provide street light easements necessary to serve such lights where it is not feasible to install the street light wiring in the public right-of-way. Street light easements shall be a minimum of two feet in width and shall only be utilized for street light wiring.

d. **Stormwater Drainage and Impoundment / Floodway Easements**.

1. *Generally*. The subdivider shall provide drainage easements along all natural and manmade drainage channels and floodways that drain two or more lots or tracts of land according to the following standards:

A. *Natural Drainage Channels and Detention/Retention Ponds*. Storm drainage easements shall be provided along existing or proposed open channels or detention/retention ponds with sufficient width for the watercourse to handle the flow from the 100-year storm plus one foot of elevation and a minimum of 10 feet on one side beyond top of bank, for stream buffering, ingress and egress of maintenance equipment, for clearance from fences, for maintenance of the channel bank, and for adequate slopes necessary along the bank.

B. *Enclosed Drainage Systems*. Where enclosed drainage systems are provided that are not within or adjacent to a public street, storm drainage easements a minimum of 20 feet in width shall be provided. Easements shall be centered on the system. Easements shall be wide enough to encompass the system, plus provide ingress and egress for future maintenance operations.

2. *Playa Lakes*. The subdivider shall provide stormwater drainage and impoundment easements for playa lakes in accordance with Division 5.3, *Playa Lakes Development and Ownership*.

e. **Floodplain Restriction**. In addition to the identified provisions of the City's Drainage Criteria Manual, Division 5.1, *Flood Damage Prevention*, and Division 5.2, *Flood Hazard Reduction,* within the 100-year floodplain, the subdivider shall provide storm drainage easements that contain stormwater resulting from the 100-year frequency storm less the amount of stormwater carried in an enclosed system, if any. The width of the easements shall be substantiated by a drainage study, drainage calculations, or other data submitted to and approved by the City Engineer.

f. **Cross-Access and Shared Access Easements**. The subdivider shall provide cross-access and shared access easements, as depicted in Figure 39.04.010-1, *Cross-Access and Shared Access*, for multi-family, nonresidential, and mixed-use developments that front on locally maintained collector or arterial streets, subject to the following standards. Such easements may be provided at the front or at the back of a group of lots, depending on the anticipated amount of pedestrian activity for the development. Driveway separation and width on public collector and arterial streets shall comply with Subsection 39.04.005.d, *Access*.

1. *Separate Ownership*. Where adjacent properties are separately owned and not part of a common plan of development, the City may encourage shared access or internal cross-access easements, or both, as the parcels are platted, substantially improved, or redeveloped. As such, the City Engineer may grant a subdivider temporary individual access if:

A. The subdivider demonstrates that the adjacent landowner refused an offer with regard to cross-access; and

B. The subdivider demonstrates that the proposed temporary or permanent access will not materially affect the safe and efficient flow of traffic.

2. *Common Ownership or Phased Subdivisions*. Phased subdivisions, subdivisions under the same ownership, or parcels that are consolidated for the purposes of development and comprised of more than one building shall provide cross-access and shared access easements as follows:

   A. The property proposed for development shall include cross-access easements with connections to abutting cross-access points or, if the abutting property is undeveloped or without cross-access points, stub-outs at locations on the property that allow for a connection in the future. In addition, if the abutting property is undeveloped or is without a driveway suitable for sharing, the property proposed for development shall include a shared access easement on its perimeter, in a location suitable for sharing access to the street with the abutting property in the future;

   B. The subdivider shall record a covenant to allow for future connection of shared access and cross-access stub-out easements to comparable facilities on abutting parcels when they develop or are redeveloped; and

   C. Cross-access easements shall be a minimum of 15 feet in width.

3. *Exceptions*.

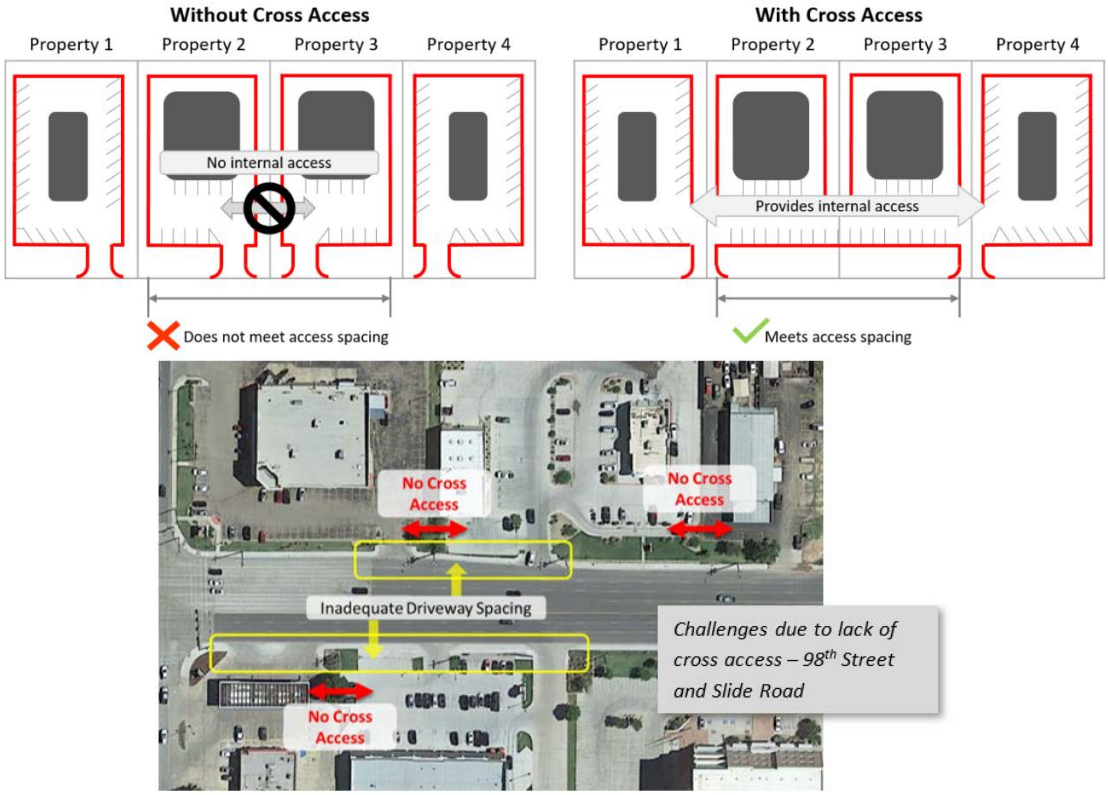
   A. There are some circumstances in which providing cross-access is not feasible. These circumstances include:

      i. A lot that is part of a development and is not planned to have a driveway sells before an adjacent lot that is planned to have a driveway; or

      ii. A neighboring property owner is unwilling to cooperate with an applicant who is attempting to provide cross-access.

   B. In these circumstances, an additional driveway to provide necessary access may be considered based on a review by the City engineer. The applicant must be able to demonstrate a reasonable effort to provide cross-access.

Figure 39.04.010-1
Cross-Access and Shared Access



g. **Pedestrian Access Easements.** Except for subdivisions where all lots are greater than 10 acres in the RE zoning district, the subdivider shall provide the following pedestrian access easements across a maximum of two tiers of lots, where applicable. A pedestrian access right-of-way shall be a minimum of 10 feet in width and shall include an all-weather surface with a minimum width of five feet.

1. *Mid-Block Pedestrian Connections*. The subdivider shall provide mid-block connections in the form of a pedestrian access right-of-way to bisect blocks greater than 800 feet in length, where such blocks abut an arterial or collector street. In addition, the subdivider shall provide such mid-block connections to establish linkages to common facilities, such as parks, open areas, and public and civic uses.
2. *Cul-de-Sac Turnaround Pedestrian Connections*. The subdivider shall provide an unobstructed pedestrian access easement that connects the cul-de-sac turnaround to existing or proposed sidewalks, trails, and common facilities, as depicted in Figure 39.04.010-2, *Pedestrian Connections*.

Figure 39.04.010-2
Pedestrian Connections



3. *Trails*. Off-street bicycling and pedestrian trails shall be developed in accordance with the Parks Master Plan, to link major attractions and destinations throughout the City, including neighborhoods, common facilities, employment centers, and shopping areas. In addition, a subdivider may provide such trails in the RE and SF-1 zoning districts in lieu of sidewalks where all lot widths exceed 200 linear feet in width. Maintenance responsibilities shall be established at the time of a Preliminary Plat and shown on the Final Plat. Trails shall be designed and built in accordance with Texas Accessibility Standards.

Section 39.04.011 Sidewalks and Accessibility

a. **Generally.** Sidewalks are required and shall be installed and maintained in all new subdivisions and meet the construction standards for sidewalks established under Chapter 36, *Streets, Sidewalks, and Public Ways*, of the City of Lubbock Code of Ordinances, and the width and locational requirements in Section 39.04.006, *Street Cross-Sections*.

b. **Applicability.** This Section applies to all land uses and street classifications, except where specifically noted.

c. **Timing**. Installation of sidewalks is not a requirement prior to approval of a Final Plat but is required prior to the issuance of a Certificate of Occupancy for a structure or prior to the final inspection.

d. **Single-Family Residential Infill Development**.

1. *Distance From School.* The builder of a new infill single-family residence shall install a sidewalk, regardless of if they will not achieve continuity, if such property is within one-half mile from a public elementary, middle, or high school.

2. *Sidewalk Waiver*. The builder of a new infill single-family residence where sidewalks do not exist on the entire block frontage may apply for a waiver of the requirement to install sidewalks from the City Engineer, provided that the property is not within one-half mile from a public elementary, middle, or high school.

e. **Accessible Ramps**. Wheelchair-accessible curb ramps shall be provided at the time of construction of the sidewalk for all necessary intersections and as required by the Texas Department of Licensing and Regulation Architectural Barriers Division and the Texas Accessibility Standards.

f. **Construction**. All sidewalks associated with Multiple Lot construction shall be constructed in a manner acceptable to the City Engineer in accordance with the City's Engineering Minimum Design Standards and Specifications.

g. **Alternative Sidewalk or Trail Plan**. A subdivider may achieve alternative compliance with the standards of this Section upon approval by the Planning and Zoning Commission of an alternative sidewalk or trail plan that provides equal or greater pedestrian circulation. The subdivider shall submit such plan at the time of Preliminary Plat review. The Planning and Zoning Commission may approve such plan if better pedestrian and bicycle access and connectivity are provided through the use of off-street trails or multi-use pathways that connect to sidewalks or off-street trails or multi-use pathways on the perimeter of the parcel proposed for development.

Section 39.04.012 Public Water Systems

a. **Generally**.

1. *Outlets and Size*. Water systems shall be provided with a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply and to furnish adequate fire flows to all lots. All water supply, distribution, pumping, and storage improvements shall be designed and constructed in accordance with this UDC, the City's Engineering Minimum Design Standards and Specifications, the Texas Commission on Environmental Quality, and Texas Water Development Board.

2. *City Limits*. All lots in any subdivision platted within the City limits after the effective date of this UDC shall be served by public water systems prior to the issuance of a Building Permit in accordance with the provisions of this Section.

b. **Line Oversizing and Extensions**. All water lines shall be extended, where necessary, to the borders of the subdivision for future extensions of the distribution system and shall be valved off. The City may participate in the cost of oversizing lines required to serve land areas or improvements beyond the subdivision. Properties already served by water and wastewater shall not be required to install additional facilities unless the current lines are not of adequate capacity or standard to serve the proposed subdivision, in which case the subdivider who is creating the need for the improvements shall be required to install adequate facilities.

c. **Fire Hydrants**. Fire hydrants shall be spaced according to the Fire Code in all new subdivisions.

d. **Minor Water Improvements**. For water construction projects that are estimated at a cost of less than $20,000.00, the developer may request the City to install the improvements. The developer shall pay the City the estimated construction cost prior to construction of the improvements.

e. **Construction and Installation.** Water lines shall be installed to serve all lots within the proposed subdivision under the provisions of Chapter 22, *Utilities,* of the City of Lubbock Code of Ordinances and shall be constructed in compliance with the City's Design Standards and Specifications under the supervision of the City Engineer.

f. **Building Permit**. A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section 39.07.020.d, *Platting*, or a Waiver or Delay of water improvements has been authorized by the City Engineer in accordance with Section 39.07.044, *Waiver of Improvements*, or Section 39.07.045, *Delay of Improvements*.

Section 39.04.013 Public Wastewater Systems

a. **Generally**.

1. *Design and Construction*. Public wastewater improvements shall be designed and constructed in accordance with this UDC, the City's Engineering Minimum Design Standards and Specifications, and the Texas Commission on Environmental Quality (TCEQ), and Texas Water Development Board.

2. *City Limits*. All lots in any subdivision platted within the City limits after the effective date of this UDC that are within 180 feet of an existing City wastewater main shall be served by public wastewater systems prior to the issuance of a Building Permit in accordance with the provisions of this Section. All lots outside the City limits in the ETJ shall be provided with an on-site sewage disposal system or cluster system approved by Lubbock County.

b. **Minimum Standards.** All wastewater collection system mains and appurtenance shall be constructed to the City standards presented in Engineering Minimum Design Standards and Specifications and applicable Texas Commission on Environmental Quality standards.

c. **Duplex, Townhouse, Multiplex, and Apartment Dwelling Units**. Individual sanitary wastewater service connections shall be installed for each lot. Buildings containing more than one dwelling units may provide a common sewerage collection system from the building.

d. **Standards**. Each service connection shall serve only one lot ("sharing" of service connections is prohibited). The individual service connections shall be a minimum of four inches inside diameter and may extend to a common building wastewater system or individually to the public wastewater system.

e. **Cleanout**. A cleanout shall be provided at the right-of-way/property line on all service lines.

f. **Timing of Installation**. Wastewater lines shall be installed to serve all lots within the proposed subdivision under the provisions of Chapter 22, *Utilities* of the City of Lubbock Code of Ordinances and shall be constructed in compliance with the City's Engineering Minimum Design Standards and Specifications under the supervision of the City Engineer.

g. **Building Permit**. A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section 39.07.020.d, *Platting,* or a Waiver or Delay of wastewater improvements has been authorized by the City Engineer in accordance with Section 39.07.044, *Waiver of Improvements*, or Section 39.07.045, *Delay of Improvements*.

Section 39.04.014 Storm Drainage

a. **Generally.** Drainage facilities shall be designed and constructed in accordance with this Section, the City's Engineering Minimum Design Standards and Specifications, and the Drainage Criteria Manual. Other hydrologic and hydraulic design methods may be used to satisfy drainage requirements with prior approval by the City Engineer.

b. **Drainage Improvements Required**. The subdivider shall provide new drainage facilities or the improvement of existing drainage facilities necessary to provide for the stormwater drainage needs of the subdivision, in accordance with the requirements of this Section and as necessary to:

1. *Conveyance to Discharge Point*. Provide for the conveyance of all stormwater from the subdivision when fully developed to an adequate discharge point;
2. *General Purpose*. Fulfill any purpose for which the requirements of this Section are imposed;
3. *Protection*. Provide reasonable protection for the subdivision and adjacent properties from flooding, including the effects of the one percent annual rainfall event; and
4. *Post-Development*. Ensure that the runoff after development during the 100-year rainfall event shall not negatively impact downstream property or neighboring property and comply with the City's Drainage Criteria Manual.

c. **Construction Standards**.

1. *Materials*. Drainage improvements shall be constructed with materials required in the Drainage Criteria Manual or as approved by the City Engineer.

2. *Easements*. Drainage easements and improvements constructed within the easements shall be at the width, slope, and cross-section determined by the drainage plan and analysis approved with the Final Plat.
3. *Playa Lakes*. Playa Lake Area Cut and Fill Plans and the excavation and embankment operations shall comply with the requirements set forth in Division 5.3, *Playa Lakes Development and Ownership*, of this UDC and the Drainage Criteria Manual unless alternatives to those requirements are approved by the City Engineer.

d. **Discharge Points**. All drainage improvements shall be terminated at a discharge point approved by the City Engineer. Such discharge point, or outlet, shall be designed and constructed to prevent damage to or overflowing into adjacent property. The City Engineer may require creek improvement, channel lining, energy dissipaters, or other low-impact improvements for such outlet to prevent erosion or increase the flow capacity.

e. **Off-Site Drainage**. Drainage facilities and improvements shall be provided by the subdivider whenever additional stormwater runoff from the subdivision would adversely affect any off-site property or overload an existing drainage facility, whether natural or manmade. Other than non-concentrated, pre-development flow, the on-site runoff shall not be discharged onto adjacent properties, except into existing creeks, channels or storm drains, unless the subdivider obtains drainage or flowage easements from those properties. If the subdivider cannot obtain the necessary easements to make required off-site drainage improvements, detention may be used to reduce peak flow.

f. **Floodplains**. Where this Section requires a subdivision to make any drainage improvements in or abutting a floodplain to provide for the design base flood, the subdivider may, in lieu of making the required improvements, restrict development in the area subject to flooding because of the failure to provide for the drainage improvements. In such cases, the area to be left undeveloped shall be granted to the public as a drainage easement on the Final Plat.

1. *Floodplain Restrictions*. The City shall, when it deems necessary for the health, safety, or welfare of an area and necessary for the conservation of water, drainage, and sanitary facilities, or where prohibited in Division 5.1, *Flood Damage Prevention*, regulate development of any portion of the property which lies within the floodplain of any stream or drainage course. These floodplain areas shall be preserved from all destruction or damage resulting from clearing, grading, or dumping of earth, waste or material, or stumps.
2. *Creek Restrictions*. Major creeks shall remain in an open natural condition; the subdivider may channelize smaller creeks or drainage ways upon approval by the City Engineer provided they meet the criteria of the Drainage Criteria Manual. When a creek or excavated channel is to remain open, or in its natural state, the subdivider shall grant a drainage easement to the City.
3. *Disclaimer*. When any portion of a proposed plat contains a lake or other flood risk area identified on the Federal Emergency Management Agency flood hazard maps, the following notice shall be printed on the face of the Final Plat: "Either all or a portion of this surveyed property lies within a 'Special Flood / Hazard Boundary.' These boundaries are established by the Federal Emergency Management Agency, not this surveyor. Flood hazard maps are on file at City Hall and are open for public inspection."

g. **Floodways and Improvements**.

1. *Floodways Serving Large Drainage Areas*. Generally, floodways serving drainage areas larger than one square mile in area and that are still functioning primarily in a natural and adequate state shall not be altered to provide for the drainage needs of a subdivision, unless approved by the City Engineer.
2. *Flood Map Amendments*. Floodways, as defined in FEMA Flood Maps, shall not be altered without approval from FEMA and the local jurisdiction.

h. **Site Erosion Control**. To minimize erosion resulting from the removal of vegetation and to reduce the introduction of erosion materials into the storm drainage systems, all subdivisions shall make use of erosion and sediment control devices in accordance with the recommendations in this UDC and as directed by the City Engineer. The

erosion and sediment control devices shall be installed and maintained until sufficient vegetation cover has been provided or has been replaced to control erosion and sediment, as directed by the City Engineer.

i. **Separation of Stormwater and Wastewater Systems**. Stormwater and wastewater systems shall be used and maintained as separate systems. Drainage facilities shall be designed so they do not connect, direct, or allow stormwater into the wastewater system.

j. **Street Access Crossing Channels**. No subdivision shall be designed to access a public street across a channel without providing adequate clearance for the channel under design storm conditions as required by the Drainage Criteria Manual.

Section 39.04.015 Open Space Standards and Dedication

a. **Generally.** This Section provides standards for common open space dedicated as part of a cluster, village, or other subdivision type that requires open space in accordance with the zoning district standards in Division 2.2, *Zoning Districts and Standards*.

b. **Dedication of Open Space.** If a subdivision type requires common open space according to the tables in Section 39.02.004, *Base Residential Districts*, and Section 39.02.005, *Base Mixed-Use Districts*, then the subdivider shall dedicate the amount of land specified for open space in the applicable zoning district according to the subdivision type.

c. **Dual Open Space and Easement, Drainage Facilities, or Water Features**.

1. *Partial Credit*. Land that is encumbered by easements, human-made detention areas and drainage channels, or other similar characteristics, shall qualify for common open space in accordance with the following calculation: fifty percent of the encumbered open space shall qualify as eligible open space.

2. *Example*. A 20-acre open space dedication with five acres of combined easements, human-made detention areas, and drainage channels shall count as 17.5 required acres (15 acres + (5 acres x .5) = 17.5 acres).

d. **Standards**. Common open space, in general, shall be easy to access and open to public view so as to benefit area development, enhance the visual character of the City, protect public safety and minimize conflict with adjacent land uses. The following standards shall be used in designing open space and adjacent development:

1. *Perpetuity*. Common open space shall be dedicated in a manner approved as to form by the City Attorney that ensures that the open space will remain as such in perpetuity.

2. *Liens and Taxes.* Any common open space dedicated to the City under this Section shall be suitable for active or passive recreational uses. The dedication shall be free and clear of any and all liens and encumbrances that interfere with its use for recreational purposes.

3. *Locations.*

A. Where feasible, common open space shall be located adjacent to other open spaces and/or schools in order to encourage a connected open space network and shared facilities and joint development of new sites.

B. Common open space shall be adjacent to residential lots in a manner that serves the greatest number of users and shall be located to minimize users having to cross arterial streets on foot or bicycle to access them.

4. *Timing.* The total amount of land dedicated for common open space for the development shall be dedicated to the City in fee simple or to a homeowners' association, property owners' association, public improvement district, or tax increment financing reinvestment zone:

A. Prior to the issuance of any Building Permits for multi-family development;

B. Concurrently with the Final Plat for a single-phase development;

5. *Cluster Subdivision Open Space Standards*. In addition to the applicable standards in this Subsection, open space in a cluster subdivision shall meet the standards below.
   A. *Interconnection*. Open space land shall be interconnected to existing and potential open space on adjacent properties, as well as to other internal open space in the subdivision to provide a continuous network within and adjoining the subdivision.
   B. *Structures*. Except for pavilions, playing fields, and structures and improvements for stormwater drainage, wastewater treatment, or water supply, passive open space in a cluster subdivision shall be free of all structures.
   C. *Wastewater Treatment and Water*. The square footage set aside for wastewater treatment shall not be credited toward the minimum required open space.

Section 39.04.016 Markers and Monuments

a. **Generally**. The subdivider's registered professional land surveyor shall provide reference monuments and markers in the subdivision, based on the Texas Coordinate System of 1983, North Central Zone.

b. **Permanent Markers**. The surveyor of record shall install permanent markers at all corners of block lines, control points, and at the points of curvature. Such markers shall be iron rods or pipes of magnetic quality a minimum of one-half inch in diameter and 14 inches in length. The surveyor shall place the rod below the finished grade, at the required locations.

c. **Control Points**. Control points are any property corner of any tract, parcel, or lot which is not square or rectangular.

Division 4.3 Subdivision Types

Section 39.04.017 Subdivision Types by District

a. **Subdivision Types**. New residential subdivisions are classified into conventional, cluster, and village~~, and mixed-use~~ subdivision types. Development of any subdivision type permitted in the base zoning district is at the option of the applicant. No subdivision type is mandatory in any zoning district unless it is the only permitted subdivision type within the district. Refer to Section 39.02.004, *Base Residential Districts*, for lot density and dimension standards related to each permitted subdivision type.

b. **Permitted Base Residential Districts**. Table 39.04.017-1, *Permitted Subdivision Types by Residential District*, states the subdivision types that are permitted in each residential zoning district.

Table 39.04.017-1
Permitted Subdivision Types by Residential District

"P" = Permitted | "NP" = Not Permitted | "--" = Not Applicable

	RE	SF-1	SF-2	MDR	HDR
Conventional	P	P	P	--	P
Cluster	P	P	P	--	--
Village	--	--	--	P	P
~~Mixed Use~~	~~--~~	~~--~~	~~--~~	~~P~~	~~P~~

Section 39.04.018 Conventional

A conventional residential subdivision is a pattern of development that allows residential uses and that provides the majority of property owners with open space on their own property. A conventional subdivision consists of mostly single-family detached dwelling units developed in accordance with the conventional development standards of Section 39.02.004, *Base Residential Districts*. Minimum lot size is a primary factor in the character of a conventional subdivision. See Figure 39.04.018-1, *Illustrative Conventional Subdivision*.

Figure 39.04.018-1
Illustrative Conventional Subdivision



Section 39.04.019 Cluster

a. **Generally**. A cluster subdivision consists of single-family detached dwelling units developed in accordance with the cluster development standards, established in the base zoning district, with smaller lots that are clustered together in order to provide for additional common open spaces. Often, the common open space is set aside for resource features such as parks, recreation areas, woodlands, creeks and streams, and their riparian areas, floodplains, etc. Therefore, cluster development may be used to preserve environmental resources by clustering development on the buildable portions of the property. See Figure 39.04.019-1, *Illustrative Cluster Subdivision*.

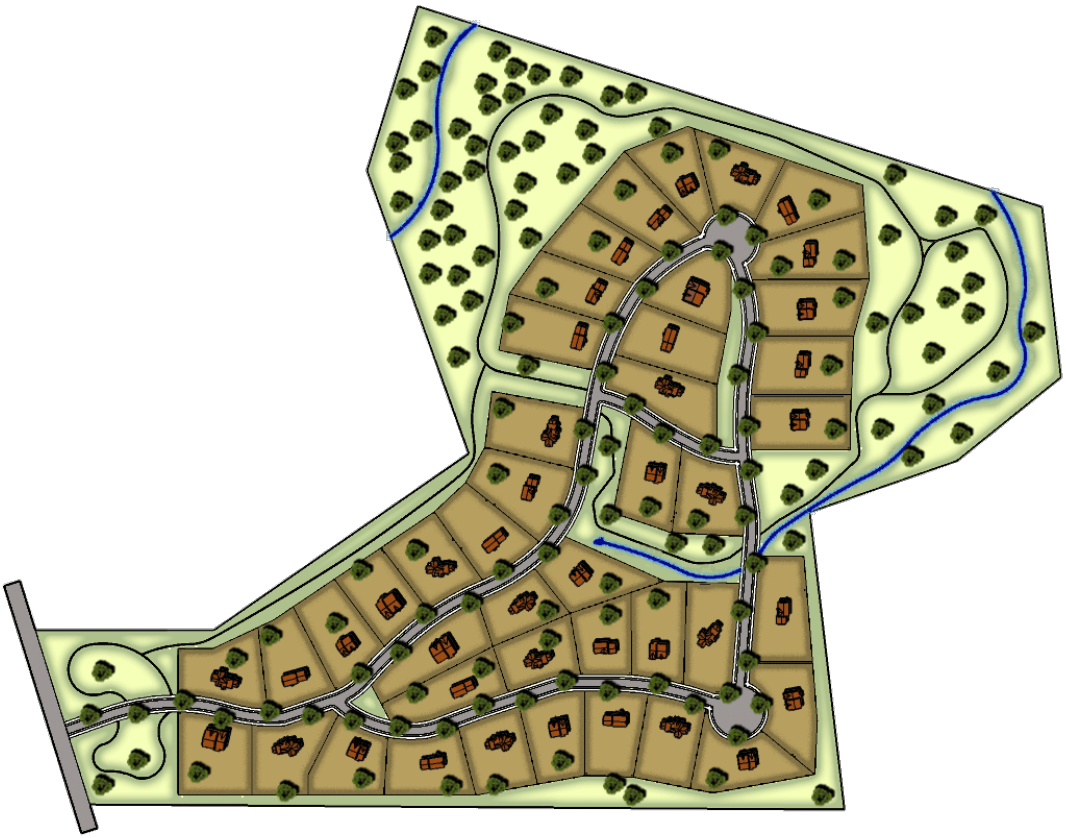
b. **Open Space**. Common open space shall, to the greatest extent practicable, be interconnected with other open space areas, greenways, and trail systems (if provided) within the development and on abutting lands where such integration is practical and does not materially compromise the resource value of the protection areas.

c. **Integration of Design**. Open space shall be integrated into the development design so as to bring access to significant open space to the maximum number of properties; provided, however, that physical access may be limited if such limitation would materially enhance natural resource management.

d. **Increased Lot Area or Setback**. Where adjacent to existing conventional single-family development, cluster subdivision shall have one of the two characteristics listed below:

1. Lots on the perimeter shall be equal to or greater than the lot area and width of the adjacent conventional lots; or
2. The cluster subdivision shall provide a planted or preserved Type B bufferyard, as established in Section 39.03.016, *Bufferyard Landscaping*, along its shared perimeter with the conventional subdivision.

Figure 39.04.019-1
Illustrative Cluster Subdivision



Section 39.04.020 Village

a. **Generally**. A village subdivision allows four housing types and utilizes commonly-owned areas as organizing features. See Figure 39.04.020-1, *Illustrative Village Subdivision*.

b. **Housing Type Integration**. Different housing types within a village subdivision may be integrated together or may be located within separate pods with the required open space providing a buffer between the housing types.

c. **Bufferyard**. Where multiple-family dwellings are proposed to abut single-family detached dwellings or duplexes within the same development and zoning district, a Type A Bufferyard, in accordance with Section 39.03.016, *Bufferyard Landscaping* may be used to provide for enhanced compatibility between housing types.

d. **Compatibility**. Where a village subdivision abuts, is adjacent to, or is located across a local street from existing housing, the housing types that are nearest or across the street shall be comparable to the existing housing types in terms of the housing type, scale, and method of access.

e. **Access**. Lots shall take access to an interior street, alley, parking court, or shared driveway. If a perimeter street is also a local street, lots shall front on the perimeter street and may take access from it if the lots across the street also take access from the street.

f. **Increased Lot Area.** Where adjacent to existing conventional single-family development, village subdivision lots on the perimeter shall be equal to or greater than the lot area and width of the adjacent conventional lots.

Figure 39.04.020-1
Illustrative Village Subdivision



Division 4.4 Public Improvements Dedication and Acceptance

Section 39.04.021 Recording of Plat and Dedication of Improvements

a. **Generally**. In addition to the Final Plat document, certain documents shall be provided before a Final Plat can be recorded. While some documents are required for all plats, others are only required when the circumstances and conditions of the plat require them. The Director of Planning shall notify the subdivider of the required documents. This Section provides detailed descriptions of certain documents that may be required before a Final Plat can be recorded.

b. ~~**Needs/Benefits Determination**. No dedication that this Article requires may be imposed upon a property owner unless the City determines that:~~

   1. ~~*Related*. The dedication is related to the impact of the proposed development;~~
   2. ~~*Proportional*. The dedication is roughly proportional to the needs created by the proposed development; and~~
   3. ~~*Benefit*. The dedication provides a benefit to the development.~~

c. **Dedication Deed or Dedicatory Certificate**. A dedication deed or dedicatory certificate executed by all persons, firms, or corporations owning an interest in the property subdivided and platted and acknowledged in the manner prescribed by the laws of the state for conveyances of real property shall be submitted for each Final Plat. Two true copies shall be furnished with the original. The dedication deed shall include the following information:

   1. *Spouses and Homesteads*. The spouses of any married party executing such dedication deed shall join with their spouses therein unless satisfactory proof is provided showing that the property to be subdivided is the sole and separate property of the spouse signing such deed and that such property does not constitute any portion of such party's homestead, in which case the instrument of dedication shall state the fact that the property subdivided and platted does not constitute a part of such party's homestead.
   2. *Subordination Agreement*. The lienholder shall execute a subordination agreement subordinating their liens or enter into the dedication or granting, if any, of all public streets, alleys, parks, public easements, and any other public areas shown on the plat of such subdivision are being designated for public uses and purposes.
   3. *Dedication Deed*. The dedication deed shall, in addition to the above requirements, contain the following:
      A. An accurate description of the tract of land subdivided;
      B. A statement and express representation that the parties joining in such dedication deed are the sole owners of such tract of land;
      C. An express dedication, if any, to the public for public use forever of any streets, alleys, rights-of-way, stormwater drainage and impoundment easements, parks, public easements, or other public places shown on the plat; and
      D. A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of the plat, and name of surveyor preparing the plat.
   4. *Certificate of Ownership*. A certificate of ownership statement prepared by a qualified attorney or title insurance company licensed to do business in Texas shall be submitted with each Final Plat certifying that the title to the property has been examined and naming all owners, lienholders, and recorded encumbrances of said tract of land.
   5. *Tax Certificate*. A current tax certificate from the Lubbock Central Appraisal District is required with each Final Plat showing that all taxes have been paid on the tract to be subdivided and that no delinquent taxes exist against the property in accordance with Texas Property Code Section 12.002 (E).
   6. *Final Drainage Plan*. If required, a final drainage plan and analysis that meets the requirements of the Drainage Criteria Manual and Master Drainage Plan and has been approved by the City Engineer.

7. *Other Documents*. Such other ordinances, protective covenants, certificates, affidavits, endorsements, dedications, and closures and abandonments as may be required for the enforcement of these regulations shall be provided as separate instruments to be recorded with the plat. Other plat-associated documents, such as subdivision deed restrictions, may be recorded with the plat if the subdivider chooses.

Section 39.04.022 Acceptance and Maintenance

a. **Construction Inspections**.

1. *Engineer and Contractor Duties*. The subdivider's engineer shall design, and help interpret, the plans during the construction of municipal improvements. The subdivider's engineer or surveyor shall stake the project. The subdivider's contractor shall construct the improvements in accordance with this Article and approved construction plans.
2. *City Engineer Inspection*. The City Engineer shall inspect any and all phases of construction in accordance with Chapters 22 and 26 of the Code of Ordinances.
3. *Stop-Work Order*. The City Engineer may, at any time, issue a stop-work order when, in his or her judgment, the requirements of this Article or of the Engineering Minimum Design Standards and Specifications have been violated. The City shall notify the property owner / developer and the project engineer in writing (letter or email) of the stop work order and the reason of such.

b. **Procedure for Acceptance**.

1. *Required Documents*. When construction of the required improvements is complete, the subdivider's licensed professional engineer shall notify the City Engineer in writing and request an inspection of the work.
2. *Initial Inspection*. The City Engineer shall inspect the improvements and issue a punch list of any deficiencies.
3. *Existing Conditions*. The inspection shall document the existing condition of all public improvements and appurtenances. The public improvements and appurtenances must be in strict compliance with all federal, state, county, and applicable municipal regulations, codes, statutes, and policies in effect at the time of the request for acceptance.
4. *Scheduling Final Inspection*. The subdivider shall schedule the final inspection within 30 days of the initial inspection or a complete reinspection may be required along with a new punch list of deficiencies.
5. *Preliminary Acceptance*. After all deficiencies have been corrected and a final inspection has been satisfactorily completed, the City Engineer shall accept the improvements.
6. *Remedies. ~~Rejection.~~ ~~If the City Engineer rejects the improvements and if the subdivider fails to remedy all noted deficiencies, the City Attorney shall proceed to enforce the performance bond.~~* The City Engineer shall not preliminarily accept any further improvements until the subdivider remedies all noted deficiencies.

c. **Release of Bond.** The City Engineer shall release the performance bond, if applicable, when all applicable public improvements are accepted into the City maintenance system.

d. **Plat Approval**. Plat approval shall not obligate the City to accept or maintain improvements until the City Engineer has accepted such improvements.

e. **Required Maintenance of Improvements**.

1. The subdivider shall maintain all improvements for a period of ~~two~~ one years following acceptance. Such ~~two~~one-year period of required maintenance shall not begin until the applicant files with the City either a:

A. Maintenance bond, executed by a surety company licensed to do business in the State of Texas and acceptable to the City Attorney, ~~in an amount equal to 100 percent of the cost of installation of such improvements, warranting that said improvements will render satisfactory operation for such two-year~~

~~period~~ in an amount as set forth in Table 39.04.022-1, *Maintenance Bond Amounts*, below, warranting that said improvements will render satisfactory operation for such one-year period;

B. Cash bond, in an amount equal to 100 percent of the cost of installation of such improvements, likewise warranting that said improvements will render satisfactory operation for such ~~two~~one-year period~~.~~; or

C. Irrevocable letter of credit, in an amount equal to 100 percent of the cost of installation of such improvements, likewise warranting that said improvements will render satisfactory operation for such one-year period, on a form with the bank's letterhead, and in a format approved by the City Attorney.

Table 39.04.022-1
Maintenance Bond Amounts

Cost of Improvement Construction	Bond Value as a Percent of Construction Cost
$0 - $25,000	100%
$25,000.01 - $50,000	75%
$50,000.01 - $75,000	50%
$75,000.01 - $100,000	25%
$100,000.01 or more	20%

ARTICLE 39.05 ENVIRONMENTAL MANAGEMENT

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Division 5.1 Flood Damage Prevention

Section 39.05.001 Statutory Authorization

The Legislature of the State of Texas has in the Flood Control Insurance Act, V.T.C.A., Water Code § 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of the City of Lubbock, Texas does ordain as follows.

Section 39.05.002 Findings of Facts

The flood hazard areas of the City of Lubbock are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.

Section 39.05.003 Purpose

This Article promotes the public health, safety, and general welfare and minimizes damage to private property and public and private losses due to flood conditions in specific areas by provisions designed to:

a. Protect human life and health;
b. Minimize expenditure of public money for costly flood control projects;
c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
d. Minimize prolonged business interruptions;
e. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and wastewater lines, streets and bridges located in floodplains;
f. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
g. Ensure that potential buyers are notified that property is in a flood-prone area.

Section 39.05.004 Methods of Reducing Flood Losses

To accomplish its purposes, this Division uses the following methods:

a. **Restrict or Prohibit Uses**. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood, or cause excessive increases in flood heights or velocities, as provided in Section 39.05.013, *Specific Standards*;
b. **Protection**. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
c. **Control Alteration**. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
d. **Control Excavation**. Control filling, grading, dredging, and other development which may increase flood damage; and
e. **Flood Barriers**. Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Section 39.05.005 Administration

a. **Floodplain Administrator**. The City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Division and other appropriate sections of 44 CFR (National Flood Insurance Program regulations) pertaining to floodplain management. However, the issuing of permits and the review of plans and maps may be delegated to such other persons that the Floodplain Administrator may select.

b. **Duties and Responsibilities**. Duties and responsibilities of the Floodplain Administrator include, but are not limited to, the following:

1. *Records*. Maintain and hold open for public inspection all records pertaining to this Division.
2. *Application Review*.
   A. Review, approve or deny all applications for floodplain development permits, required by this Division, and determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
   B. Review permits for proposed development to assure that all necessary permits are obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
3. *Map Interpretation*. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
4. *Notification*. Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the Texas Water Development Board, prior to any alteration or relocation of a watercourse, and submit evidence of that notification to the Federal Emergency Management Agency (FEMA).
5. *Monitor Flood-Carrying Capacity*. Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
6. *Data*. When base flood elevation data has not been provided in accordance with this Division, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from federal, state, or other sources in order to administer the provisions of this Article.
7. *Flood Control System*. Maintain surveillance over the operational and maintenance condition of the flood control system to ensure its safe and effective functioning.

Section 39.05.006 Interpretation, Compliance, and Applicability

a. **Interpretation**. In the interpretation and application of this Article, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the ~~City~~public interest; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes or federal laws.

b. **Compliance**. No structure or land shall be located, altered, or have its use changed without full compliance with the terms of this Division and other applicable regulations.

c. **Applicability**. This Article shall apply to all lands located in City of Lubbock floodplains and areas of special flood hazard.

Section 39.05.007 Basis for Establishing Areas of Special Flood Hazard

a. **Studies**. City Floodplain studies produced for the Master Drainage Plan and as set forth in the most recently adopted Drainage Criteria Manual are incorporated by reference into this UDC.

b. **Special Flood Hazard Areas**. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Lubbock County, Texas, and Incorporated Areas" dated February 3, 2017, with accompanying flood insurance rate maps (FIRM) and any revisions are adopted by reference and declared to be a part of this UDC.

Section 39.05.008 Penalty

No structure or land shall be constructed, located, extended, converted, or altered without full compliance with the terms of this Division and other applicable regulations. Violation of the provisions of this Division by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) constitutes a misdemeanor punishable in accordance with Article 39.09, *Enforcement and Remedies*. Each day on which a violation occurs or continues is deemed a separate and distinct offense. Nothing in this Section prevents the City from taking other lawful action necessary to prevent or remedy any violation of this Division.

Section 39.05.009 Floodplain Development Permit

a. **Required**. A Floodplain Development Permit in a floodplain is required to ensure conformance with this Division.

b. **Application**. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator and shall include plans drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. The Floodplain Administrator shall prescribe Floodplain Development Permit application forms. The following information is also required and shall be maintained and held open for public inspection in accordance with 39.05.005.b.1.:

   1. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures in the floodplain;
   2. Elevation (in relation to mean sea level) to which any nonresidential structure shall be floodproofed;
   3. A certificate from a registered professional engineer or architect that a nonresidential floodproofed structure shall meet the floodproofing criteria of b.2., above; and
   4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

c. **Decision Criteria**. Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Article and the following relevant factors:

   1. *Danger to Life and Property*. The danger to life and property due to flooding or erosion damage;
   2. *Susceptibility to Flood Damage*. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
   3. *Sweeping of Materials*. The danger that materials may be swept onto other lands to the injury of others;
   4. *Compatibility*. The compatibility of the proposed use with existing and anticipated development;
   5. *Emergency Access*. The safety of access to the property in times of flood for ordinary and emergency vehicles;
   6. *Costs of Governmental Services*. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as wastewater, gas, electrical, and water systems;
   7. *Expected Floodwaters*. The expected heights, velocity, and duration of the floodwaters and the effects of wave action expected at the site, where applicable, are manageable;
   8. *Waterfront Necessity*. The necessity to the facility of a waterfront location, where applicable;

9. *Alternative Locations*. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
10. *Affirmative Findings*. The relationship of the proposed use to the comprehensive plan for that area.

d. **Revocation of Floodplain Development Permit.**

1. *Grounds for Revocation*. In addition to the remedies provided in Article 39.09, *Enforcement and Remedies*, whenever the City Engineer finds that there are grounds for revocation of a Floodplain Development Permit, they shall give written notice to the permittee by personal service or by certified mail, return receipt requested, addressed to the applicant at the address set forth in the Floodplain Development Permit application. That notice may require that any work on the property currently underway is required to stop immediately, that a stop order is being issued, and shall set forth:
   A. The specific grounds upon which the Floodplain Development Permit in question may be revoked;
   B. The fact that there will be a hearing before the Floodplain Administrator in which the City will seek the revocation of the Floodplain Development Permit;
   C. The date, time, and place of such hearing; and
   D. The fact that the permittee may appear in person or be represented by an attorney.
2. *Final Decision*. After completion of the presentation of evidence by all parties appearing, the Floodplain Administrator or City Engineer shall make written findings and render a written order as to whether or not there are grounds for revocation of the Floodplain Development Permit. If there are such grounds, the Floodplain Administrator shall revoke the Floodplain Development Permit. The Floodplain Administrator may take other lesser actions deemed appropriate including, but not limited to, the temporary suspension of the permit, the revision of the Floodplain Development Permit, or the addition of conditions. A true and accurate copy of the Floodplain Administrator's order shall be personally delivered or mailed by certified mail, return receipt requested, to the permittee.
3. *Refunds*. If a Floodplain Development Permit is revoked, suspended, or revised by the Floodplain Administrator, the City is not liable to any person for any refund of any part of any fees.
4. *Appeal*. The revocation, suspension, or revision of a Floodplain Development Permit may be appealed to the City Council and upon the filing of a written application with the City secretary within 10 days after the Floodplain Administrator's written order is rendered. An appeal of a revocation, suspension, or revision of a Floodplain Development Permit does not suspend the Floodplain Administrator's order pending the appeal.

Section 39.05.010 Variance, Floodplain

a. **Authority.**

1. *Final Decision*. The Floodplain Administrator shall hear and render judgment on requests for Variances from the requirements of this Article.
2. *Alleged Error*. The Zoning Board of Adjustment shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Article, in accordance with Section 39.07.039, *Appeal of Administrative Decision*.
3. *Appeal*. Any person or persons aggrieved by a decision of the Zoning Board of Adjustment may appeal that decision in a court of competent jurisdiction.

b. **Records and Reports**. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report granted Variances to the Federal Emergency Management Agency upon request.

c. **Historic Places**. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in Article 39.02 and Article 39.03. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the Variance is the minimum necessary to preserve the historic character and design of the structure.

d. **Small Lots**. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acres or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level if the relevant factors in this Division are fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the Variance increases.

e. **Conditions**. Upon consideration of the factors noted and the purpose of this Division, as articulated in Section 39.05.003, *Purpose*, the Floodplain Administrator may attach conditions to the granting of Variances as necessary to further the purpose and objectives of this Division.

f. **Increase in Flood Levels**. Variances shall not be issued within any designated floodway.

g. **Prerequisites.**

1. *Minimum Relief Necessary*. Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the flood hazard, to afford relief.
2. *Criteria*. Variances shall only be issued upon:
   A. Showing a good and sufficient cause;
   B. A determination that failure to grant the Variance would result in exceptional non-financial hardship to the applicant; and
   C. A determination that the granting of a Variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, or create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
3. *Notice*. The Floodplain Administrator shall give written notice to any applicant to whom a Variance is granted that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Division 5.2 Flood Hazard Reduction

Section 39.05.011 Establishment of Floodplain Development Permit

A Floodplain Development Permit as established in Section 39.05.009, *Floodplain Development Permit*, is required to ensure conformance with this Division.

Section 39.05.012 General Standards

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

a. **Anchoring**. All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrostatic pressure, hydrodynamic and hydrostatic loads, including the effects of buoyancy;

b. **Methods and Practices**. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

c. **Materials**. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

d. **Infiltration**. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;

e. **Sanitary Sewers**. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

f. **On-Site Waste Disposal**. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

g. **Utilities**. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed or located to prevent water from entering or accumulating within the components during conditions of flooding (above the base flood elevation).

Section 39.05.013 Specific Standards

a. **Generally**. In all areas of City Floodplain and special flood hazard where base flood elevation data is provided, as set forth in this Section, the following provisions apply.

b. **Residential Construction**. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including ductwork, elevated to the most restrictive flood protection elevation as set forth below.

1. *Lowest Floor Elevation*.

A. One foot above the one percent annual chance flood elevation established by the City of Lubbock Master Drainage Plan;

B. If located in a flood hazard area, the lowest floor (including basement) will be one foot above the flood elevation established by the FIRM of the Federal Emergency Management Agency (FEMA);

C. Two feet above the applicable playa lake overflow elevation;

D. Eighteen inches above the highest gutter elevation (or if no curb and gutter is present, one foot above top of crown) of the nearest adjacent street(s);

E. Six inches above the calculated peak water surface elevation if a design waiver is granted in accordance with the Drainage Criteria Manual; or

F. One foot above the 500-year 24-hour base flood elevation if located within the limits of a non-overflow playa lake.

2. *Certification*. A registered professional engineer, architect, or land surveyor shall submit a certificate to the Floodplain Administrator that the standard of this Subsection, as provided in Paragraph b.1. of this Subsection, is satisfied.

c. **Nonresidential Construction.** New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor (including basement and associated electrical and mechanical equipment) elevated to or above:

1. *Lowest Floor Elevation*. If located in a flood hazard area, the lowest floor (including basement) will be one foot above the peak water surface elevation established by the FIRM of FEMA.

2. *Playa Lake Overflow*. Two feet above the applicable playa lake overflow elevation.

3. *Gutter Elevation*. 18 inches above the highest gutter elevation (or if no curb and gutter is present, one foot above top of crown) of the nearest adjacent street(s).

4. *Peak Water Surface Elevation*. Six inches above the calculated peak water surface elevation if a design waiver is granted in accordance with the Drainage Criteria Manual.
5. *Five-Hundred-Year Flood*. One foot above the 500-year 24-hour base flood elevation if located within the limits of a non-overflow playa lake or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
6. *Record*. A record of that certification (floodproofing certificate), which includes the specific elevation (in relation to mean sea level) to which the structures are floodproofed, shall be maintained by the Floodplain Administrator.
7. *Grading Design*. A finished floor elevation may be set in conjunction with a Grading Plan prepared by a licensed professional engineer that shows adequate drainage paths away from the site and with confirmation that no other flooding influences the subject site.

d. **Enclosures**.

1. *Design.* New construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
2. *Certification*. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
   A. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   B. The bottom of all openings shall be no higher than one foot above grade.
   C. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

e. **Manufactured Homes**.

1. All manufactured homes to be placed or substantially improved within zone A, AO, AH, or AE on the City's FIRM and within City Floodplains on sites that are in the following locations shall be placed on a permanent foundation so that the lowest floor of the manufactured home, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including ductwork shall be elevated to the most restrictive flood protection level as set for above:
   A. Outside of a manufactured home park or subdivision;
   B. In a new manufactured home park or subdivision;
   C. Existing manufactured home park or subdivision being enlarged; or
   D. In an existing manufactured home park or subdivision in which the manufactured home has incurred substantial damage as a result of a flood or other causes.
2. In addition, all manufactured homes to be placed or substantially improved within zone A, AO, AH, or AE on the City's FIRM and within City Floodplains on sites that are in the locations listed in A through D, above. shall be securely anchored to an anchored foundation system to resist flotation, collapse, and lateral movement, including, but not limited to over the top or frame ties to ground anchors, while complying with all other state and local regulations. Submit FEMA Elevation Certificate and engineering foundation report showing the flood protection level is satisfied.

3. *Special Flood Hazard Areas.* If located in a Special Flood Hazard Area (SFHA), the lowest floor (including basement) shall be elevated to or above the most stringent of the following:
   A. One foot above the 500-year 24-hour base flood elevation if located within the limits of a non-overflow playa lake.
   B. Six inches above the calculated peak water surface elevation if a design waiver has been granted in accordance with the Drainage Criteria Manual;
   C. Eighteen inches above the highest gutter elevation (or if no curb and gutter is present, one foot above top of crown) of the nearest adjacent street;
   D. Two feet above the applicable playa lake overflow elevation; or
   E. One foot above the peak water surface elevation established by the FIRM;
4. *Manufactured Home Otherwise Exempted From Section.* Manufactured homes that are placed or substantially improved on sites in an existing manufactured home park or subdivision within a SFHA on the community's FIRM that are not subject to the provisions in this Section shall be elevated so that either:
   A. The lowest floor (including basement) of the manufactured home is 12 inches above the base flood elevation; or
   B. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately engineered anchor foundation system to resist flotation, collapse, and lateral movement.

f. **Recreational Vehicles**. Recreational vehicles placed on sites within zones of SFHA on the community's FIRM shall:
   1. *Duration.* Be on the site for fewer than 180 consecutive days;
   2. *Licensed and Ready for Use.* Be fully licensed and ready for highway use; and
   3. *Elevation and Anchoring.* Meet the elevation and anchoring requirements for manufactured homes in Subsection e., *Manufactured Homes*, of this Section.

g. **Playa Lakes**. Playa lakes provide critical water storage and drainage functions. All new construction and substantial improvement of structures shall follow the provisions in Division 5.3, *Playa Lakes Development and Ownership*.

Section 39.05.014 Standards for Subdivision Proposals

a. **Generally**. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall be consistent with this Section.

b. **Floodplain Development Permit**. All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, shall meet Floodplain Development Permit requirements of Division 5.1, *Flood Damage Prevention*.

c. **Adequate Drainage**. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.

d. **Utilities**. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as water, wastewater, and systems located and constructed to minimize or eliminate flood damage.

Section 39.05.015 Floodways

a. **Generally**. Located within areas of special flood hazard established in this Division are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply.

b. **Encroachments**. Encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed by a registered professional engineer in accordance with standard engineering practice that the proposed encroachments would not result in any increase in flood levels within the City during the occurrence of the base flood discharge.

c. **New Construction**. If Subsection b., *Encroachments*, is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Division.

Section 39.05.016 Improvement and Repair Requirements

Table 39.05.016-1, *SI/SD FEMA Desk Reference*, outlines common improvements and repairs. The measures as described in Table 39.05.016-1 are required to maintain compliance with the NFIP floodplain management requirements. If a map revision has resulted in a higher base flood elevation (BFE), a post-FIRM building shall comply based on the new BFE. Table 39.05.016-1, *SI/SD FEMA Desk Reference*, is reprinted and edited from SI/SD FEMA Desk Reference as amended.

Table 39.05.016-1
SI/SD FEMA Desk Reference

SI = Substantial Improvement | SD = Substantial Damage

Types of Work	Building is Pre-FIRM	Building is Post-FIRM
Rehabilitation (renovate or remodel), not SI	Compliance not required	Work shall comply and shall not make the building noncompliant with any aspect of the building that was required for compliance
Rehabilitation (renovate or remodel), SI	Building required to comply	Work shall comply and shall not make the building noncompliant with any aspect of the building that was required for compliance[1]
Lateral addition and rehabilitation, SI	Addition required to comply; building required to comply	Addition required to comply; building required to comply (see note below table)
Lateral addition, not SI	Addition not required to comply	Addition required to be elevated to at least the elevation of the existing lowest floor
Lateral addition, SI, not structurally connected	Addition required to comply; building not required to comply	Addition required to comply; building required to comply
Lateral addition, SI, structurally connected	Addition required to comply; building required to comply	Addition required to comply; building required to comply (see note below table)
Vertical addition above building, not SI	Compliance not required	Work shall comply and shall not make the building noncompliant with any aspect of the building that was required for compliance
Vertical addition above building, SI	Building required to comply	Work shall comply and shall not be allowed to make the building noncompliant with any aspect of the building that was required for compliance (see note below table)
Repair foundation, not SI	Compliance not required	Repairs shall comply and shall not make the building noncompliant with any aspect of the building that was required for compliance
Repair foundation, SI	Building required to comply	Building required to comply (see note below table)
Replace/extend foundation, SI (including “elevate-in-place”)	Building required to comply	Building required to comply (see note below table)
Repair damage, SD	Building required to comply	Work shall comply and shall not make the building noncompliant with any aspect of the building that was required for compliance (see note below table)

Table 39.05.016-1 SI/SD FEMA Desk Reference		
SI = Substantial Improvement | SD = Substantial Damage		
Types of Work	**Building is Pre-FIRM**	**Building is Post-FIRM**
Reconstruct new building on existing or new foundation, SI	Reconstructed building required to comply	Reconstructed building required to comply (see note below table)
TABLE NOTES: [1]Maintain existing floor elevations. Floor elevations shall not be lowered by improvements.		

Division 5.3 Playa Lakes Development and Ownership

Section 39.05.017 Purpose, Applicability, and Ownership Policy

a. **Purpose**.

1. *Uses, Structures, and Developments*. The playa lake systems within the City contribute to the environment, wildlife, and general welfare of the residents of the City. This Section regulates uses, structures, and developments within playa lake systems that would impair the ability of playa lakes to:

   A. *Flood Impact Reduction*. Reduce flood impacts by absorbing peak flows, slowing the velocity of floodwaters, and regulating base flow;

   B. *Bank Stabilization*. Assist in stabilizing the banks of watercourses to reduce woody debris from fallen or damaged trees, streambank erosion, and the downstream transport of sediments eroded from watercourse banks;

   C. *Pollutant Reduction*. Reduce pollutants in playa lakes during periods of high flows by filtering, settling, and transforming pollutants already present in playa lakes;

   D. *Nuisance Reduction*. Reduce the presence of aquatic nuisance species to maintain a diverse aquatic system;

   E. *Habitat Provision*. Provide habitat to a wide array of wildlife by maintaining diverse and connected playa lake vegetation and natural land uses;

   F. *Encroachment Minimization*. Minimize encroachment on watercourse channels and the need for costly engineering solutions such as gabion baskets and rip rap to protect structures and reduce property damage and threats to the safety of watershed residents; and

   G. *Character Preservation*. Contribute to the scenic beauty and environment of the City of Lubbock, thereby preserving the character of Lubbock, the quality of life of its residents, and corresponding property values.

b. **Applicability, Compliance, and Violations.**

1. *Zoning Districts*. These regulations apply to all zoning districts.
2. *Structures and Uses in Playa Lakes.* These regulations apply to all structures and uses on lands containing a playa lake ~~and their surrounding buffers~~.
3. *Compliance Required.* The City shall not issue approvals or permits without full compliance with the terms of this Division.

c. **Ownership of Playa Lakes**. Playa lakes are an essential element of drainage systems both in and adjacent to the City. When critical amounts of development have occurred within any particular watershed, the public may benefit from owning the property as part of the overall drainage system. Playa lakes shall meet the regulations of this Section, as well as the regulations and policies specified in the Drainage Criteria Manual, Master Drainage Plan, and Policy for Playa Lake Development. Developments shall conform to the following requirements:

1. *Improvements*. Improvements within, adjacent to, and around playa lakes shall comply with this Division and the City's Drainage Criteria Manual and Master Drainage Plan.
2. *Ownership Determination*. If the subdivider desires that a playa lake within the boundaries of a proposed subdivision be publicly owned, then prior to Preliminary Plat submittal, the subdivider shall submit a proposal for public ownership to the City Engineer for the City Council to approve, approve with conditions, or deny. Proposals for such ownership shall include a justification that ownership of the playa lake shall accrue a benefit to the public. The City Council shall accept no lake areas in relatively undeveloped areas unless the Council finds that circumstances exist that merit an exception.
3. *Plat Designation*.

A. Playa lakes shall be designated on plats as a "stormwater drainage and impoundment easement" regardless of an ownership proposal or determination. The playa lake shall be designated as a separate lot or tract on the Final Plat.

B. If the City Council approves the playa lake for public ownership, the face of the Final Plat shall designate the dedicated Playa Lake Area as a "public stormwater detention basin."

4. *Plat Recordation*. No Final Plat for any lot or tract under single or common ownership with a playa lake that is adjacent to or within a playa lake or on a bordering street may be recorded until that playa lake, or at least that portion of the playa lake necessary to accommodate the drainage associated with the plat, is designated as stormwater drainage and impoundment easement.

Section 39.05.018 Dedication Methods

a. **Platting**. The following standards shall be met prior to recording a Final Plat that includes a stormwater drainage and impoundment easement:

1. *Type of Easement*. Any portion of a playa lake included in a proposed Final Plat shall be dedicated as a stormwater drainage and impoundment easement.

2. *Drainage Criteria Manual*. The easement area shall conform to the approved cut and fill plan and the requirements of the Drainage Criteria Manual.

3. *Maintenance Agreement*. The applicant and the City shall execute a facilities maintenance agreement indicating which party is responsible for operating and maintaining the facilities. This agreement shall be filed with the Official Public Records of Lubbock County.

b. **Warranty Deed**. The following standards apply to the final conveyance of a stormwater detention basin by general warranty deed to the City:

1. *Easement Operation*. The requirements for minimum development standards for stormwater drainage and impoundment easements as set forth in Subsection a., *Platting*, are in place and are operating effectively.

2. *Grading*. The playa lake basin shall be graded in accordance with this UDC and the Drainage Criteria Manual. The City Council may consider any playa lake requested for City acceptance with side slopes that exceed the maximum slopes allowed by this Division and the Drainage Criteria Manual on a case-by-case basis. The City Engineer may require the owner or developer of a Playa Lake Area with excessive side slopes to reshape the cut and/or fill slopes of the playa lake prior to acceptance.

3. *Erosion Control Plan*. The owner or developer shall submit an erosion control plan and install erosion control measures approved by the City Engineer. Prior to submission of the erosion control plan, the owner/developer and the City Engineer shall perform an initial inspection of the subject property. The erosion control plan shall include:

A. A complete description of the Playa Lake Area proposed for conveyance;

B. A complete description of the problem areas or areas of concern as discussed and noted with the field inspection made by the owner/developer and the City Engineer;

C. A complete description of any necessary and/or proposed improvements to be made to the subject property prior to ownership transfer. This includes any designs, plans, and specifications for materials and construction of the improvements;

D. A complete description of the dates of all previous cut and fill operations of the playa lake, the predicted peak water elevation of the playa lake as determined by procedures outlined in the Drainage Criteria Manual, an estimated normal pool elevation of the lake, and other information regarding any previous erosion control measures constructed by the owner/developer; and

E. Date of expected completion of the proposed improvements.

4. *Erosion Control Plan Waiver*. The City Engineer may waive erosion control requirements if the playa lake is in its natural state and is not modified through a cut and fill operation and the lake provides natural habitat with no obvious signs of erosion.
5. *Water Sample*. The applicant shall collect and sample the water or soil in any playa lake proposed for City ownership. The samples shall be taken as described below and analyzed by a laboratory approved by the City Engineer. The samples shall be collected and tested as follows:
   A. A water sample shall be collected and tested for the parameters listed in the active City of Lubbock Texas Commission on Environmental Quality Texas Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit No. WQ0004773000 (EPA I.D. No. TXS001501) reporting the maximum concentrations listed on said MS4 Permit.
   B. Analysis and collection of samples shall be performed in accordance with the methods specified in 40 CFR Part 136. The sample shall be sent to a laboratory accredited by the State of Texas under the National Environmental Laboratory Accreditation Program. For a comprehensive list of certified analytes and methods for each laboratory, contact the individual laboratory, or contact the Texas Commission on Environmental Quality. Where an approved method in Part 136 does not exist, the City Engineer shall approve an alternative method.
   C. The applicant shall provide a summary of the complete test results to the City Engineer for review. If the tests show a violation of state or federal water quality standards, the City Engineer may require the applicant to correct the violation before the City accepts dedication of the playa lake. If the playa lake bottom is dry, the applicant shall provide an analysis of a composite soil sample (as directed by the City Engineer). Tests shall be conducted on the parameters required by the Texas Commission on Environmental Quality's Texas Pollutant Discharge Elimination System Permit.
6. *Facilities*. The applicant shall show any privately constructed facilities (i.e., buildings, parking lots, pumps, aeration devices, etc.) within the Playa Lake Area in any Site Development Plan, Development Plat, or Preliminary Plat.
   A. The City Engineer and the Director of Parks and Recreation shall review the existing facilities to determine if they are allowed to remain in the Playa Lake Area. The applicant shall remove any facility determined not to benefit the City before providing an offer of dedication.
   B. Any existing facility that remains in place in order to serve adjacent private property may require a maintenance agreement to be established whereby the private property owner shall continue to maintain the existing facility within the Playa Lake Area.
7. *Acceptance*. If the City Council approves of public ownership for a playa lake, in accordance with Section 39.05.017.c, *Ownership of Playa Lakes*, then the subdivider, upon the completion of the requirements and standards of this Division, may request administrative acceptance of a stormwater detention basin as City property.
8. *Bond*. The City Engineer may accept a bond in lieu of completing a required cut and fill or other improvements before the Final Plat is recorded. The bond shall be in an amount that covers the City's cost of undertaking and completing the work, based on calculations of the City Engineer. A refund of any bond shall not be made until all required improvements are completed and have passed a City-performed inspection to verify effective operation.

c. **Notification**. Any Preliminary Plat submitted that includes a playa lake shall state the intention of the playa lake. A statement on the face of both the Preliminary and Final Plats shall indicate the proposed use of the playa lake as one of the following:

1. *Easement*. A dedicated stormwater drainage and impoundment easement;

2. *Ownership*. A privately owned and maintained park area; or
3. *Conveyance*. Conveyance to the City as a stormwater detention basin or as a park. The City Council must approve either of these conveyances.

Section 39.05.019 Development Regulations

a. **Playa Lake Classifications**. Refer to the Drainage Criteria Manual for classification of playa lakes into overflow and non-overflow lakes.

b. **Playa Lake Database.** The Floodplain Administrator shall create and maintain a database identifying and monitoring playa lakes. The City shall use the database as a reference document and the information contained is presumed accurate. The Database shall provide the following for each playa lake:

1. Total surface area;
2. 100-year water surface elevation (Master Drainage Plan or FEMA);
3. Depth;
4. Zoning district;
5. Land use; and
6. A disclaimer stating:

"The Playa Lake Database was prepared by the City in accordance with Division 5.3, *Playa Lakes Development and Ownership*, of the Unified Development Code. The City's digital data is a representation of recorded plats, surveys, deeds, and other collected information for use within a Geographic Information System for purposes of analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use. The City assumes no legal responsibility for this information."

c. **Site Development Plans**.

1. *Contents*. The applicant shall demarcate playa lakes as required by these regulations on a Site Development Plan included with all Plats applications submitted to the City. In addition to the Site Development Plan standards described in Section 39.07.013, *Site Development Plan*, sites with playa lakes shall include the following information:

A. Playa lake water surface elevation based on Master Drainage Plan, or, if not available, separate analysis;
B. Locations and dimensions of any proposed structures or uses, including proposed soil disturbance, in relation to playa lakes;
C. Existing topography at intervals of one foot;
D. Locations of playa lakes;
E. Lot dimensions;
F. Lot boundaries;
G. North arrow, scale, date, and stamp bearing the name and registration number of the qualified professional who prepared the site plan; and
H. Other information needed for the City to ensure compliance with this Division.

2. *LOMR-F*. In association with Site Development Plans, Plats, and Zone Changes, the City allows a Letter of Map Revision by Fill (LOMR-F) within playa lakes with the approval of the Floodplain Administrator.

d. **Allowed and Prohibited Uses in Playa Lakes**.

1. *Allowed Uses*. Uses allowed in playa lakes are limited to:

A. Passive open space; and

B. Recreational activities such as hiking, fishing, picnicking, and similar passive recreational uses, as permitted by federal, state, and local laws.

2. *Prohibited Uses*. Any use not authorized under this Section is prohibited in playa lakes. The following uses and structures are explicitly prohibited:

A. Fences and walls;

B. Parking spaces or lots and loading/unloading spaces for vehicles ~~as long as~~ unless calculated depths of flow are six inches or less under 100-year design conditions; and

C. New surface and/or subsurface sewage disposal or treatment areas.

ARTICLE 39.06 ADMINISTRATIVE AND LEGISLATIVE BODIES

Contents:

Division 6.1 Legislative and Quasi-Judicial Bodies Established and Authorized

Section 39.06.001 City Council

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Section 39.06.006 Director of Planning

Section 39.06.007 Building Official

Section 39.06.008 City Engineer

Section 39.06.009 Floodplain Administrator

Section 39.06.010 Director of Code Enforcement

Division 6.1 Legislative and Quasi-Judicial Bodies Established and Authorized

Section 39.06.001 City Council

a. **Generally.** The City Council of the City of Lubbock is established by Chapter 1, Article IX of the Lubbock City Charter.

b. **Powers and Duties**. The City Council shall have the authority to make final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

Section 39.06.002 Planning and Zoning Commission

a. **Established**. The Planning and Zoning Commission (PZC) is established in Chapter 2, Article 2.03, Division 15 of the City of Lubbock Code of Ordinances.

b. **Powers and Duties**. The PZC shall have the authority to make recommendations and certain final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

Section 39.06.003 Zoning Board of Adjustment

a. **Established**. This Section establishes a Zoning Board of Adjustment (ZBA), with membership, qualifications, and terms of office in accordance with and controlled by the provisions of Texas Local Government Code Section 211.008, *Board of Adjustment*.

b. **Powers and Duties**. The ZBA shall have the authority to make final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

c. **Alternate Members**. The City Council may appoint alternate members of the ZBA to temporarily serve in the absence of a permanent member. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. The City Council may fill a vacancy among the alternate members in the same manner as a vacancy among the regular members.

d. **Meetings and Procedures**.

1. *Time and Place of Meetings*. The ZBA shall meet not less than once each month unless there are no items for it to decide upon. All ZBA meetings shall be open to the public and held in conformance with Texas Government Code Chapter 551, Open Meetings. The Chairperson may call a special meeting following the required notice.
2. *Rules of Procedure*. The ZBA may establish its own rules of procedure, provided that such shall not be in conflict with the laws applicable to the ZBA or the provisions of this UDC.

Section 39.06.004 Urban Design and Historic Preservation Commission

a. **Established**. The Urban Design and Historic Preservation Commission (UDHPC) is established in Chapter 2, Article 2.03, Division 19 of the City of Lubbock Code of Ordinances.

b. **Powers and Duties**. The UDHPC shall have the authority to make recommendations on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

Division 6.2 Administrative Bodies Established and Authorized

Section 39.06.005 Development Review Committee ("DRC")

a. **Established**. The Development Review Committee (DRC) is composed of the City staff members who participate in development review and who may make recommendations on certain applications established in this UDC.

b. **Powers and Duties**. The DRC shall have the authority to make recommendations on the development review applications denoted in Section 39.07.012, *Development Review Summary Table*.

c. **Membership.** The DRC may be composed of the following City staff members:

1. *Chairperson*. The Director of Planning shall serve as the Chairperson of the DRC and shall be responsible for all procedures, guidance, coordination, scheduling, and recommendations of the DRC.
2. *Other City Staff Members*. In addition to the Chairperson, other City staff members of the DRC may include the:
   A. City Engineer or a designee;
   B. Director of Planning or a designee;
   C. Executive Director of the Lubbock Emergency Communication District;
   D. Fire Marshal or a designee; or
   E. Building Official or a designee.
3. *Non-City Staff Members*. Other staff from various local, county, state, or federal agencies may participate in the development review process as needed from time to time.

d. **Applicant Meeting**. The applicant may meet with the DRC to receive its comments and recommendations on an application, so as to allow the applicant to make any required or recommended changes, corrections, or modifications to a submittal.

Section 39.06.006 Director of Planning

a. **Generally.** The administrator of this UDC shall be the Director of Planning. The Director of Planning is ultimately responsible for processing an application to a final decision (in case of administrative review applications) or making a recommendation to another administrative body (in case of all other applications). The Director of Planning may designate other City staff members to manage applications through the review process, to be points of contact for applicants, and shall perform such other duties as may be required in this UDC.

b. **Powers and Duties**.

1. *Development Review*. The Director of Planning shall have the authority to make recommendations and/or final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

2. *Other Powers and Duties*. The Director of Planning shall:

A. Interpret the general intent and/or specific meaning of any portion of the UDC text, position of district boundaries, district regulations, or other matters relating to the Official Zoning Map;

B. Update and maintain the Official Zoning Map;

C. Schedule meetings of the Planning and Zoning Commission, Zoning Board of Adjustment, and Urban Design and Historic Preservation Commission and publish the agenda and any required and/or applicable legal notifications;

D. Appear before and provide assistance to the City Council, the Planning and Zoning Commission, the Zoning Board of Adjustment, and the Urban Design and Historic Preservation Commission;

E. Be an ex-officio member of the Planning and Zoning Commission, Zoning Board of Adjustment, and Urban Design and Historic Preservation Commission without power of vote and, as an ex-officio member, shall act as secretary of such bodies;

F. Set up and maintain a separate permanent file for each development application, including the application itself, copies of notice, minutes, and decisions;

G. Notify in writing all applicable administrative and legislative bodies established in this Article of all decisions of the Planning and Zoning Commission, Zoning Board of Adjustment, and Urban Design and Historic Preservation Commission; and

H. Provide expertise and technical assistance on land use-related matters or other duties as outlined in the remainder of the City of Lubbock Code of Ordinances.

Section 39.06.007 Building Official

a. **Generally.** The Building Official shall review construction plans, issue building permits, and verify code compliance for all construction in the City to the extent permitted by state law.

b. **Powers and Duties**.

1. *Development Review*. The Building Official shall have the authority to make recommendations and/or final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

2. *Other Powers and Duties*. The Building Official shall:

A. Conduct and take action on all building permits and inspections to ensure that construction meets all applicable City Building Codes and other requirements as applicable, (including, but not limited to, inspecting setbacks, foundation elevations, and fence and wall requirements set out in this UDC);

B. Maintain all records as they relate to the building permit process and inspections, including materials and outcomes; and

C. Arbitrate discrepancies regarding building plans, permits, and inspections.

Section 39.06.008 City Engineer

a. **Generally.** With respect to the administration of this UDC, the City Engineer is generally responsible for verifying that all standards and quality assurance requirements are met for public infrastructure. The City Engineer also establishes and promulgates the Engineering Minimum Design Standards and Specifications, and Drainage Criteria Manual as may be amended.

b. **Powers and Duties Relative to Matters in this UDC**. The City Engineer shall have the authority to make recommendations and/or final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

c. **Powers and Duties Relative to Matters Outside of this UDC**. In addition to the powers and duties referenced above, the City Engineer shall perform duties as outlined in the remainder of the City of Lubbock Code of Ordinances.

Section 39.06.009 Floodplain Administrator

a. **Generally**. The Floodplain Administrator administers and implements provisions related to floodplain management for the City.

b. **Development Review**. The Floodplain Administrator shall have the authority to make recommendations and/or final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.

c. **Designation**. The City Engineer may designate or serve as the Floodplain Administrator.

d. **Powers and Duties**. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the floodplain provisions of this UDC.
2. Review, approve or deny all applications for Floodplain Development Permits, required by Section 39.07.021, *Floodplain Development Permit*, and determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
4. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
5. Notify, in riverine or overflow path situations, adjacent communities and the state coordinating agency, which is the Texas Water Development Board, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
6. Assess that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

7. When base flood elevation data has not been provided in accordance with Section 39.05.007, *Basis for Establishing Areas of Special Flood Hazard*, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state, or other sources to administer the provisions of Sections 39.05.012, *General Standards*, through 39.05.014, *Standards for Subdivision Proposals*.
8. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City.
9. Under the provisions of 44 CFR chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA.

Section 39.06.010 Director of Code Enforcement

a. **Generally.** With respect to the administration of this UDC, the Director of Code Enforcement is generally responsible for enforcing the provisions of this UDC, inspecting properties for reported violations, and issuing citations for verified violations.

b. **Powers and Duties Relative to Matters in this UDC**.

1. *Development Review*. The Director of Code Enforcement shall have the authority to make final decisions on the development applications denoted in Section 39.07.012, *Development Review Summary Table*.
2. *Vacate Order*. Whenever any building or portion of a building is being used or occupied contrary to the provisions of this UDC, the Director of Code Enforcement shall order such use or occupancy discontinued and the building vacated by notice served on any person using or causing such use or occupancy to be continued. Such person shall vacate the building within ten days after receipt of the notice or make the building comply with the requirements of this UDC. The order to vacate may be appealed to the ZBA within said 10 days. Any vacate order not appealed within 10 days becomes final.

c. **Powers and Duties Relative to Matters Outside of this UDC**. In addition to the powers and duties referenced above, the Director of Code Enforcement shall perform duties as outlined in the remainder of the City of Lubbock Code of Ordinances.

ARTICLE 39.07 DEVELOPMENT REVIEW PROCEDURES

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Division 7.1 Purpose, Applicability, and Common Review Procedures

Section 39.07.001 Purpose

The purpose of this Article is to articulate the City's development review procedures.

Section 39.07.002 Applicability

a. **Generally**. This Article applies to the use and development of land and all development activity that requires a recommendation and/or final decision from an administrative body denoted in Article 39.06, *Administrative and Legislative Bodies*.

b. **Compliance.** Any person proposing a land use or development shall comply with the procedures of this Article. The City will not issue a permit for any building, structure, construction, or use unless the proposal conforms with all provisions of this UDC, and other applicable ordinances.

Section 39.07.003 Application Submittal

a. **Pre-Application Meeting**. Potential applicants are encouraged to meet with City staff prior to submittal of subdivision plats, Grading Plans, and applications that require a legislative final decision. A meeting with the County Public Works Director is suggested for extraterritorial jurisdiction plats, as County development standards may differ from the City standards in this UDC.

b. **Applications Submittal**. Table 39.07.003-1, *Review Steps*, denotes the steps that each type of development application must undergo ~~submittal~~ in order to complete the application review process.

Table 39.07.003-1
Review Steps

• = Common Review Procedure Required | -- = Common Review Procedure Not Required

Common Review Procedures (Sec. Reference)	Administrative	Legislative	Quasi-Judicial	Subdivision	
				Replat	All Other
Application Submittal (39.07.003)	•	•	•	•	•
Application Completeness Review (39.07.004)	•	•	•	•	•
Staff Review and Distribution (39.07.005)	•	•	•	•	•
Common Decision Criteria (39.07.006)	•	•	•	•	•
Public Notice (39.07.007)	--	•	•	•	--
Public Meetings and Hearings (39.07.008)	--	•	•	•	•
Post-Approval Provisions (39.07.009)	•	•	•	•	•
Appeals (39.07.010)	--	•	•	•	•
Inactive and Expired Applications (39.07.011)	•	•	•	•	•

b. **Forms and Fees**. Every development application required by this UDC shall be submitted in a format and in numbers established in the City's Development Guidebook and shall include the corresponding application fee that is established by the City Council.

c. **Authorization to Initiate an Application**. Table 39.07.003-2, *Application Authorization*, denotes those who are authorized to initiate each of the application types.

Table 39.07.003-2
Application Authorization

♦ **Entity may initiate an application**

Application Type	City Council or Planning and Zoning Commission	Property Owner (Including His or Her Agent)	Party Aggrieved by an Administrative Decision[1]
Administrative Applications		♦	
Legislative Applications	♦	♦	
Appeals of Administrative Decisions			♦
All Other Quasi-Judicial Applications		♦	
Subdivision Applications	♦	♦	

d. **Refunds**. Fees for a denied, expired, voided, or revoked application are not refundable.

e. **Deadlines**. The Director of Planning may establish application submittal deadlines.

f. **Continuing Review Process**. Application submittals shall subsequently undergo a completeness application review established in Section 39.07.004, *Application Completeness Review,* before being deemed as submitted to the City.

Section 39.07.004 Application Completeness Review

a. **All Applications**. Table 39.07.003-1, *Review Steps*, denotes that all development applications are required to undergo completeness review.

b. **Director of Planning Responsibility**. The Director of Planning shall review all development application submittals for completeness.

c. **Meaning of Complete Submittal**. The Director of Planning shall deem complete an application that contains:

1. *All Information*. All of the application information required in the application form;
2. *Certifications*. Documents or drawings that are prepared and certified by qualified professionals (where such certifications are required); and
3. *Fee*. The application fee.

d. **Notification to Applicant.** If and when the application is deemed complete, the Director of Planning shall notify the applicant in writing.

e. **Timeline for Review.** The completeness review required in Subsection b., *Director of Planning Responsibility*, above, shall be accomplished no later than five business days after an applicant submits a potential application.

f. **Plat Filing.** A Final Plat, Preliminary Plat, or Replat is considered "filed" when the Director of Planning deems it complete in accordance with Subsection c., *Meaning of Complete Submittal*, above, when the Director of Planning completes the review process and finds that there are no more corrections to be made, and when the Director of Planning places the plat on an official Planning and Zoning Commission agenda for final decision.

1. *Timing*. Plats shall be considered within 30 days after the date the plat is "filed".

2. *Final Decision*. Plats shall be approved, conditionally approved, or disapproved within the timeframe established in Chapter 212 of the Texas Local Government Code, unless the applicant requests a one-time 30-day extension in accordance with Texas Local Government Code § 212.009(b-2), and the Planning and Zoning Commission approves the request.
3. *Postponement*. Once the Director of Planning places a plat on the Planning and Zoning Commission agenda, postponement may not be granted other than by means in f.2., above. If no extension is granted, the application shall be deemed denied. Otherwise, if approved, the application shall be placed on the next Planning and Zoning Commission agenda.
4. *Extension*. If the applicant requests extension of a hearing or decision relating to plat approval, and an extension as authorized above is not approved, the applicant shall abide by the decision rendered without the granting of an extension or withdraw and resubmit the application.

g. **Incomplete Applications.**

1. *Director of Planning Duties*. If the Director of Planning determines that a submittal is not complete, the Director of Planning shall:
   A. Notify the applicant in writing with a list of all missing or incomplete items; and
   B. Provide a maximum of 45 calendar days from receipt for the applicant to resubmit the missing or incomplete items.
2. *Rejection*. If the missing or incomplete items are not submitted within the 45-day period, then the Director of Planning shall deem the application rejected, shall not accept the application for filing, and shall make the submittal available to the applicant for retrieval. After the Director of Planning rejects an application, a new application and fee shall be required if the applicant wishes to apply again.
3. *Not Considered Submitted*. Incomplete or rejected applications are not considered "submitted" or "filed" for the purposes of Texas Local Government Code Chapter 212, Chapter 245, or for any other purpose. Complete applications are considered submitted on the date that the Director of Planning deems them complete.
4. *Submittal of Corrections*. Corrected and submitted applications are not considered complete and submitted until the next available processing cycle deadline. For example, if a submittal deadline is on Monday, October 12, and a corrected application is submitted on October 13, then the application is deemed submitted and received for completion on the following submittal deadline of October 19.

h. **Continuing Review Process**. Complete applications shall subsequently undergo the processes established in Section 39.07.005, *Staff Review and Distribution*.

Section 39.07.005 Staff Review and Distribution

a. **Applications Requiring Staff Review and Distribution**. Table 39.07.003-1, *Review Steps*, denotes that all development applications are required to undergo staff review and distribution.

b. **Final Decision or Distribution**. After completeness determination, the appropriate administrative body shall, according to the review responsibilities of Section 39.07.012, *Development Review Summary Table*:

1. *Review and Comment*. Review the Administrative application and provide comments to the applicant, which may include required revisions based on the requirements of this UDC and other adopted requirements and standards;
2. *Review and Decide*. Review and make a final decision on the Administrative application; or
3. *Distribute*. Distribute the Legislative, Quasi-Judicial, or Subdivision application to the appropriate administrative body or outside agency, including, but not limited to, utilities and school districts, for recommendation or final decision.

c. **Required Revisions**.

1. *Comments*. During application review, the appropriate administrative body may provide comments from the Development Review Committee to the applicant. The applicant shall revise and resubmit the application with requested changes.
2. *Resubmittal*. Upon receipt of the resubmittal, the Director of Planning may refer the application to agencies again if the changes substantially affect the interests of the agency in ways not anticipated by the agency's original comments or require the agency's technical expertise for appropriate review.

d. **Administrative Recommendation or Decision**. Promptly after submittal of a complete application that addresses the comments provided pursuant to Subsection c., *Required Revisions*, above (or, after finding that no revisions are required):

1. *Administrative Applications*. If the application is for a review procedure addressed in Division 7.2 *Administrative Review Procedures, then* the City staff member denoted in Table 39.07.012-1, *Development Review Summary,* shall approve, conditionally approve, or deny the application, as appropriate. Applications receiving approval may subsequently undergo the processes established in Section 39.07.009, *Post-Approval Provisions*.
2. *Legislative, Quasi-Judicial, and Subdivision Applications*. If, according to Table 39.07.012-1, *Development Review Summary,* the application requires a public meeting or public hearing prior to a final decision, then the applicable City staff member shall forward a recommendation to the next administrative body in the review process who will consider it for further recommendation or final decision.

e. **Continuing Review Process**. Applications requiring a public meeting or hearing shall subsequently undergo the processes established in Section 39.07.007, *Public Notice,* and Section 39.07.008, *Public Meetings and Hearings*, as applicable.

Section 39.07.006 Common Decision Criteria

a. **Generally**. In determining whether to approve, approve with conditions or modifications, or deny an application, the applicable review bodies shall consider the decision criteria denoted in Table 39.07.006-1, *Decision Criteria Applicability*. Additional decision criteria may apply and are enumerated in the specific review procedures of this Article.

b. **Exclusions**. The "All Applications" and the "Quasi-Judicial Applications" columns in the table below exclude Appeals of Administrative Decisions.

Table 39.07.006-1
Decision Criteria Applicability

♦ = Decision criteria applies

Decision Criteria	All Applications	Legislative Applications	Quasi-Judicial Applications[1]	Subdivision Review Applications
The request complies with the applicable standards of this UDC, the City of Lubbock Code of Ordinances, Engineering Minimum Design Standards and Specifications, Drainage Criteria Manual, and any applicable county, state, or federal requirements.	♦			
The request conforms to any prior approval for the development, including, but not limited to, a Specific Use Permit, Preliminary Plat, Master Development Plan, or Site Development Plan.	♦			

Table 39.07.006-1 Decision Criteria Applicability				
♦ = Decision criteria applies				
Decision Criteria	**All Applications**	**Legislative Applications**	**Quasi-Judicial Applications[1]**	**Subdivision Review Applications**
The request is consistent with the Comprehensive Plan, including the Future Land Use Map, applicable utility plans, the current City of Lubbock Master Thoroughfare Plan, Master Drainage Plan, and capital improvements plans; or, if it addresses a topic that is not contained or not fully developed in these documents, the request does not impair their implementation.	♦			
The request promotes the purposes of this UDC as established in Section 39.01.002, *Purposes,* and in other applicable purpose statements in this UDC.	♦			
Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided.		♦	♦	♦
The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.		♦	♦	

Section 39.07.007 Public Notice

a. **TLGC Reference**. Public notice of any development review request shall be in accordance with Texas Local Government Code Chapters 211 and 212.

b. **Constructive Notice**. Failure of a surrounding property owner to receive notice of a hearing shall not affect the validity of the final decision.

Section 39.07.008 Public Meetings and Hearings

a. **Applications Requiring a Public Meeting or Hearing**. Table 39.07.003-1, *Review Steps*, denotes the development applications that require a public meeting or hearing.

b. **Generally**. All public meetings and hearings shall be open to the public except as otherwise provided in Texas Government Code Chapter 551, Open Meetings. Not all decisions require public hearings. Therefore, recommendations and decisions that are authorized by this UDC are classified as requiring a "public meeting" or "public hearing."

c. **Public Meetings**. *Public Meeting Required*. Any decision of a legislative or quasi-judicial body that does not require a public hearing requires a recommendation and/or final decision to be made at a public meeting.

d. **Attendance by Applicant at Public Hearing**. An applicant or representative is required to attend the public meeting or hearing at which the subject application is to be considered. Failure on the part of the applicant or representative to appear at a properly noticed public meeting or hearing may constitute grounds for a continuance.

e. **Decisions**. All official decision actions shall require the affirmative vote of the number of members as specified in the City Charter and City of Lubbock Code of Ordinances.

f. **Continuing Review Process**. Requests receiving approval at a public meeting or hearing may subsequently undergo the processes established in Section 39.07.009, *Post-Approval Provisions*.

g. **Successive Applications**. The Director of Planning shall not accept any application that was recommended for denial by the Planning and Zoning Commission and denied by the City Council 12 months prior if the Director

determines there have been no substantive changes in circumstances related to an application or no substantive changes to the application submittal itself.

Section 39.07.009 Post-Approval Provisions

a. **Requests Subject to Post-Approval Provisions**. Table 39.07.003-1, *Review Steps*, denotes the development requests that are subject to post-approval provisions.

b. **Approval with Conditions or Modification of Requests at Public Meeting or Hearing**.

1. *Modification*. An applicant may agree to modify a request, including, but not limited to, the plans and specifications submitted, in response to questions or comments by persons appearing at a public meeting or hearing or to suggestions or recommendations by the legislative or quasi-judicial body holding the meeting or hearing.

2. *No Further Action*. Unless such modifications are so substantial that the legislative or quasi-judicial body determines that it cannot reasonably be expected to perceive the nature and impact of the proposed changes without revised application materials, the body may make a recommendation or conditionally approve the request with the requirement that the approval is not effective until the applicant submits materials reflecting the agreed-upon changes to the Director of Planning. A legislative or quasi-judicial body shall not accept any subsequent application and shall make no further approvals related to the subject property until the applicant submits the required modifications.

3. *Referral*. Where deemed appropriate by a decision-making body, modifications may be referred back to the recommending body for review, prior to further consideration.

c. **Modification of an Approved Application.** Except as provided in Subsection d., *Correction of Errors in Approved but Unrecorded Plats*, below, modifications to approved applications or requests shall be done in accordance with Section 39.07.028, *Minor Modification of an Approved Application*, or, if the change does not meet the criteria for a minor modification, the application shall be resubmitted as a new application.

d. **Revocation of Approval**. An administrative, legislative, or quasi-judicial body may revoke any permit or approval it has issued where there has been a violation of the provisions of this UDC or a deliberate misrepresentation of fact on the application or in the public meeting or hearing.

e. **Approvals Run with Land**. Permits or approvals authorizing a particular land use or structure shall run with the land and transfer with the subsequent ownership of the land and structures.

f. **Recordation of Plat**.

1. *Submittals for Recording*. The applicant shall provide the following to the Director of Planning after approval of a Minor or Amending Plat, Conveyance Plat, Final Plat, or Replat, where applicable:

A. Tax certificate(s) from the Lubbock Central Appraisal District stating that no taxes are delinquent against the property; and

B. Three durable copies of the plat, reproducible true to industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, the dimension of the plat sheet may not exceed 24 inches by 36 inches.

2. *Recording*. Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. The recording date is the date that will be used in the determination of impact fees.

Section 39.07.010 Appeals

a. **Applications Subject to Appeals**. Table 39.07.003-1, *Review Steps*, denotes all development applications that are subject to appeal.

b. **Appeal of City Council or Zoning Board of Adjustment Decision**. Any party aggrieved by or alleging an error in a final decision of the City Council or ZBA may appeal to a court of competent jurisdiction.

c. **Appeal of Urban Design and Historic Preservation Commission Decision**. Any party aggrieved by or alleging an error in a final decision of the Urban Design and Historic Preservation Commission may appeal to the Zoning Board of Adjustment within 10 calendar days of the Commission's decision or by the next available ZBA application deadline, whichever is later.

d. **Appeal of Administrative Decision**. Any party aggrieved by or alleging error in a final decision of an administrative official on a matter addressed in this UDC may appeal in accordance with Section 39.07.039, *Appeal of Administrative Decision*.

Section 39.07.011 Inactive and Expired Applications

a. **Generally**. Applicants shall diligently pursue completion of development projects. Accordingly, this Section voids unapproved applications that become stale due to inaction by the applicant.

b. **Voiding of Expired Applications**.

1. *Expiration*. A development application expires on or after the 45th day after the date the application is submitted if:

A. The applicant fails to provide documents or other information necessary to comply with the City's technical requirements relating to the form and content of the application;

B. The Director of Planning provides to the applicant not later than the 10th business day after the date the application is filed written notice of the failure that specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and

C. The applicant fails to provide the specified documents or other information within the time provided in the notice.

2. *Status*. Other than the 10-day notification required in Paragraph 1, *Expiration*, above, the Director of Planning shall not be required to track the status of applications for purposes of notifying applicants of a pending status of "expired".

Section 39.07.012 Development Review Summary Table

a. **Generally**. Table 39.07.012-1, *Development Review Summary*, summarizes the procedures, agencies, and public bodies involved in the development proposal process. Detailed information about applications and processes is outlined further in this Article.

b. **Table Instructions**.

1. *Expiration*. The days in the "Expiration" column in the table below are measured from the date of the issued approval. Expiration occurs if the applicant does not commence the work prior to the expiration, or does not diligently pursue completion of the project or the subsequent required approval. See Section 39.07.011, *Inactive and Expired Applications*.

2. *Appeals*. Refer to Section 39.07.010, *Appeals*, for additional details on the "Appeal" column in the table below.

Table 39.07.012-1
Development Review Summary

PZC=Planning and Zoning Commission | CC= City Council | ZBA=Zoning Board of Adjustment | UDHPC= Urban Design and Historic Preservation Commission | DRC = Development Review Committee | SUP = Specific Use Permit | COA = Certificate of Appropriateness

Development Application (Reference)	Submittal Timing	Expiration	Review Responsibilities			Applicable Standards
			Recommendation	Final Decision	Appeal	
ADMINISTRATIVE APPLICATIONS: Require final decisions in which City staff apply the standards in this UDC.						
Site Development Plan (39.07.013)	Prior to a Building Permit for new development, redevelopment, or substantial improvement or expansion of development	2 years	Building Official			Article 39.03
Conveyance Plat (39.07.014)	Prior to subdividing or selling land without plans for its immediate development.	2 years; None after recordation	Director of Planning			--
Minor or Amending Plat (39.07.015)	Prior to developing a minor subdivision or making a minor modification to a recorded plat		Director of Planning			Article 39.04
Construction Plans (39.07.016)	Prior to site construction	2 years	City Engineer		ZBA	Engineering Minimum Design Standards and Specifications
Use Verification (39.07.017)	Prior to the establishment of a limited or specific use or a use involving alcohol sales		Director of Planning			See Section 39.07.017, *Use Verification,* and Article 39.02, *Zoning Districts and Land Use*, for a list of permitted and limited uses
Playa Lake Area Cut and Fill Plan (39.07.018)	Prior to other earthwork activities in a Playa Lake Area.		City Engineer			Division 5.3
Grading Plan (39.07.019)	Prior to earthwork activities within area subject to any requirement for this type of cut/fill approval		City Engineer			--
Building Permit (39.07.020)	Prior to erecting, altering, replacing, relocating, rebuilding, repairing, or restoring a principal or accessory building or structure		Building Official			--

Table 39.07.012-1
Development Review Summary

PZC=Planning and Zoning Commission | CC= City Council | ZBA=Zoning Board of Adjustment | UDHPC= Urban Design and Historic Preservation Commission | DRC = Development Review Committee | SUP = Specific Use Permit | COA = Certificate of Appropriateness

Development Application (Reference)	Submittal Timing	Expiration	Review Responsibilities			Applicable Standards
			Recommendation	Final Decision	Appeal	
Floodplain Development Permit (39.07.021)	Prior to any development activities or land disturbance within a regulatory floodplain as shown on a Flood Insurance Rate Map (FIRM)		Floodplain Administrator			Article 39.05
Driveway Permit (39.07.022)	Prior to the construction of a driveway approach		Building Official			Section 39.03.012
On-Site Wastewater Facility Permit (39.07.023)	Prior to land disturbing activities		City Engineer			Division 4.2
Sign Permit and Master Sign Plan (39.07.024)	Prior to constructing, installing, placing, or relocating a sign or modifying a sign's dimensions or illumination		Director of Planning	Building Official		Division 3.5
Temporary Use Permit (39.07.025)	Prior to the operation of any temporary structure or use		Director of Planning			Section 39.02.021
Certificate of Occupancy (39.07.026)	Upon completion of construction or before a change in occupancy	None	Director of Planning	Building Official & Fire Marshal		--
Written Interpretation (39.07.027)	None		Director of Planning			--
Minor Modification of an Approved Application (39.07.028)	In order to make a limited modification to a legislative or quasi-judicial application that has already been approved but that has not received a Certificate of Occupancy	Same as the application being modified	Administrative body that made the initial approval			--
Short-Term Rental Permit (39.07.029)	Prior to the establishment of a short-term rental use	None	Director of Planning			Subsection 39.02.018.f
LEGISLATIVE APPLICATIONS: Require final decisions that establish or change the way the use, design, or development of land will occur on a site-specific, City-wide, or intermediate scale. Elected and appointed administrative bodies make final decisions based on general considerations of fostering and preserving the public health, safety, and general welfare, including the City's fiscal well-being. Such final decisions are characterized by the exercise of broad discretion.						
Zone Change (39.07.032)	Prior to establishing or expanding a use or residential density prohibited in the current zoning district	None	1st: DRC 2nd: Director of Planning 3rd: PZC	CC	Court of Competent Jurisdiction	--

Table 39.07.012-1
Development Review Summary

PZC=Planning and Zoning Commission | CC= City Council | ZBA=Zoning Board of Adjustment | UDHPC= Urban Design and Historic Preservation Commission | DRC = Development Review Committee | SUP = Specific Use Permit | COA = Certificate of Appropriateness

Development Application (Reference)	Submittal Timing	Expiration	Review Responsibilities			Applicable Standards
			Recommendation	Final Decision	Appeal	
Specific Use Permit (39.07.033)	Prior to construction and permitting of any land use that is designated as a specific use	30 months if use is not established and / or Building Permit issued	1st: DRC 2nd: Director of Planning 3rd: PZC	CC		Article 39.02
Master Development Plan (39.07.034)	Prior to establishing a village neighborhood in the MDR or HDR zoning districts	2 years	1st: DRC 2nd: Director of Planning	PZC		Article 39.03
Certificate of Appropriateness (39.07.035)	Prior to demolishing, altering, or reconstructing any contributing building within an HPO, Historic Preservation Overlay district		Director of Planning	UDHPC	ZBA	Article 39.03
Planned Unit Development (39.07.036)	Prior to establishing a Planned Unit Development (PUD)	30 months after final approval of each phase	Concept Plan: 1st: DRC 2nd: Director of Planning 3rd: PZC Detail Plan: none	Concept Plan: CC Detail Plan: Director of Planning	Court of Competent Jurisdiction	Section 39.02.012
QUASI-JUDICIAL APPLICATIONS: Require final decisions that establish the way design or development will occur on specific sites in manners that either vary from the standards of this UDC or that are contested by an aggrieved party. Such final decisions are characterized by exercise of discretion.						
Variance (39.07.037)	Prior to or concurrent with submittal of a Site Development Plan, Building Permit, or Sign Permit	None	Director of Planning	ZBA	Court of Competent Jurisdiction	Article 39.03
Variance, Floodplain (39.07.038)	Prior to or concurrent with submittal of a Floodplain Development Permit		Floodplain Administrator	ZBA		Article 39.05
Appeal of Administrative Decision (39.07.039)	Within 30 days after a final decision by the Director of Planning, Building Inspector, or City Engineer on a matter addressed in this UDC		ZBA			--
SUBDIVISION REVIEW APPLICATIONS: Require final decisions related to dividing larger tracts of land into smaller lots. City staff or legislatively appointed administrative bodies make final decision based on regulations in this UDC and on technical requirements of various City departments, local and state agencies, and utilities.						

Table 39.07.012-1 Development Review Summary						
PZC=Planning and Zoning Commission | CC= City Council | ZBA=Zoning Board of Adjustment | UDHPC= Urban Design and Historic Preservation Commission | DRC = Development Review Committee | SUP = Specific Use Permit | COA = Certificate of Appropriateness						
Development Application (Reference)	Submittal Timing	Expiration	Review Responsibilities			Applicable Standards
			Recommendation	Final Decision	Appeal	
Preliminary Plat (39.07.040)	Prior to Final Plat submittal	2 years; See Section 39.07.041 for renewal of a multi-phase Preliminary Plat as each phase receives Final Plat approval	1st: DRC 2nd: Director of Planning	PZC	ZBA	Article 39.04
Final Plat (39.07.041)	Following approval of a Preliminary Plat and receipt of final drainage plan per Sec. 39.04.021~~, Construction Plans, and either: 1) Acceptance of public improvements; or 2) Approval of performance bond~~	2 years; None after recordation	Director of Planning	PZC		
Replat (39.07.042)	Prior to changing the number of lots on a recorded plat		1st: DRC 2nd: Director of Planning	PZC		
Vacating Plat (39.07.043)	Prior to removing the force of a recorded plat covering a property or properties			Administrative body that approved the original Minor, Amending, Replat, or Final Plat		--
Waiver of Improvements (39.07.044)	Concurrent with submittal of a Preliminary Plat, Final Plat, or Replat	When associated plat expires	City Engineer		CC	Sections 39.04.005, 39.04.012, and 39.04.013
Delay of Improvements (39.07.045)						

Division 7.2 Administrative Review Procedures

Section 39.07.013 Site Development Plan

a. **Generally**. In addition to the required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following procedures shall apply to Site Development Plans.

b. **Purpose**. The purpose of a Site Development Plan is to ensure that developments comply with all applicable City ordinances, development, and design standards of this UDC, federal and state law. It shall also comply with an approved Master Development Plan or Specific Use Permit for the subject property, if applicable.

c. **Exemptions**. The following activities shall not require a Site Development Plan:

1. *Residential*. Construction of single-family detached or duplex residences; and

2. *Emergencies*. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.

d. **Applicability**. Prior to the development of any use not exempted above, a Site Development Plan shall be reviewed in accordance with this Section.

e. **General Requirements**. All improvements reflected on approved site plans shall be constructed at the time of development. All terms and conditions of site plan approval shall be met at the time of development unless otherwise provided for in this UDC. Refer to Section 39.03.019, *Installation and Maintenance*, for permitted seasonal delays in landscaping installation.

f. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Site Development Plan, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.

2. *Affirmative Findings*. In order to approve a Site Development Plan, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.014 Conveyance Plat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Conveyance Plats.

b. **Purpose**. A Conveyance Plat allows the recording of a subdivision without requiring the construction or design of public improvements or collection of impact fees. Easements, dedications, and reservations may be recorded on a Conveyance Plat.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Conveyance Plat, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. The Conveyance Plat includes sufficient information to describe the boundaries of the proposed subdivision, any existing platted lots within the proposed subdivision and surrounding property.

B. The Conveyance Plat includes the following certification: "This plat is recorded for land conveyance purposes only. No building permit shall be issued nor public utility service provided based on this Conveyance Plat without express written consent of the City Engineer."

2. *Affirmative Findings*. In order to approve a Conveyance Plat, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

d. **No Replat Required**. If and when a property subject to an approved Conveyance Plat is proposed to be platted in preparation for development, a Replat shall not be required. The property shall be required to undergo the Minor Plat or Preliminary Plat process, as applicable.

e. **No Building Permit**. No Building Permit shall be issued nor public utility service provided for land that has only received approval as a Conveyance Plat.

Sec. 39.07.015 Minor or Amending Plat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Minor or Amending Plats.

b. **Purpose**.

1. *Minor Plat.* The purpose of a Minor Plat is to allow for the administrative approval of the subdivision of property into four or fewer lots if the subject property fronts on an existing public street with no need to dedicate new public right-of-way or extend public utilities.

2. *Amending Plat.* An Amending Plat is any plat meeting the definition in Texas Local Government Code (TLGC) Section 212.016.

c. **Applicant Responsibilities**. Applicant responsibilities shall be the same as those for a Final Plat. Refer to Subsection 39.07.040.c, *Applicant Responsibilities*.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Minor or Amending Plat, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. *Number of Lots*. The Minor Plat is proposed for the creation of four or fewer lots.

B. *Existing Street*. Each lot in the Minor Plat has frontage on an existing public street without the need for the creation or extension of a new public street.

C. *Existing Utilities*. Existing public utilities of adequate capacity serve the entirety of the subject property in the Minor Plat without the need for an extension.

D. *TLGC Reference*. The purpose of the Amending Plat is solely one or more of those listed in TLGC Sec. 212.016.

2. *Affirmative Findings*. In order to approve a Minor or Amending Plat, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.016 Construction Plans

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Construction Plans.

b. **Purpose.** The purpose of Construction Plans is to provide for the review of detailed engineering drawings for all municipal improvements required to serve the development. Construction Plans and specifications shall be submitted to the City Engineer for all existing or proposed streets, sidewalks, drainage, and utility improvements, and any other public improvements that are required or proposed to be constructed, reconstructed, improved, or modified to serve a proposed development.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny Construction Plans, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and conform to the City's Engineering Minimum Design Standards and Specifications.

2.

Affirmative Findings. In order to approve Construction Plans, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

a. **Responsibility of Applicant's Engineer**. The applicant's engineer of record certifying the Construction Plans is responsible for the accuracy, completeness, and conformance to City requirements of the documents submitted for review and actual construction. City review is limited to facts as presented on submitted Construction Plans

and the City has no project engineering responsibility. The City reserves the right to require corrections to actual conditions in the field which are found to be contrary to or omitted from submitted Construction Plans.

Section 39.07.017 Use Verification

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Use Verification.

b. **Purpose**. The Use Verification procedure provides a mechanism for the Director of Planning to evaluate new uses or changes in use of any building, structure, or land to ensure compliance with applicable standards of this UDC. A Use Verification may also be obtained by a property owner to demonstrate the existence of a nonconformity subject to Article 39.08, *Nonconformities*.

c. **Applicability.** A Use Verification shall be required prior to establishing a Limited Use or a use that requires a Specific Use Permit. Temporary uses and structures approved in accordance with Section 39.02.021, *Temporary Uses and Structure Standards*, shall be exempt from Use Verification compliance.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny Use Verification, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and whether the request conforms to the standards set out in Division 2.4, *Land Use Standards,* and is compliant with other requirements in the City of Lubbock Code of Ordinances.

2. *Affirmative Findings*. In order to approve a Use Verification, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.018 Playa Lake Area Cut and Fill Plan

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Playa Lake Areas Cut and Fill Plans.

b. **Purpose**. The Playa Lake Area Cut and Fill Plan procedure provides a mechanism for the City Engineer to allow earth-moving activities and reclamation of developable areas within the regulatory boundaries of playas.

c. **Applicability**.

1. *Generally*. Property owners wishing to modify Playa Lake Areas on lot or tract greater than 0.25 acres in area shall submit a Lake Area Cut and Fill Plan prepared by an engineer according to the procedures of this Section. A Lake Area Cut and Fill Plan shall be submitted along with the Preliminary Plat for applicable developments. If a Preliminary Plat is not required, it shall be submitted along with the Stormwater Pollution Prevention Plan. Refer to Section 39.07.019, *Grading Plan* for excavation and fills proposed for outside of lake areas.

2. *Agricultural Exception*. A Cut and Fill Plan Outside of Playa Lake Areas is not required for a permitted or nonconforming agricultural use or activity, including planting and seeding.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Playa Lake Area Cut and Fill Plan, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and whether the request conforms to the standards set out in Division 2.4, *Land Use Standards,* and is compliant with other requirements in the City of Lubbock Code of Ordinances.

2. *Technical Criteria*. All fill activity shall be subject to the following requirements that shall be stated on the face of the cut and fill plan:

A. Testing shall be performed by a commercial testing laboratory in accordance with American Society for Testing Materials (ASTM) standards.

B. All fill materials shall be compacted to 95 percent standard Proctor density in accordance with ASTM D-698.

C. Field densities shall be determined in accordance with ASTM D-2167 (rubber balloon density method), ASTM D-1556 (sand cone density method), or ASTM D-2922 (nuclear density method).

D. Four field densities shall be taken per acre of fill material, and densities shall be taken for each six-inch compacted depth, or portion thereof, of succeeding depths of fill material. Each area of fill material less than one-half acre shall have a minimum of two field densities for each six-inch depth, and areas of fill material between one-half acre and one acre shall have a minimum of three field densities for each six-inch depth.

E. Each lift shall have a maximum compacted depth of six inches.

F. The field densities shall be taken in such a manner as to be a representative sampling of the six-inch depths. The location of the tests shall be proportionately spaced to represent approximately equal areas of each acre being tested. Testing shall not occur at the same location in succeeding depths, so a representative sampling of the total fill may be obtained.

G. The location of the field density tests shall be indicated upon a map to become a part of the certified as-built cut and fill plan.

H. Copies of all test results with location maps shall be furnished to the City Engineer with the certified recorded drawings of the cut and fill plan.

I. Fill material with a plasticity index (PI) of greater than 20 will not be allowed in any public right-of-way. The substandard material shall be discarded at a location above the predicted peak water elevation of the Playa Lake and select fill material shall be imported to the site for placement within the public right-of-way.

3. *Top Slope Setback*. The top of the slope of any excavation shall be a minimum of 10 feet from any adjacent property line or existing or anticipated street or alley right-of-way line unless otherwise approved in the Playa Lake Area Cut and Fill Plan.

4. *Adjacent Property*. The natural flow of surface waters shall not be diverted or impounded in a manner that damages adjacent property.

e. **Procedures**. In the interest of the health, safety, and welfare of the residents of the City, Playa Lake modifications and dedication requirements for lake areas necessary for flood control and preservation of natural drainage shall be as follows:

1. *Plan Submittal*.

A. Subdividers wishing to modify lake areas must submit a Playa Lake Area Cut and Fill Plan prepared by an engineer according to the procedures detailed below and obtain City Engineer approval for such plan before beginning any modifications.

B. The subdivider shall submit an electronic portable document format (.pdf) file of a cut and fill plan meeting the requirements of this UDC to the City Engineer.

2. *Plan Distribution*. The City Engineer may distribute the Playa Lake Area Cut and Fill Plan to other City staff for their comments.

3. *Final Action*. The action of the City Engineer shall be noted and attached to the electronic copy of the Playa Lake Area Cut and Fill Plan. The electronic copy shall be sent to the person who submitted the Playa Lake Cut and Fill Plan and shall be retained by the City Engineer.

4. *Submittal Requirements*. The Playa Lake Area Cut and Fill Plan shall comply with the following and shall clearly illustrate any specific requirements:

A. Submit plan sheets at a maximum scale of one inch to 200 feet horizontal scale. Sheet sizes shall be between 11 by 17 and 24 inches by 36 inches unless otherwise approved by the City Engineer. If necessary, the plan may be on several sheets, with a cover sheet containing an index showing the entire subdivision.

B. Be titled "Playa Lake Area Cut and Fill Plan – [Subdivision Name and Lots or Tracts and/or Playa Lake Number (if no associated plat]," providing the proper name corresponding to the Final Plat it is accompanying.

C. Include the names of the subdivider and the person or firm preparing the plan.

D. Include the statements as listed in Subsection f.1, *Contents of Plan*, of this Section on the face of the Playa Lake Area Cut and Fill Plan.

E. Clearly depict the existing one-foot interval contours and the proposed one-foot internal contours and cross-sections on NAVD88 datum unless otherwise approved by the City Engineer.

F. Indicate in the notes the benchmarks used to establish vertical control for the plan.

G. Include cross-sections at a horizontal and vertical scale that clearly demonstrate the existing land and the proposed results of the cut and fill operation.

H. Clearly demonstrate with the contours and cross-sections that the borrow slopes and fill slopes conform to the requirements of the Drainage Criteria Manual.

I. Clearly indicate in the notes and on the contours the predicted peak water elevation or overflow elevation of the lake.

J. Indicate the acreage of the lake area prior to the cut and fill operation and the acreage and percent of total reclamation upon completion of the proposed activity. If prior cut and fill operations have been performed in the lake, the acreage of the lake area in its natural state shall also be listed as well as the percent of prior reclamation.

K. Indicate the volume, in cubic yards, of the total proposed excavation, the volume of embankment material to be placed both below and above the predicted peak water elevation of the lake, and the net volume increase of holding capacity of the playa lake due to the cut and fill operation. All earthwork volumes shall be calculated as “in-place” cubic yards.

L. Include adequate notes and legends to clearly depict the differences between existing and proposed conditions with this cut and fill operation.

5. *Expiration*. An approved Playa Lake Area Cut and Fill Plan shall expire after two years of inactivity and a new application shall be required.

f. **Requirements and Verification**.

1. *Contents of Plan*. All fill activity shall be subject to the following requirements that shall be stated on the face of the Play Lake Area Cut and Fill Plan:

A. Testing shall be performed by a commercial testing laboratory in accordance with American Society for Testing Materials (ASTM) standards.

B. All fill materials shall be compacted to 95 percent standard Proctor density in accordance with ASTM D-698.

C. Field densities shall be determined in accordance with ASTM D-2167 (rubber balloon density method), ASTM D-1556 (sand cone density method) or ASTM D-2922 (nuclear density method).

D. Four field densities shall be taken per acre of fill material, and densities shall be taken for each six-inch compacted depth, or portion thereof, of succeeding depths of fill material. Each area of fill material less than one-half acre shall have a minimum of two field densities for each six-inch depth, and areas of fill

material between one-half acre and one acre shall have a minimum of three field densities for each six-inch depth.

E. Each lift shall have a maximum compacted depth of six inches.

F. The field densities shall be taken in such a manner as to be a representative sampling of the six-inch depths. The location of the tests shall be proportionately spaced to represent approximate equal areas of each acre being tested. Testing shall not occur at the same location in succeeding depths, so a representative sampling of the total fill may be obtained.

G. The location of the field density tests shall be indicated upon a map to become a part of the certified as-built cut and fill plan.

H. Copies of all test results with location maps shall be furnished to the City Engineer with the certified as-built cut and fill plan.

I. Fill material with a plasticity index (PI) of greater than 20 will not be allowed in any public right-of-way. The substandard material shall be discarded at a location above the predicted peak water elevation of the Playa Lake, and select fill material shall be imported to the site for placement within the public right-of-way.

2. *Top of Slope*. The top of the slope of any excavation shall be a minimum of 10 feet from any adjacent property line or existing or anticipated street or alley right-of-way line unless otherwise approved in the Playa Lake Area Cut and Fill Plan.

3. Upon completion of any cut and/or fill activity as approved by the City Engineer under this Section, as-built certified drawings shall be provided by an engineer and shall be filed with the City Engineer for review prior to recording of the Final Plat. Upon approval of the City Engineer, the cut and/or fill activity and the as-built certified drawings may be allowed to be completed after the recording of the Final Plat.

g. ~~**As-Builts**. Upon approval and completion of any cut and/or fill activity, as-built certified drawings shall be filed with the City Engineer. Upon approval of the City Engineer, the cut and/or fill activity and the as-built certified drawings may be allowed to be completed after the recording of the Final Plat if the subdivider provides a bond in lieu of completing these improvements in accordance with the provisions of Division 4.4, *Public Improvements Dedication and Acceptance*.~~

Section 39.07.019 Grading Plan

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Grading Permits.

b. **Purpose**. The Grading Plan procedure provides a mechanism for the City Engineer to allow any excavations or fills outside of Playa Lake Areas. This application provides the builder clear direction both in properly grading the site and determining the anticipated cut and fill quantities.

c. **Applicability**.

1. *Generally*. A Grading Plan shall be required for all earth work activity on sites greater than 10,890 square feet in area except for those excavations and fills made in the course of construction, such as foundations, basements, or subfloors that are authorized by a Building Permit, or utility excavations and installations. A Grading Plan shall be prepared by an engineer according to the procedures of this Section and shall be submitted along with the Preliminary Plat for applicable developments. If a Preliminary Plat is not required, it shall be submitted along with the Stormwater Pollution Prevention Plan. Refer to Section 39.07.018 for excavation and fills proposed for Playa Lake Areas.

2. *Agricultural Exemption*. A Grading Plan is not required for a permitted or nonconforming agricultural use or activity.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Grading Plan, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. The overall drainage pattern of the area;

B. Adequate provisions have been made for drainage at the back of lots as well as between lots;

C. The natural flow of surface waters is not diverted or impounded in a manner that damages adjacent property; and

D. The impact the fill may have on adjacent properties or structures.

2. *Affirmative Findings*. In order to approve a Grading Plan, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

e. **As-Builts**. The property owner shall provide as-built certified drawings as required in Subsection 39.07.018.g, *As-Builts*.

f. **Release for Early Grading**. The City Engineer may issue a Grading Permit for early grading prior to the approval of associated Construction Plans, or the Preliminary Plat being filed under the following conditions:

1. *Approved SWPPP*. An approved Stormwater Pollution Prevention Plan shall be implemented prior to any soil disturbance, including grading, clearing, fill, or removal of concrete in the case of demolition;

2. *Approved Grading Plan*. An approved Grading Plan, as described in Subsection g., *Grading Plan*, below; and

3. *Grading Only*. Work is limited to grading activity only.

Section 39.07.020 Building Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures,* the following specific procedural provisions shall apply to Building Permits.

b. **Purpose**. The purpose of a Building Permit is to ensure that applicable structures are built in conformance with this UDC, the approved Site Development Plan, and the Building Regulations set forth in Chapter 28 of the City of Lubbock Code of Ordinances.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Building Permit, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and whether the proposal complies with the City's Building Code.

2. *Affirmative Findings*. In order to approve a Building Permit, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

d. **Platting**. Unless an exception to platting is authorized by Section 39.04.002, *Applicability*, or unless a relief is granted in accordance with Section 39.07.044, *Waiver of Improvements*, or Section 39.07.045, *Delay of Improvements*, the Building Official shall not issue a Building Permit, as required by the City's Building Code, for any principal structure unless:

1. The subject property is part of a plat recorded with the Lubbock County Clerk;

2. The required impact fee has been paid; and

3. A notification from the City Engineer has been issued stating:

A. Water and wastewater infrastructure have been accepted by City for maintenance and the subdivider has submitted accurate as-built drawings of such infrastructure;

B. Curb and gutter have been constructed and completed according to the City's Engineering Minimum Design Standards and Specifications;

C. An all-weather road has been constructed that meets the City's Fire Code; and

D. The applicant has provided a letter of credit to the City Engineer in an amount adequate to complete the required paving work, should the applicant fail to do so.

Section 39.07.021 Floodplain Development Permit

Reference. Refer to Section 39.05.009, *Floodplain Development Permit*.

Section 39.07.022 Driveway Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Driveway Permits.

b. **Purpose**. The purpose of a Driveway Permit is to ensure that driveways are designed and installed in conformance with this UDC, the approved Site Development Plan, if applicable, and the City's Engineering Minimum Design Standards and Specifications.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Driveway Permit, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. The proposal complies with the City's Engineering Minimum Design Standards and Specifications; and

B. The driveway is not built to block or divert surface water from its intended path.

2. *Affirmative Findings*. In order to approve a Driveway Permit, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.023 On-Site Wastewater Facility Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to On-Site Wastewater Permits.

b. **Purpose**. The purpose of an On-Site Wastewater Permit is to ensure that such facilities are located and installed in a manner that preserves public health and safety.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny an On-Site Wastewater Permit, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. *Economic Feasibility*. The subject property is greater than 180 feet from the existing wastewater collection system.

B. *Master Plans*. The proposal complies with the City's wastewater collection system master plans;

C. *Environmental Factors*. The suitability of the soil conditions, topography, and other environmental factors affecting the development for the installation of the individual on-site wastewater disposal systems;

D. *Lot Characteristics*. The total number of lots, size of lots, and overall density of the development is suitable for on-site wastewater;

E. *Impact on Surroundings*.

i. The impact on surrounding properties and environmentally sensitive areas adjacent to the development is minimal; and

ii. The impact on surrounding properties' ability to develop with suitable access to wastewater facilities is minimal.

F. *Code of Ordinances*. The development fails to meet applicable standards for public wastewater connections within Chapter 22, *Utilities*, of the City of Lubbock Code of Ordinances.

G. *TCEQ and High Plains Water District*. The development complies with the requirements of the Texas Commission on Environmental Quality and the High Plains Water District.

2. *Affirmative Findings*. In order to approve an On-Site Wastewater Permit, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.024 Sign Permit and Master Sign Plan

a. **Applicability**.

1. *Generally.* In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following procedures apply to Sign Permits and Master Sign Plans.

2. *Master Sign Plans.*

A. A Master Sign Plan applies only to property that has 500 feet or more of continuous frontage on an expressway or arterial street.

B. A Master Sign Plan shall not authorize a sign type specifically prohibited in Division 3.5, *Signs*.

b. **Purpose**. The purpose of a Sign Permit is to ensure that a sign is built in conformance with this UDC. A Master Sign Plan, if approved, allows properties more flexibility than allowed in Division 3.5, *Signs*, if a qualifying property has a plan that meets the requirements below.

c. **Specific Decision Criteria**.

1. *Sign Permits*. In determining whether to approve, approve with conditions, or deny a Sign Permit, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. The sign conforms to the standards set out in Division 3.5, *Signs;*

B. The sign is compliant with any other applicable requirements of the City of Lubbock Code of Ordinances; and

C. The sign does not substantially impede the flow of surface water.

2. *Master Sign Plan*.

A. *Review and Decision.*

i. The applicant may elect to submit the Master Sign Plan as part of a legislative review procedure subject to Division 7.3, *Legislative Review Procedures;* in that case:

a. The applicant shall submit the Master Sign Plan as part of the application for the Zone Change, Specific Use Permit, or Master Development Plan; and

b. The Master Sign Plan shall be approved or conditionally approved as a part of the Zone Change, Specific Use Permit, or Master Development Plan, or denied (whether or not the underlying application is approved).

ii. If the Master Sign Plan is not submitted as part of a legislative review procedure, the recommendation and final decision established in Table 39.07.012-1, *Development Review Summary*, shall apply.

B. *Criteria.* In determining whether to approve, approve with conditions, or deny a Sign Permit, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

i. The applicant has provided a complete plan for signs that promotes the purposes of Division 3.5, *Signs,* to a greater extent than those allowed without the plan;

ii. The plan is justified based on project scale and unified nature of the sign package;

iii. The plan establishes a harmonious relationship of the signs to buildings within the development as well as to buildings adjacent to the development, in terms of scale, color, materials, shape, design, and illumination; and

iv. The plan indicates how the signs on the property are integrated into a unified development concept with the topography, building design, other signs, landscaping, traffic circulation, and other development features of the property and nearby property.

C. *Requirements.* The following increases in sign area apply to signs that are subject to a Master Sign Plan:

i. The maximum cumulative sign area for wall signs and projecting signs is increased by 10%. The applicant may distribute the total sign area increase for all wall signs to individual signs in the project, but the increase shall not exceed 40 square feet for any individual sign.

ii. For freestanding signs:

a. Maximum height may be increased by a maximum of 10 percent; and

b. The maximum cumulative sign area may be increased by a maximum of 15 percent. The applicant may distribute the total sign area increase for all freestanding signs to individual signs in the project, but the increase shall not exceed 50 square feet for any individual sign.

D. *Approval Sequence*. After a Master Sign Plan is approved, the applicant may apply for Sign Permits consistent with the approved Master Sign Plan and any provisions of Division 3.5, *Signs.*

3. *Affirmative Findings*. In order to approve a Master Sign Plan, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

d. **Emergencies**. In an emergency situation according to the Director of Planning or Building Official, a property owner may initiate work without first applying for a Sign Permit. However, the owner shall apply for a Sign Permit within 24 hours after the first working day. For purposes of this Subsection, an "emergency situation" means a condition where initiation of work on the sign is required to preserve the public peace, property, health, or safety.

e. **Electrical Code**. All illuminated signs shall be subject to the provisions of Article 28.12, *Electrical Code*, of the City of Lubbock Code of Ordinances.

Section 39.07.025 Temporary Use Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Temporary Use Permits.

b. **Purpose**. The purpose of a Temporary Use Permit is to ensure that temporary uses comply with the requirements of this UDC, including Section 39.02.021, *Temporary Uses and Structures*, and that they do not become permanent uses or structures.

c. **Unlisted Uses**. The Director of Planning may interpret other uses as requiring a Temporary Use Permit based on the provisions in Section 39.02.017, *New and Unlisted Uses*.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Temporary Use Permit, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the use or structure conforms to the standards set out in Section 39.02.021, *Temporary Use and Structure Standards,* and is compliant with other requirements in the City of Lubbock Code of Ordinances.

2. *Affirmative Findings*. In order to approve a Temporary Use Permit, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

e. **Additional Conditions**. The Director of Planning, in coordination with other City staff, may establish additional conditions that are desirable to ensure land use compatibility or minimize potential adverse impacts on neighboring properties, public streets, or the City as a whole. These may include, but are not limited to, the following:

1. *Hours of Operation*. The modification of or restrictions on hours of operation;

2. *Clean Up*. Posting of a performance bond to ensure clean up and removal of signs, equipment, trash, and other similar items; and

3. *Attendance*. Limitations on the attendance of an event.

f. **Denial**. The Director of Planning may deny a permit if the Director finds the use or its associated structures to be too intense to be safe for the site, neighborhood, street, or infrastructure.

Section 39.07.026 Certificate of Occupancy

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Certificates of Occupancy.

b. **Purpose**. The purpose of a Certificate of Occupancy is to certify that a completed project adheres to this UDC, the City's Building Code, approval conditions, the Site Development Plan and Building Permit, and all other pertinent City of Lubbock Code of Ordinances. It is unlawful to occupy any building or structure unless the Building Official has issued a full, or temporary, Certificate of Occupancy, as applicable.

c. **Specific Decision Criteria**.

1. *Review, Decision, and Findings*. In determining whether to approve, approve with conditions, or deny a Certificate of Occupancy, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and any other applicable standards or conditions imposed throughout the review process for the project.

2. *Affirmative Findings*. In order to issue a Certificate of Occupancy, the final decision-making body established in Table 39.07.012-1, *Development Review Summary, shall* make affirmative findings on all of the applicable decision criteria.

d. **Residential and Accessory Structures**. Construction associated with single-family detached and duplex dwellings under the scope of the International Residential Code shall be exempt from requirements for a Certificate of Occupancy; however, such buildings shall not be occupied or used until released by the Building Official after

approval of all required inspections. Such approval is subject to revocation by the Building Official in the same manner as that for Certificates of Occupancy.

Section 39.07.027 Written Interpretation

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Written Interpretations.

b. **Purpose**. The purpose of a Written Interpretation is to provide any applicant with an official administrative interpretation of the terms, provisions, or requirements of this UDC if the application of the terms, provisions, or requirements are not obvious.

c. **Standards for Interpretations**. The Director of Planning may base the interpretation on one or more of the following:

1. *Materials or Scenario*. The materials or scenario posed by the applicant.
2. *Word Meanings*.
   A. The plain and ordinary meaning of the terms that are subject to the application for an interpretation as set out in a dictionary of common usage;
   B. The provisions of Article 39.10, *Word Usage*; and
   C. Any technical meanings of words used in the provision and in context with the meaning of the provision.
3. *Purpose Statements*. The purpose statement for the UDC Article, Division, Section, or Subsection.
4. *Law*. Any provision of this UDC, state law, or federal law that are related to the same subject matter.
5. *Other Interpretations*. Other interpretations rendered by the Director of Planning associated with the same or related provisions of this UDC.
6. *Legislative History*. The legislative history of the provision.
7. *Other Sources*. Sources outside of the UDC that provide additional information on the provision in question, such as technical or professional literature.

d. **No Legal Advice**. No written interpretation shall be construed as legal advice.

e. **Final Decision**. For purposes of appeal, a Written Interpretation is deemed a final decision. An appeal of a Written Interpretation shall take place in accordance with Section 39.07.039, *Appeal of Administrative Decision*.

f. **Recordkeeping**. The Director of Planning shall keep records of interpretations made pursuant to this Section.

Section 39.07.028 Minor Modification of an Approved Application

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Minor Modifications of an Approved Application.

b. **Purpose**. The purpose of a Minor Modification of an Approved Application is to allow an applicant to make minor changes, as listed in Subsection c., *Specific Decision Criteria*, below, to an approved application that has not yet received a Certificate of Occupancy, without requiring the application to go through the entire review process again.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Minor Modification of an Approved Application, the City staff shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following, as applicable:

A. *Gross Floor Area (GFA)*. An addition to a structure does not exceed 10 percent of the previously approved total GFA of the structure.

B. *Height*. Additional height of a structure does not exceed 10 percent of the previously approved height.

C. *Position*. A shift in the position of a structure is of less than 10 feet and violates neither a required building setback nor a Building Code provision.

D. *Density*. The overall density of the project does not increase by more than 10 percent as a result of a change in the GFA, height, or position.

E. *Condition of Approval*. The proposal does not violate a condition of approval for the original application, or a provision of the City of Lubbock Code of Ordinances.

F. *Correction of Errors in Approved but Unrecorded Plats*.

i. *Director of Planning Review and Approval*. An approved but unrecorded Final Plat, Minor Plat, or Replat that the Director of Planning finds to contain an insignificant error, including, but not limited to, scrivener's errors or typographical errors, may be corrected by the applicant.

ii. *DRC Review and Director of Planning Approval*. The Director of Planning may approve other corrections, including, but not limited to, the addition, deletion, or relocation of easements, the minor reconfiguration of streets, after review by the Development Review Committee.

iii. *Amendment to Construction Plans*. Construction Plans related to any changes to an approved but unrecorded Plat shall be updated to the satisfaction of the City Engineer to reflect the change.

iv. *Amending Plat*. Any correction of a recorded plat shall be in accordance with Section 39.07.015, *Minor or Amending Plat*.

2. *Affirmative Findings*. In order to issue a Minor Modification of an Approved Application, the final decision-making body established in Table 39.07.012-1, *Development Review Summary, shall* make affirmative findings on all of the applicable decision criteria.

d. **Other Modifications**. All other modifications that do not meet the Specific Decision Criteria in Subsection c., above, shall require submittal of a new application.

Section 39.07.029 Short-Term Rental Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Short-Term Rental Permits.

b. **Purpose.** The purpose of a Short-Term Rental Permit is to ensure that short-term rental uses comply with the requirements of the City of Lubbock Code of Ordinances and this UDC in order to retain their overall residential character.

c. **Applicability.** A Short-Term Rental Permit is required before establishing any short-term rental use or structure. It is unlawful for an owner, operator, or agent to operate a Short-Term Rental without a permit.

d. **Requirements.** The following requirements apply to Short-term Rental Permits.

1. A $100 annually renewable fee pursuant to Section 1.03.004 of the City of Lubbock Code of Ordinances.

2. A permit is non-transferable, nor does it convey with the property upon sale.

e. **Specific Decision Criteria.**

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Short Term Rental Permit, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.

2. *Affirmative Findings*. In order to approve a Short-Term Rental Permit, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

f. **Notice of Denial or Revocation**.

1. *Permit Denial*. The Director of Planning may determine that a permit required under this Section should be denied or revoked for the reasons set forth below. The Director of Planning shall provide written notice of the denial or revocation of a permit to the applicant, detailing the reason for the denial or revocation of the permit, and a statement informing the applicant of their right to appeal the denial or revocation of the permit to the Permit and License Appeals Board, in the manner set out in Article 2.03 of the City of Lubbock Code of Ordinances.

A. The application contains any incomplete, inaccurate, misleading, or false statements; or

B. The applicant has not complied with the standards in Subsection 39.02.018.c.6., *Short-Term Rental*, or has had a history of noncompliance with the provisions of such Subsection.

2. *Permit Revocation*. The City may revoke a permit due to the applicant's failure to comply with permit requirements, this UDC, or any applicable federal, state, or local law or regulation.

g. **Hotel Occupancy Tax Payment Required.** An owner, operator, or agent operating a short-term rental must:

1. *Occupancy Tax*. Assess and collect the hotel occupancy tax in accordance with Chapter 351 of the Texas Tax Code and Article 6 of the City of Lubbock Code of Ordinances; and

2. *Remittance*. Timely remit to the City of Lubbock accounting department, or designee, all City hotel occupancy taxes collected pursuant to state law.

Division 7.3 Legislative Review Procedures

Section 39.07.032 Zone Change

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Zone Changes.

b. **Purpose**. The purpose of a Zone Change is to change the zoning district of a property on the Official Zoning Map from one zoning district to another.

c. **Protest Against a Zone Change** . A Zone Change shall not become effective except by a favorable vote of three-fourths of all members of the City Council if either of the following sign a valid protest against the change:

1. *Subject Property*. Owners of 20 percent or more of the land included in such proposed change; or

2. *Within 200 Feet*. Owners of 20 percent of the land within 200 feet of the subject property. The land area within this radius includes any intervening public street or alley.

d. **Successive Zone Change Applications**. To promote the stability and well-being of the community and offer certainty to the City's citizens regarding the use and development of property, the following requirements, in addition to those in Subsection 39.07.008.h, *Successive Applications*, govern the filing of Zone Change reapplications:

1. *Criteria*. A reapplication within 12 months of the date of the application for a Zone Change shall not be heard for a particular parcel of property if:

A. Within 12 months prior to the date of the application a Zone Change or similar application was recommended for denial by the Planning & Zoning Commission and denied by the City Council;

B. The application currently under consideration includes property that was all of or a part of the previously denied case; or

C. The reapplication is for the same or a more intense zoning district (as defined in Subsection 2., below) than the district requested in the previous application.

2. *Districts*. For purposes of applying the district intensity standard in Subsection 1.C., above, the zoning districts established in this UDC are listed in order, from the least to most intense, below. A district is generally considered more intense than the district requested in a previous application if it requests a greater number of dwelling units or floor area, than the previous application.

A. Residential Estates (RE);

B. Very Low Density Single-Family (SF-1);

C. Low Density Single-Family (SF-2);

D. Medium Density Residential (MDR);

E. High Density Residential (HDR);

F. West Broadway (MU-1), Broadway (MU-2), General (MU-3), Depot (MU-4), Civic Center (MU-5), and Arts (MU-6);

G. Office (OF);

H. Neighborhood Commercial (NC);

I. Auto-Urban Commercial (AC);

J. Heavy Commercial (HC);

K. Industrial Park (IP);

L. Light Industrial (LI); and

M. General Industrial (GI).

Section 39.07.033 Specific Use Permit

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Specific Use Permits (SUPs).

b. **Purpose**. The purpose of SUP review is to determine if specific uses, as denoted in each zoning district in Division 2.2, *Zoning Districts and Standards*, should be allowed on a property.

c. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a SUP, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. *Generally*.

i. The granting of the SUP is not injurious or otherwise detrimental to the public health, safety, morals, and the general welfare of the general public; and

ii. The granting of the SUP is not substantially or permanently injurious to the property or improvements in the vicinity in which the property is located.

B. *Concentration*. The specific use does not create an unwanted concentration of similar specific uses that is likely to discourage permitted uses by making the vicinity less desirable for them.

C. *Location*. There is no practical alternative location where the use is permitted by right within the general vicinity of the parcel proposed for development, or, if such a location exists, the proposed location is comparable or more favorable in terms of:

i. Providing a needed community service;

ii. Providing a critical mass of related and mutually supportive land uses that promote quality economic development and opportunity;

iii. Providing a balance of land uses, ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another; and

iv. Making more efficient use of public infrastructure.

2. *Approval*. In order to approve a SUP, the final decision-making body shall consider all of the applicable decision criteria.

d. **Conditions of Approval**. The Planning and Zoning Commission may recommend, and the City Council may approve, conditions of approval to the SUP in order to mitigate its impacts to adjacent land uses such that it complies with the associated decision criteria. The subject matter of conditions may include, but shall not be limited to, the following:

1. Additional landscaping or buffering;
2. Building or facade improvements, but not to building material requirements;
3. Noise abatement measures;
4. Limitations on lighting, such as lighting curfews or restrictions on levels of illumination;
5. Measures to control, mitigate, or direct traffic;
6. Parking, loading, stacking, and site circulation adjustments;
7. Restrictions on outdoor displays, sales, or storage; or
8. Restrictions on signs that relate only to the sign structure, materials, lighting, placement, size, or type.

Section 39.07.034 Master Development Plan

a. **Generally**. In addition to the applicable required procedures in Section 39.07.006, *Common Decision Criteria*, the following specific procedural provisions shall apply to Master Development Plans.

b. **Purpose**. The purpose of a Master Development Plan is to provide a site layout for property developed using the village subdivision type in a district where such subdivision type is permitted. Review of the Master Development Plan shall occur concurrently with the Zone Change to an applicable zoning district if such an amendment is necessary. If such an Amendment is not necessary, then review shall occur prior to any other development activity for the project taking place.

c. **Exemptions**. A Master Development Plan is not required prior to the development of a subdivision that is not a village type.

d. **Binding Characteristics**. Approval of the Master Development Plan establishes:

1. *Context, Transitioning, and Buffering*. The context of the proposed development relative to adjoining and adjacent development and the proposal for transitioning and buffering such uses;
2. *Uses, Scale, and Compatibility*. The locations and types of residential, nonresidential, and public or institutional land uses; their scale and design relationships; and methods to ensure compatibility between the various uses and adjacent properties;
3. *Density*. Minimum and maximum gross densities, block sizes, lot patterns, and heights of residential uses;
4. *Bulk*. Planned gross square footages, lot coverage, and heights of nonresidential uses;

5. *Parking and Circulation*. The proposed parking and circulation plans;
6. *Transportation*. The patterns, functional classifications, and cross-sections of streets within and adjacent to the development, along with the network of pedestrian, bicycle, and public transit improvements;
7. *Open Space*. General locations, means of continuity and connectivity, and the extent of open space to be dedicated for public or private purposes;
8. *Environmental Features*. Areas of environmental sensitivity to be protected and preserved, including floodplains and riparian areas, wetlands and water bodies, steep slopes, forested areas, and other such areas; and
9. *Phases*. Phases of development.

e. **Specific Decision Criteria**. In determining whether to approve, approve with conditions, or deny a Master Development Plan, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

1. *Phasing*. The development is phased in a manner that assures an adequate mixture of residential and nonresidential land uses and allows for transition from the early phases to completion, relating to the intensity of uses and parking.
2. *Undeveloped Space*. Together with the developed areas, the undeveloped spaces devoted to natural resource preservation, buffering of uses, and for passive and active recreational use are continuous throughout the development and where appropriate may double as stormwater best management practices.
3. *Streets and Parking*. The streets are designed in conformance with Subsection 39.04.005.b., *Conformance to Thoroughfare Plan*, and, where appropriate, for multi-modal purposes, including being used as access and transit ways, for on-street parking, and safe use of pedestrians and bicyclists, and the parking is well-distributed and designed to preserve an urban streetscape.
4. *Walkability*. The connections within and between buildings, civic spaces, parking areas, and to the surrounding development; the presence of amenities and other pedestrian improvements; and the proximity of origins and destinations both internal and external to the development are such that walking and bicycling are safe and viable modes of transportation.
5. *Quality Design*. The design of buildings and hardscape and landscape areas help to establish visual interest, aesthetic appeal, and a unique identity for the development, including as key considerations human-scale amenities, integration of civic spaces for public interaction, and protection from the environmental elements.
6. *Building Form and Massing*. The placement, arrangement, size, and relationships of buildings relative to streets, pedestrian and civic spaces, and one another create an urban environment.
7. *Site Layout*. The subject property is laid out in an efficient manner relative to the natural and built environments and designed to achieve the aims of a compact, highly walkable environment.

f. **Amendments**.

1. *Classification*. Amendments to a previously approved plan shall be classified as a minor or major modification. Minor modifications may be administratively accepted and will be subject to procedures of Section 39.07.028, *Minor Modification of an Approved Applicatio*n. The Director of Planning shall provide a written response indicating whether or not the revised Master Development Plan has been classified as a minor or major amendment.
2. *Minor Amendments*. In addition to the amendments listed in Section 39.07.028.c., *Specific Decision Criteria*, Minor amendments include the following:

   A. Changes to the timing or phasing of the proposed development provided the use and overall geographic land area remains the same;

B. A reduction or increase by no more than 10 percent in the number of proposed platted lots provided the use and overall geographic land area remains substantially the same;

C. A decrease in overall residential density;

D. Updating of ownership or consultant information;

E. A decrease in the overall land area, provided the initial design is maintained; and

F. Master Development Plan or subdivision plat name change.

3. *Major Amendments*. All other amendments shall be classified as major modifications and shall be processed in the same manner as a new Master Development Plan submittal. Any major amendments, including any phased amendments to an approved Planned Unit Development adopted prior to the effective date of this UDC per Section 39.01.010, *Vesting and Transition Standards*, shall be considered a major amendment.

Section 39.07.035 Certificate of Appropriateness

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following specific procedural provisions shall apply to Certificates of Appropriateness.

b. **Purpose**. The purpose of a Certificate of Appropriateness review is to ensure that no person carries out demolition, alteration, or reconstruction of any contributing building in a Historic Preservation Overlay (HPO) district without compliance with the design standards of Section 39.02.009, *Historic Preservation Overlay (HPO)*. Certificate of Appropriateness approval is required in addition to, and not in lieu of, any required Building Permit.

c. **Exemptions**. The following activities are exempt from the requirements of this Section:

1. *Unfit for Occupancy*. Demolition of a contributing structure that the Director of Code Enforcement deems "unfit for human occupancy";

2. *Ordinary Maintenance*. Ordinary maintenance on any structure that does not involve demolition, alteration, or reconstruction; or

3. *Non-Contributing Structure*. Demolition, alteration, or reconstruction of a building or structure that the Director of Planning deems as non-contributing.

d. **Specific Decision Criteria**. In determining whether to approve, approve with conditions, or deny a Certificate of Appropriateness, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

1. *Historic Use or Minimal Change*. The property is used as it was historically or will be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. *Historic Character of Property*. The historic character of a property is retained and preserved. The applicant does not propose the removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property and would compromise its integrity.

3. *Distinctive Features*. The applicant proposes to preserve distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property.

4. *Repair and Replacement*. The applicant proposes to repair rather than replace deteriorated historic features. Where the severity of deterioration requires replacement of a distinctive feature, the new feature matches the old in design, color, texture, and, where possible, materials. The applicant has substantially documented the replacement of missing features.

5. *Gentlest Means*. The applicant proposes to undertake chemical or physical treatments, if appropriate, using the gentlest means possible, without using treatments that cause damage to historic materials.

Section 39.07.036 Planned Unit Development

a. **Generally.** In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the specific procedural provisions of Section 39.07.032, *Zone Change,* and the following shall apply to Planned Unit Development.

b. **Purpose.** The purpose of this Section is to apply the designation of Planned Unit Development (PUD) on the Official Zoning Map in conjunction with the base zoning district of an eligible property as described in Section 39.02.012. *Planned Unit Development District (PUD)*.

c. **Specific Decision Criteria.** In determining whether to approve, approve with conditions, or deny a Planned Unit Development, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, Subsection 39.07.032.c, *Specific Decision Criteria,* and the following:

1. *Purpose of Development.* The use of PUD development regulations shall not be used for the sole purpose of avoiding the quantitative or dimensional requirements for uses that would already be permitted in the base zoning district;
2. *Public Service or Facilities.* The proposed land use(s) shall not materially add public service or facility loads beyond those contemplated in the Comprehensive Plan or other adopted policies or plans of the City, unless the applicant can demonstrate to the satisfaction of the City Council that such added loads will be accommodated or mitigated upon implementation of approved plan;
3. *Comprehensive Plan*. A proposed PUD shall be consistent with the goals and objectives and shall not have an adverse impact upon the Comprehensive Plan. Notwithstanding this requirement, the City Council may approve a PUD proposal that includes uses that are not called for in the Comprehensive Plan, provided that the City Council determines that such a use deviation is justified based on a demonstrated need and the current planning and development objectives of the City;
4. *Compatibility with Adjacent Uses.* Land use patterns established by the PUD shall be compatible with existing and planned uses on and adjacent to the site;
5. *Quality Building Design and Site Development*. The PUD shall improve the appearance of the City through quality building design and site development, the provision of trees and landscaping consistent with or beyond minimum requirements of the base zoning district, the preservation of unique and/or historic sites or structures, and/or the provision of open space or other desirable features of a site beyond minimum requirements; and
6. *Density and Intensity.* The PUD development shall not be allowed solely as a means of increasing the density or intensity of development. The PUD development shall result in a development that could not be achieved under the base zoning district.

d. **Applicant Responsibilities and Approval Procedures.**

1. *Concept Plan.*

A. *Contents*. The first part of the PUD submittal shall include the following:

i. An application for a zone change;

ii. A concept plan, and

iii. A written statement explaining:

a. How the proposed district will relate to the City's Comprehensive Plan and the degree to which it is or is not consistent with said plan and the proposed base zoning district.

b. The proposed uses, building and site improvements, phasing plans, and resulting open spaces, landscaped areas, floor area and parking.

c. Reasons that a PUD is preferred over conventional zoning, and identification of the benefits to the City of Lubbock and its residents resulting from the PUD development project.

iv. A plan of streets through and along the perimeter of the site, which shall be in accordance with the City's approved Thoroughfare Plan.

v. Additional maps and documents as necessary to adequately describe the project.

vi. A listing of proposed variations, deviations, and/or exceptions to the use and design standards applicable to the base zoning district, as well as any other applicable requirement, and an explanation as to how each such proposal will benefit the project pursuant to the purpose and intent of the PUD regulations as set forth in Section 39.02.012, *Planned Unit Development District (PUD)*.

vii. An adequate legal description of the tract(s), showing total acreage, proposed general land uses, and acreage for each use, including open space, existing and proposed streets (public and private), general topographic conditions, significant environmental features, including floodplains and watercourses;

viii. Dimensioned site plan drawn to scale, showing all proposed and existing buildings and structures, including:

a. Proposed paths and sidewalks;

b. Proposed height, setbacks, square footages, and uses of buildings;

c. A summary of proposed parking;

d. A summary of proposed unit counts;

e. A summary of proposed densities (units/acre);

f. Proposed landscaped areas and open space, and

g. Any other information necessary to determine eligibility and ascertain mandatory requirements in accordance with Section 39.02.012, *Planned Unit Development District (PUD)*;

ix. A proposed phasing schedule, if known;

x. Elevation drawings and renderings;

xi. Any proposed deed covenants, conditions, restrictions, or agreements that purport to govern the use, maintenance, and operation of any commonly-owned areas, structures, or facilities; and

xii. Documentation of impacts the proposed development will have on public facilities and services and ways in which these impacts will be mitigated in conjunction with the proposed development. Examples of impacts include, but are not limited to, the level of service at street intersections, residential equivalency units for wastewater service, water capacity, and school district enrollment.

B. *Recommendation and Final Decision.* Refer to review responsibilities of a PUD application denoted in Table 39.07.012-1, *Development Review Summary.*

C. *Ordinance.* The City Attorney shall prepare a PUD Ordinance zone change to the property that includes any conditions upon which the concept plan approval is based. The ordinance shall be voted upon after the first public hearing and, if passed, shall require a second reading at a subsequent meeting of the City Council prior to publication and enactment.

D. *Effect of Approval.*

i. Approval of a concept plan and adoption of its PUD Development ordinance by the City Council pursuant to the PUD regulations shall confer upon the property owner or owners the right to submit a PUD detail plan in accordance with Subsection 2, below.

ii. Once an area has been included in a concept plan that has been approved by the City Council, no development may take place in such area nor may any use thereof be made except in accordance with the approved concept plan or a plan amended in accordance with Subsection e, below.

2. *Detail Plan.*

   A. *Contents.* The Detail Plan of the PUD submittal shall include the following:

      i. All of the information required for Site Development Plans.

      ii. Plans and information regarding roads, utilities, sidewalks, and other infrastructure, parks and open spaces, enhancements to public services, and other features of the proposed PUD.

      iii. A copy of the approved ordinance that rezoned the property, along with any conditions placed thereon.

      iv. Any other documentation necessary to demonstrate that the detail plan complies with the approved concept plan and any conditions placed on the approval.

   B. *Recommendation and Final Decision.* Refer to review responsibilities of a PUD application denoted in Table 39.07.012-1, *Development Review Summary.*

   C. *Effect of Approval.* Upon approval of the Detail Plan, the Director of Planning is authorized to issue a notice of approval to the owner or developer that the applicant may proceed to the next phase of regulatory review, including site plan review and building permit submittal, subject to any and all other development, construction and permitting requirements of this UDC or other applicable City Codes.

3. *Phasing of Construction.* A PUD development project may be proposed for construction in phases, in which case the project shall be designed so that each phase, when completed, has received or is capable of receiving a Certificate of Occupancy in terms of public or common services, facilities and utilities, and open space. Each phase shall contain the necessary components to ensure the protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.

e. **Amendments.**

1. *Classification.* Amendments to a previously approved PUD shall be classified as a minor or major modification. Minor modifications may be administratively accepted and will be subject to the procedures of Section 39.07.028, *Minor Modification of an Approved Application*. The Director of Planning shall provide a written response indicating whether or not the revised PUD has been classified as a minor or major amendment.

2. *Minor Amendments*. In addition to the amendments listed in Subsection 39.07.028.c., *Specific Decision Criteria*, minor amendments include modifications that meet the following:

   A. Do not modify the overall acreage, but rather modify the acreage identified for each use by a factor of no more than 10%.

   B. Do not increase or decrease the minimum yards or setbacks;

   C. Do not increase or decrease the amount of off-street parking by a factor of more than 10%;

   D. Do not significantly alter the facade design and materials;

   E. Do not increase lot coverage by a factor of more than 10%;

   F. Do not alter the uses allowed; and

   G. Do not alter the intent and conditions of the PUD approval.

3. *Major Amendments.* All other amendments shall be classified as major modifications and shall be processed in the same manner as a new PUD submittal. Any major amendments, including any phased amendments to an approved PUD, adopted prior to the effective date of this UDC per Section 39.01.010, *Vesting and Transition Standards*, shall be considered a major amendment.

f. **Protest Against a Zone Change.** Refer to Subsection 39.07.032.d., *Protest Against a Zone Change.* Provisions for Zone Change Applications also apply to successive PUD applications

g. **Successive PUD Applications**. Refer to Subsection 39.07.032.e., *Successive Zone Change Applications*. Provisions for Zone Change Applications also apply to successive PUD applications.

Division 7.4 Quasi-Judicial Review Procedures

Section 39.07.037 Variance

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Variances.

b. **Purpose**. The purpose of a Variance is to provide limited relief from the requirements of this UDC in cases where the strict application of a particular requirement will create an unnecessary hardship by preventing the use and development of land in a reasonable manner that is otherwise allowed under this UDC.

c. **Prohibitions and Exceptions**. Some requests for relief are not within the jurisdiction of the Zoning Board of Adjustment (ZBA), and are, therefore, either prohibited or not subject to this Section. These requests are:

1. *Use and Sign Type Variances*. Variances are prohibited that would allow a use or a sign type in a zoning district in which the use or sign type is prohibited.
2. *Variances to Other Laws or Regulations*. Variances to state or federal laws or to regulations outside of this UDC are prohibited.
3. *Conditions of Approval*. An applicant may only seek modifications to conditions of approval on a new application submittal and such modifications are not subject to this Section.
4. *Parking Credits and Reductions*. Adjustments to the number of parking spaces required are not subject to this Section and may only be authorized in accordance with Section 39.03.009, *Parking Ratios and Design*.
5. *Subdivision Standards*. Relief from the requirements of Article 39.04, *Subdivision Standards*, is not subject to this Section and may only be authorized in accordance with Sections 39.07.044, *Waiver of Improvements,* and 39.07.045, *Delay of Improvements*.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve, approve with conditions, or deny a Variance, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:
   A. The granting of the Variance is not based on a hardship that is self-imposed.
   B. Granting the Variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district.
   C. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
   D. The Variance requested is the minimum necessary that will make possible a permitted use of the land, building, or structure.
   E. The hardship is based on circumstances that are unique to the property for which the Variance is sought and not circumstances common to other properties.
   F. The hardship is not based solely on the cost of complying with the regulation but is based on the particular physical surroundings, shape, or topographical conditions of the subject property.
2. *Sign Variances*. In addition to the criteria in Paragraph 1, above, the following shall apply to Variances to the sign standards in Section 39.03.023, *Permanent Signs*, through 39.03.024, *Temporary, Incidental, and Miscellaneous Signs:*

A. The proposal would not modify a dimensional requirement (sign number, area, width, height, setback, spacing, or projection) by more than 25 percent;

B. The proposal would not alter the essential character of the area in which the sign is located; and

C. The proposal would not authorize a type of sign that is not otherwise permitted by this UDC.

3. *Affirmative Findings*. In order to approve a Variance, the final decision-making body established in Table 39.07.012-1, *Development Review Summary*, shall make affirmative findings on all of the applicable decision criteria.

Section 39.07.038 Variance, Floodplain

Reference. Refer to Section 39.05.010, *Variance, Floodplain*.

Section 39.07.039 Appeal of Administrative Decision

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Appeals of Administrative Decisions.

b. **Purpose**. The purpose of an Appeal of Administrative Decision is to provide a vehicle for appeal of any final decision of the Director of Planning, Building Official, City Engineer, or Floodplain Administrator on any applications set out in Division 7.2, *Administrative Review Procedures*.

c. **Notice of Appeal**. Within 20 days after the date of a final written administrative decision, an appeal may be submitted to the Director of Planning, in writing, by any person aggrieved by the decision or by any official or department of the City affected by the decision. In the notice, the appellant shall set out all grounds for the appeal.

d. **Transmission of Records**. The staff person whose decision is under appeal shall transmit to the ZBA all of the documents constituting the record of the appealed action.

e. **Effect of Appeal**. The filing of an Appeal of Administrative Decision stays all proceedings in furtherance of the final decision appealed, unless the administrative official from whom the appeal is taken certifies in writing to the ZBA that, by reason of facts stated, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order that may be granted by a court of competent jurisdiction.

f. **Specific Decision Criteria**. In determining whether to affirm or reverse, in whole or in part, or modify the appealed decision, the applicable review bodies shall consider, and the ZBA shall make findings on the following:

1. *Record and Evidence*. The administrative decision was appropriate considering the written record of the case and the evidence presented.

2. *UDC Requirements*. The decision reflects the requirements contained in this UDC.

g. **Effect of Decision**. In exercising its authority under this Section, the ZBA shall have the final decision-making powers of the administrative official from whom the appeal is taken.

Division 7.5 Subdivision Review Procedures

Section 39.07.040 Preliminary Plat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Preliminary Plats.

b. **Purpose**. The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general design of a proposed subdivision to ensure compliance with the Master Development Plan, if applicable, and the requirements of this UDC prior to submittal of a Final Plat. If a Final Plat that includes all of an applicant's contiguous

ownership is submitted to the City for approval, the Director of Planning shall have the option to not require a Preliminary Plat for the property.

c. **Applicant Responsibilities.** Preliminary Plats shall not be placed on the Planning and Zoning Commission agenda for consideration unless the plat and other required documents are received by the Director of Planning before the stated filing deadline, comply with Section 39.07.004, *Application Completeness Review*, and meet the following requirements:

1. *Prepared by a Surveyor*. A Preliminary Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.
2. *Notice on Plat*. The following notice shall be printed on the face of each Preliminary Plat submitted: "Preliminary Plat - for inspection purposes only and in no way official or approved for recording purposes."
3. *Specifications*. Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, one dimension of the plat sheet may not exceed 36 inches.
4. *Contents*. The subdivider shall provide the following items in a legible manner on a Preliminary Plat.
   A. All unsubdivided contiguous land under single or common ownership shall be included in the Preliminary Plat. However, if approved by the Director of Planning prior to submittal, the limits of a Preliminary Plat may include a portion of the owner's contiguous land and extend to known identifiable limits such as collector streets, Playa Lakes, or other well-defined development barriers.
   B. Location map, legibly illustrating the general position of the property relative to at least two intersecting City of Lubbock arterial streets or State highways.
   C. Scale, north arrow, date, exact acreage, proposed subdivision name, and other pertinent site-specific descriptive information.
   D. Property owner's name, address, and telephone number, including the record owner and warranty deed recording information of the proposed subdivision.
   E. Accurate one-foot interval contours according to NAD83/NAVD88 datum or subsequent established United States Geodetic Survey data adopted by the City. The face of the Preliminary Plat shall indicate the source, datum, and date of creation for the contour data.
   F. The Preliminary Plat must~~may~~ be tied by survey to ~~adjacent~~ abutting section corners ~~or lines~~, or when the proposed subdivision abuts or is ~~adjacent~~ abutting ~~to~~ an existing recorded plat, the Preliminary Plat may be tied by survey to such existing plat. Boundary lines for the proposed subdivision shall be indicated by heavy lines. Boundaries for lots and/or tracts within the plat boundary shall be shown in solid lines. Existing cross streets shall be shown for reference at the property boundary.
   G. The approximate location of any City limit lines including labels for inside and outside City limits.
   H. The name and location of all abutting subdivisions shall be drawn to the same scale and shown in dashed lines ~~adjacent to~~ abutting the tract proposed for subdivision in sufficient detail to show accurately the existing streets and alleys and other features that may influence the layout and development of the proposed subdivision. ~~Adjacent~~ Abutting unplatted land shall show property lines and owners of record. If the ~~adjacent~~ abutting land has a current approved Preliminary Plat, it shall be shown on the Preliminary Plat.
   I. The following adjoining and abutting property information shall be shown on all property adjoining and abutting the plat boundary:
      i. Subdivision name, Lot #, Block #, and recording information (if the property is platted);
      ii. Name of ownership with deed and recording information (if the property is not platted); and
      iii. Any recorded easements known to the surveyor at the time of submittal with recording information.

J. The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed within the subdivision limits, along with the proposed names of streets.

K. The location of proposed closures of existing streets, alleys, easements, and rights-of-way.

L. The major road system and location of site with respect to the City (southeast, northwest, etc.)

M. The known location of all existing property lines within the area proposed for subdivision.

N. Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order.

O. The title of the proposed subdivision, the name of the owner(s) with sufficient data to show ownership, and the proponent of the preliminary plat and current landowner(s) at time of submittal (if different than proponent). The proposed title shall not conflict with any previous subdivision name.

P. Playa Lake Areas, if any, shall conform to the requirements of Division 5.3, *Playa Lakes Development and Ownership*.

Q. Sites proposed for stormwater drainage and impoundment easements, parks, or other property owned by the City or any other governmental entity shall contain no blanket or specific utility easement until approved by the City Engineer or authorized representative of other governmental entities.

R. A preliminary drainage analysis and map that meets the requirements of the Drainage Criteria Manual of the City.

S. A statement regarding maintenance of any installed detention/retention basins shall be stated on the face of the plat.

T. Subdivision names shall not change once approved by the Planning and Zoning Commission.

U. All spelling on the plat shall be correct.

d. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve or deny a Preliminary Plat, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

A. *Standards and Specifications*. The proposed development conforms to the design and improvement standards contained in the City's Engineering Minimum Design Standards and Specifications.

B. *Other Review Bodies*. If applicable, approval from any public school district sharing territory with the City of Lubbock, Lubbock County Commissioner's Court, and any legislative-created districts.

2. *Required Approval*. If the Planning and Zoning Commission finds that a Preliminary Plat complies with all applicable decision criteria, then it is required to approve the Plat.

e. **Approval Procedures.**

1. *Action by the Planning and Zoning Commission.* The Planning and Zoning Commission shall approve or disapprove the application. If the application is disapproved, the Planning and Zoning Commission shall provide a written statement to the applicant in accordance with Texas Local Government Code Section 212.0091.

2. *Applicant Response to Disapproval.* The applicant may submit a response to the Planning and Zoning Commission in accordance with Texas Local Government Code Section 212.0093. If submitted in accordance with the filing calendar, the Director of Planning shall file the response with the Planning and Zoning Commission for consideration within 15 days.

3. *Consideration of Response by Planning and Zoning Commission.* The Planning and Zoning Commission shall approve or disapprove a response submitted in accordance with Texas Local Government Code Section 212.0093. If the response is disapproved, the Planning and Zoning Commission shall provide a written statement to the applicant in accordance with Texas Local Government Code Section 212.0091.

f. **Revisions and Reapplication.** If an owner proposes changes to a Preliminary Plat that do not substantially comply with the application that was approved by the Planning and Zoning Commission, the applicant shall prepare a revised Preliminary Plat. The revised Preliminary Plat must be approved by the Planning and Zoning Commission before the applicant submits a Final Plat.

g. **Commission Final Decision**.

1. *Action*. The Planning and Zoning Commission shall make a final decision on the Preliminary Plat at a regularly scheduled meeting held within 30 days of the date the Plat is filed. This deadline may be extended an additional 30 days if the applicant requests Planning and Zoning Commission approval.
2. *No Action*. If no action is taken by the Planning and Zoning Commission at the end of the 30-day period, without the request of an extension, the Plat shall be deemed to have been approved.
3. *After Decision.* After the Planning and Zoning Commission makes a final decision on the Preliminary Plat, the applicant may then submit a Final Plat Application. A Preliminary Plat and a Final Plat of the same subdivision shall not be placed on the same meeting agenda.

h. **Appeal**. If the final decision on the Preliminary Plat is appealed, a vote of three-fourths of the City Council members shall be rendered to overturn the Planning and Zoning Commission's decision.

i. **No Public Dedication**. Approval of the Preliminary Plat shall not constitute any real property grant or dedication or the acceptance of any public improvements.

Section 39.07.041 Final Plat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Final Plats.

b. **Purpose**. The purpose of a Final Plat is to serve as the official recorded map of the property to be developed, showing the boundaries, lots, public streets, easements, and other significant facilities and features that are necessary to serve the development. The Final Plat shall conform to the approved Preliminary Plat, if any, and may constitute only a portion of the Preliminary Plat provided that such portions conform to all applicable requirements of this UDC.

c. **Improvements**. The Final Plat shall contain dedication for all internal and perimeter streets and alleys and other improvements within the portion proposed for Final Plat as shown on the approved Preliminary Plat.

d. **Land Not to be Excluded**.

1. *Avoidance*. A Final Plat shall not exclude land that should otherwise be included for the purpose of avoiding requirements of this UDC, including, but not limited to, the requirement to improve existing perimeter streets or to dedicate a street designated on the current City of Lubbock Master Thoroughfare Plan.
2. *Remainder Tracts*. In no case shall a Final Plat exclude land so as to leave a remainder of such size, shape, or location as not to be developable in substantial compliance with the requirements of this UDC.

e. **Applicant Responsibilities**. The Final Plat shall incorporate all preliminary plat information and conditions approved by the Planning and Zoning Commission and shall meet the following:

1. *Prepared by a Surveyor*. A Final Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.
2. *Boundary and Acreage*. The plat boundary and the exact acreage included in that boundary.

3. *Name*. Title or name of the plat. If a lot or tract is replatted, all land in the original lot(s) or tract(s) shall be replatted in order to retain the original plat name.
4. *Specifications*. Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, one dimension of the plat sheet may not exceed 36 inches.
5. *Geographic Data*. The map scale, horizontal datum, north arrow and date.
6. *Adjacent and Abutting Properties*. Referenced by:
   A. Name of recorded plats of adjacent and abutting properties;
   B. Property lines and owners of record for unplatted land;
   C. A specific indication of applicable City Limit boundaries; and
   D. The following adjoining property information shall be shown on all property abutting the plat boundary:
      i. Subdivision name, Lot #, Block #, and recording information (if the property is platted);
      ii. Name of ownership with deed and recording information (if the property is not platted); and
      iii. Any recorded easements known to the surveyor at the time of submittal with recording information.
7. *Final Plat Survey and Control*.
   A. The Final Plat dimensional control shall be in units of U.S. Survey Feet to the nearest one-hundredth of a foot. Directional control shall be shown as bearings to the nearest arc second. The description of the methodology used and the source, datum, and date of creation of the relevant points must be included on the face of the plat. Control for a Final Plat shall be established by one of the following methods:
      i. The Final Plat must~~may~~ be tied by survey to adjacent section corners ~~and lines~~; or
      ii. When the approved subdivision abuts or is adjacent to an existing recorded plat of the City of Lubbock or Lubbock County, the Final Plat may be tied by survey to such existing plat.
   B. The Final Plat shall include horizontal coordinates on at least two of the boundary corners relative to the Texas Coordinate System of 1983, North Central Zone datum as described in Texas Natural Resources Code, Title 2, Chapter 21, or subsequently established United States Geodetic Survey data adopted by the City of Lubbock.
8. *Lot Lines*. Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in Section 39.07.040.c.4, *Contents*.
9. *Identification*. Numbers and letters to identify each lot or tract.
   A. Lots shall be numbered consecutively from one to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of a Preliminary Plat are recorded with the County Clerk.
   B. Replatted lots will be designated alphanumerically (e.g. Lot 1-A), and further subdivision will alternate numbers and letters (e.g., Lot 1-A-1, Lot 1-A-1-A). The same alternating method will be used for tracts (e.g., Tract A-1, Tract A-1-A, Tract A-1-A-1).
   C. Private Streets and common open space and other common areas shall be platted as separate tracts and names must be approved by the City of Lubbock. Changes to existing private street names require approval of the City of Lubbock Building Official when the changes will affect existing residents.
10. *Street Width and Names*. All street and alley rights-of-way and easements shall be clearly shown on the plat and the purpose and restrictions of use of such easement indicated.

A. Accurate location, dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves, shall be provided to readily establish the location of rights-of-way and easements. Location of points of intersection and points of tangency of street intersections other than right-angle intersections shall be indicated;

B. Bearing, distances, and ties to the property boundary (including medians);

C. A key of abbreviations for easement types, such as utilities, cross-access, tree preservations, etc., shall be included on the plat;

D. Legal references shall be provided for all previous dedications and easements abutting the property;

E. Name of each street and width of streets, alleys, and other rights-of-way; and

F. Approved City Street names shall be shown first followed by any highway designation and numbering in parentheses if applicable. For example, "19th Street (US 62)".

11. *Solid Waste and Recycling Collection*. All platted lots and tracts shall provide for collection of solid waste and recycling consistent with Article 22.06 of the City of Lubbock Code of Ordinances unless alternatives are approved by the City Council.

12. *Symbology*. All symbology on the plat shall be distinct, consistent, and labeled in the legend. If multiple features overlap, labels need to be included to distinguish what is proposed.

13. *For Review Purposes Only*. Temporary labeling shall be required on unrecorded adjacent and abutting plats considered "in platting process" or "under construction" that is shown on a Final Plat for review. These labels shall be taken off before final recording.

14. *Spelling*. All spelling on the plat shall be correct.

f. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve or deny a Final Plat, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and conformance to applicable portions of the approved Preliminary Plat.

2. *Required Approval*. If the Planning and Zoning Commission finds that a Final Plat complies with all applicable decision criteria, then it is required to approve the plat.

g. **Final Decision**.

1. *Action.* The Planning and Zoning Commission shall make a final decision on the Final Plat within 30 days of the date the plat is filed, as defined in Subsection 39.07.004.f, *Plat Filing*. The deadline may be extended an additional 30 days if the applicant requests Planning and Zoning Commission approval.

2. *No Action*. If no action is taken by the Director of Planning at the end of the 30-day period, without the request, the plat shall be deemed to have been approved.

h. **Illegal Subdivision**. Where an applicant seeks approval of a Final Plat for land that was subdivided in violation of this UDC, state law, or any prior Ordinance, and the development cannot comply with this UDC because of the unlawful subdivision, the Director of Planning may deny the plat, taking into account requirements related to lot area, lot width, and the ability to configure the proposed use on the lot.

i. **No Acceptance of Public Improvements**. Approval of the Final Plat shall not constitute the acceptance of any public improvements unless, and until, the City Engineer specifically agrees to such acceptance in accordance with Section 39.04.022, *Acceptance and Maintenance*.

j. **Recording**. Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock

County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.

k. **Preliminary Plat Renewal**.

1. *Phasing*. For a development to be constructed in phases, the Final Plat may include only a portion of the land included in the Preliminary Plat.
2. *Two-Year Period*. Where only a portion of an approved Preliminary Plat is submitted for Final Plat approval, a Final Plat of the remaining area may be submitted at any time within two years of the date of Preliminary Plat approval.
3. *Renewal and Expiration*. If a Final Plat of the remaining area has not been submitted within the two-year time period, the portion of the Preliminary Plat for which no Final Plat has been submitted shall be deemed null and void. However, if at least one phase of the Preliminary Plat has received Final Plat approval, its public improvements have been completed, and it has been recorded with the Lubbock County Clerk, an extension to the two-year time limit shall be automatically granted for all phases.

l. **Street Closure**. Any streets, alleys, or easements dedicated to the public within the proposed Final Plat boundaries that are proposed for closure shall be closed by ordinance before the Final Plat can be recorded. These closures shall not be indicated on the Final Plat. The procedure for right-of-way closure is as follows:

1. Application for closure;
2. Preparation of Final Plat or Replat and indicating closed right-of-way;
3. Council approval of closure;
4. File closure ordinance; and
5. Final plat recorded.

Section 39.07.042 Replat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Replats.

b. **Purpose**. The purpose of a Replat is to allow a property owner to add additional lots or public rights-of-way to a recorded plat without prior vacation, or to reconfigure lots within a recorded subdivision. The purpose of the replat shall be stated in the general notes on the face of the plat.

c. **Applicant Responsibilities**. Except as provided in this Subsection, applicant responsibilities shall be the same as those for a Final Plat. Refer to Subsection 39.07.041.d, *Applicant Responsibilities*.

d. **Replatting Without Vacating Preceding Plat**. In accordance with Texas Local Government Code Sections 212.014, 212.0145, and 212.015, a Replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the Replat:

1. Is signed and acknowledged by only the owners of the property being replatted;
2. Is approved, after a public hearing by the Planning and Zoning Commission on the matter, if required by Texas Local Government Code Section 212.015; and
3. Does not attempt to amend or remove any covenants or restrictions.

e. **Utilities**. The relocation, modification, or abandonment of any utilities shall be the responsibility of the subdivider and shall be provided for concurrently with the Replat. The cost of any such relocation or abandonment shall be borne by the subdivider.

f. **Specific Decision Criteria**.

1. *Review and Decision*. In determining whether to approve or deny a Replat, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.
2. *Required Approval*. If the applicable review body finds that a Replat complies with all applicable decision criteria, then it is required to approve the Replat.

g. **Final Decision**.

1. *Action.* The applicable review body shall make a final decision on the Replat within 30 days of the date the Plat is filed. The deadline may be extended an additional 30 days if the applicant requests or consents in writing to the extension to act upon the Plat.
2. *No Action*. If no action is taken by the applicable review body at the end of the 30-day period, without the request or consent of an extension, the Plat shall be deemed to have been approved.

Section 39.07.043 Vacating Plat

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Vacating Plats.

b. **Purpose**. The purpose of a Vacating Plat is to eliminate the subdivision of property reflected by a prior recorded plat, whereby the subdivided land would return to a single unit of property.

c. **Vacation of Plat**. A recorded plat may be vacated in accordance with Texas Local Government Code Section 212.013

d. **Review and Decision**. In determining whether to approve or deny a Vacating Plat, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.

e. **Utilities**. The relocation, modification, or abandonment of any utilities or easement preparation shall be the responsibility of the subdivider and shall be provided concurrently with the Vacating Plat. The cost of any such relocation or abandonment shall be borne by the subdivider.

Section 39.07.044 Waiver of Improvements

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Waivers.

b. **Purpose**. Waiver of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Waiver of Improvements is to allow for an exemption to complying with the requirements of Sections 39.04.005, *Street Network and Design*, 39.04.012, *Public Water Systems*, and 39.04.013, *Public Wastewater Systems*, specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Waiver of Improvements request may only be considered concurrently with a Preliminary Plat or Final Plat, or Replat. The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Waiver of Improvements in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

c. **Eligibility**. A subdivider may request a Waiver of Improvements on an infill or constrained property only, subject to the following provisions:

1. *Infill*. Where the subject property is:
   A. Proposed for infill development; and
   B. In a location where a minimum of 75 percent of the block face is already developed; and
   C. In the case of water and wastewater, the property is located where existing water and/or wastewater are a minimum of ~~150~~ 180 feet from the subject property, as measured by the shortest distance between a property line of the subject property to the nearest water line and/or wastewater line. For streets, the property is situated such that the surrounding block face street is unpaved; or

2. *Constrained Properties*. The subdivider demonstrates that the subject property is located or configured such that he or she would be required to install water or wastewater infrastructure that, in the professional opinion of the City Engineer, would be highly unlikely to be connected to other infrastructure (for example, without the granting of the Waiver of Improvements , the subdivider would be required to install water or wastewater lines along the perimeter of the property, but one side dead-ends into a railroad track that would render it useless for connecting to other lines). In this instance, the subject property shall only be eligible for a water and/or wastewater Waiver; and
3. *Negative Impact*. Granting of the Waiver of Improvements would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

d. **Specific Decision Criteria**. In determining whether to approve or deny a request for Waiver of Improvements , the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:
   1. *Eligibility*. The subject property is eligible for a Waiver of Improvements based on the provisions in Subsection c., *Eligibility*, above.
   2. *Strict Application*. Strict application of the installation requirement requested to be Waived renders platting of the subject property unfeasible.
   3. *Minimum Necessary*. The Waiver of Improvements requested is the minimum necessary that will make possible platting of the subject property. Subdividers shall provide an estimate of probable cost for infrastructure elements to be waived.
   4. *Negative Impact*. Granting of the Waiver of Improvements would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

e. **Affirmative Findings**. In order to approve a request for Waiver of Improvements, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.

f. **Appeal**. Any party aggrieved by or alleging error in the final decision of a Waiver of Improvements request may appeal to the City Council.

Section 39.07.045 Delay of Improvements

a. **Generally**. In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Delays.

b. **Purpose**. Delay of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Delay of Improvements is to allow the subdivider to postpone the installation of infrastructure required in Sections 39.04.005, Street Network and Design, 39.04.012, *Public Water Systems*, and 39.04.013, *Public Wastewater Systems*, specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Delay of Improvements request may only be considered concurrently with a Preliminary Plat, or Final Plat, or Replat. The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Delay in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

c. **Eligibility**. A subdivider may only request a Delay of Improvements for:
   1. A property that will be served by infrastructure that the City has listed in the most recently approved Capital Improvement Plan adopted with the City's most recently adopted budget, to install, extend, or improve the infrastructure within two years from the time of platting; or
   2. Paving, if it is shown that compliance would be impractical (for example, installation of paving would not be connected to any adjacent paving on any side and therefore would be rendered useless, the street(s) in the proposed development would create elevation differences with adjacent City street projects and would have

to be torn out and/or replaced by the City upon completing City projects, or other similar circumstances as determined by the City Engineer). The subdivider must provide the reasons why compliance is impractical; and

3. *Negative Impact*. Granting of the delay would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

d. **Fee-in-Lieu**.

1. *Fee Required*. If the subdivider receives approval of the Delay of Improvements, he or she shall pay a fee-in-lieu of installing the required water, wastewater, or street paving prior to the City's acceptance of the subdivision. The fee-in-lieu shall be the cost of designing and installing the required improvements, based on a cost estimate that the subdivider shall provide to the City Engineer. The cost estimate shall be sealed by the subdivider's engineer of record and approved by the City.
2. *Use of Fees*. The City shall only use fees collected herein for the construction of water or wastewater facilities or paved streets that directly benefit the subject property.
3. *Deposits*. All fees-in-lieu of installation shall be deposited in a fund referenced to the subdivision to which it relates.

e. **Installation Guarantee Alternative**.

1. *Installation Guarantee Alternative*. If the subdivider receives approval of the Delay of Improvements request and will install improvements within two years of Plat approval, he or she shall provide an installation guarantee in the form of a letter of credit or bond for the amount of the improvement(s) and in a form approved by the City Attorney.
2. *Calling the Installation Guarantee*. If the subdivider does not install, or the City does not accept, the infrastructure that is the subject of the Delay of Improvements within two years after approval of the Delay of Improvements, then the City Engineer may request the installation guarantee from the guarantor so that the delayed improvements may be paid for and installed.

f. **Specific Decision Criteria**. In determining whether to approve or deny a request for Delay of Improvements, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:

1. *Eligibility*. The subject property is eligible for a Delay of Improvements based on the provisions in Subsection c., *Eligibility*, above.
2. *Strict Application*. Strict application of the installation requirement requested to be delayed renders platting of the subject property unfeasible.
3. *Minimum Necessary*. The Delay of Improvements requested is the minimum necessary that will make possible platting of the subject property.
4. *Negative Impact*. Granting of the Delay of Improvements would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

g. **Affirmative Findings**. In order to approve a request for Delay of Improvements, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.

h. **Appeal**. Any party aggrieved by or alleging error in the final decision of a Delay of Improvements request may appeal to the City Council.

ARTICLE 39.08 NONCONFORMITIES

Contents:

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Section 39.08.001 Purpose and Applicability
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Division 8.1 Classification of Nonconformities

Section 39.08.001 Purpose and Applicability

a. **Purpose**. The purpose of this Article is to provide nonconformity regulations. Nonconformities include nonconforming uses, buildings, structures, lots, site features, signs, and billboards.

b. **Applicability**. This Article's regulations apply to all nonconformities. Uses, buildings or structures, lots, site features, signs, or billboards that were illegally established or constructed are not nonconformities and the provisions of this Article do not apply to them.

c. **Territorial Changes**. Whenever zoning district boundaries change to a different zoning district from annexation, these regulations apply to any existing nonconformity.

Section 39.08.002 Nonconforming Uses

a. **Nonconforming Use Defined**. A nonconforming use means any use that:

1. *Previously Nonconforming*. On the effective date of this UDC, was previously lawfully established and complied with the applicable regulations in effect at the time it was established, but does not comply with the applicable regulations of this UDC; or
2. *Nonconforming Due to Amendment.* On or after the effective date of this UDC, was lawfully operating according to this UDC's provisions but which use, by UDC amendment, or other governmental action, then became an unpermitted use in the district in which the use is located. Also, territory annexed into the City may continue as provided pursuant to Chapter 43 of the Texas Local Government Code.

b. **Limitations on Nonconforming Uses.**

1. *Nonconforming Uses***.** The lawful use of land existing as of the effective date of this UDC, or a lawful use that becomes nonconforming because of an amendment to this UDC, may continue.
2. *Abandonment.* If a nonconforming use is abandoned for 12 months, any future use on the property shall conform to this UDC. Abandonment of a nonconforming use terminates the right to operate that use.
3. *Expansion of Use.* A nonconforming use may not expand, enlarge, or extend throughout the building, except in accordance with the requirements specified in Section 39.08.006, *Nonconformity Expansion*.
4. *Expansion of Structure within a Nonconforming Use*. A conforming structure within an operating nonconforming use shall not expand, enlarge, or extend unless by the requirements specified in Section 39.08.006, *Nonconformity Expansion*.
5. *Conditions.* The right of nonconforming uses to continue are subject to maintenance regulations adopted by the City designed to protect adjacent properties.

Section 39.08.003 Nonconforming Buildings or Structures

a. **Nonconforming Building or Structure Defined**. A nonconforming structure means any existing building or structure erected or modified on or before the effective date of this UDC that complied with the regulations in effect at the time it was erected or modified but that does not comply with all the regulations applicable in this UDC.

b. **Limitations on Nonconforming Buildings or Structures.**

1. *Continuance***.** Subject to this Section, any nonconforming building or structure may be occupied, operated, and maintained in a state of good repair.

2. *Expansion***.** A nonconforming building or structure may be expanded, enlarged, or extended if the expansion, enlargement, or extension complies with all of the provisions of this UDC established for buildings and structures in the district where the nonconforming building or structure is located. Expansion, enlargement, or extension requires compliance with all other applicable City ordinances and Section 39.08.006, *Nonconformity Expansion*.

3. *Repairs or Alterations*. Repairs may be made to a nonconforming building or structure. No structural alterations may be made unless required by law or ordinance. These regulations may not allow an addition to a nonconforming building or structure unless for the purpose of installing and enclosing sanitary facilities such as toilets and bathrooms.

   A. The Building Official is authorized to issue Building Permits for these improvements.

   B. Improvements that provide sanitary facilities may not exceed 60 square feet in area.

4. *Moving*. No nonconforming building or structure may be moved in whole or in part to any other location on the lot, or to any other lot, unless every portion of the building or structure conforms to all of the district's regulations.

5. *Restoration of Damaged Buildings*. A nonconforming building or structure that is damaged or partially destroyed by fire, wind, explosion, earthquake, or other calamities shall not be restored or used if the expense of restoration exceeds 75 percent of the replacement cost of the building or structure when the damage occurred. Any nonconforming building or structure partially destroyed may be restored if restoration starts within 12 months of the date of partial destruction. If a nonconforming building or structure is damaged by more than 75 percent of its replacement cost at that time, the repair or reconstruction of that building or structure shall conform to all the district's regulations where it is located. This repair or reconstruction is deemed a new building or structure. For provisions related to flood damage, even if such flood damage resulted in a fire or other related calamity, refer to Section 39.05.016, *Improvement and Repair Requirements.*

c. **Termination of Nonconforming Buildings or Structures.**

1. *Damage.* The right to operate and maintain any nonconforming building or structure terminates and ceases to exist whenever the nonconforming building or structure is damaged in any manner and from any cause, and the cost of repairing that damage exceeds 75 percent of the replacement cost of that structure on the damage date.

2. *Obsolete.* The right to operate and maintain any nonconforming building or structure terminates and ceases to exist when the nonconforming building or structure becomes obsolete or substandard under any applicable City ordinance and the cost of placing that building or structure in compliance with the applicable ordinance exceeds 75 percent of the replacement cost of that building or structure on the date that the Building Official or Director of Code Enforcement determines that the building or structure is obsolete or substandard.

3. *Determination of Replacement Cost.* The replacement cost determination of any nonconforming building or structure does not include the cost of land or any factors other than the nonconforming building or structure itself.

Section 39.08.004 Nonconforming Lots

a. **Nonconforming Lot Defined**. A nonconforming lot means any existing lot created on or before the effective date of this UDC that complied with the regulations in effect at the time of creation but that does not comply with all the regulations applicable in this UDC.

b. **Continuance**. The nonconforming lot may be used for any use allowed by the zoning district in which it is located, if:

1. *Access to Street*. The lot has direct access to an existing improved public or private street or alley;
2. *Contiguous Properties*. The lot is in separate ownership from all adjacent and contiguous parcels, therefore preventing acquisition of the additional land area needed to comply with the standards that would normally apply to the creation of the lot (for example, minimum area and width); and
3. *Other Standards*. Development on the lot complies with applicable standards of this UDC (other than lot area and/or width).

c. **Creation of Nonconforming Lots Prohibited**. The subdivision of any land may not result in a lot area or dimension that does not meet the minimum standards of this UDC.

Section 39.08.005 Nonconforming Site Features

a. **Nonconforming Site Features Defined**. A nonconforming site feature means any existing site feature established on or after the effective date of this UDC that complied with the regulations in effect at the time of development but that does not comply with all the regulations applicable in this UDC. A site feature includes parking, loading, and stacking; landscaping and buffers; signs, including billboards; outdoor lighting; or other site conditions or standards required by Articles 39.03, *Building and Site Design*, or 39.04, *Subdivision Standards*.

b. **Generally**. Except for provisions specifically related to signs and billboards below, the following shall apply to all nonconforming site features.

1. **Continuance.** Nonconforming site features may continue if there is no site expansion, enlargement, or extension.
2. **Compliance.** If a nonconformity is expanded, enlarged, or extended, nonconforming site features shall comply with the standards of this UDC.

c. **Nonconforming Sign or Billboard**.

1. *Defined*. A nonconforming sign or billboard means any sign or billboard existing on or before the effective date of this UDC that does not comply with all applicable development standards and the standards of the zoning district in which the sign or billboard is located.
2. *Sign Includes Billboard*. The use of the term "sign" in this Section includes the term "billboard" unless specifically stated otherwise.
3. *Continuance*.

A. *New Copy*. If the existing sign face is structurally safe and holds a valid permit additional new sign copy is permitted if that change or alteration does not result in:

i. A change in message method or technology;
ii. An increase in sign illumination;
iii. An increase in sign face area;
iv. Structural alteration to extend its useful life;
v. Any dimensional expansion;
vi. Reestablishment of the sign after damage or destruction if the cost of repairing the sign is greater than 50 percent of its replacement value at the time of damage or destruction;

vii. Modification or relocation that increases the sign's nonconformity;

viii. Modification or addition of lighting or any other enhancement;

ix. Replacement poles subject to a Building Permit, but only if not more than one-half of the total number of poles of the sign structure are replaced in any 12-month period and the same material is used for the replacement poles;

x. Addition of a catwalk to the sign structure;

xi. Addition of lighting to an unilluminated sign or addition of more intense lighting to an illuminated sign, whether or not the lights are attached to the sign structure;

xii. A change in the number of poles in the sign structure;

xiii. Addition of permanent bracing wires, guy wires, or other reinforcing devices;

xiv. A change in the material used in the construction of the sign, such as replacing wooden material with metal material;

xv. Addition of faces to a sign or changing the sign configurations;

xvi. Increase in sign height;

xvii. A change in the configuration of the sign structure, such as changing a "V" sign to a stacked or back-to-back sign, or a single face sign to a back-to-back sign; or

xviii. Relocation of the sign.

B. *Repair or Maintenance*. This Section shall not prevent repair or maintenance of any part of a sign structure to a safe condition or performing normal maintenance operations on a sign or sign structure. The following actions are considered maintenance and are allowed without losing the legal nonconforming status of the sign:

i. Replacing nuts and bolts;

ii. Nailing, riveting or welding;

iii. Cleaning and painting;

iv. Manipulating sign structure to level or plumb it;

v. Replacing minor parts if the material of the minor parts is the same type as those being replaced and the basic design or structure of the sign is not altered; and

vi. Changing all or part of the sign face with materials similar to those being replaced.

4. *Moving*. A nonconforming sign shall not move in whole or in part from or within the lot in which it is located, unless every portion of such sign is made to conform to all regulations of the district in which it is located.

5. *Abandonment and Termination of a Nonconforming Sign*. A nonconforming sign is deemed abandoned and the right to operate a nonconforming sign terminates immediately if any of the following occur:

A. *Non-Use*. The sign is not used for a continuous period of more than 365 days.

B. *Damage or Destruction*. A portion or all of the sign is damaged or destroyed by the intentional act of the owner or his or her agent.

C. *Dilapidation*. The nonconforming sign is dilapidated, substandard, or is not maintained in a suitable condition during a continuous period of 90 days.

Section 39.08.006 Nonconformity Expansion

a. **Applicability.** The Zoning Board of Adjustment may, after public notice and hearing as required in Texas Local Government Code Chapter 211, and subject to the conditions and safeguards in this Section, authorize the following:

1. The reconstruction, extension, or enlargement of a building occupied as a nonconforming use; or
2. The extension of a nonconforming use in a building upon a lot occupied as a nonconforming use.

b. **Decision Criteria**. In granting the expansion, the Board may provide conditions of approval that, in its opinion, will secure substantially the purpose and intent of this UDC as articulated in Section 39.01.002, *Purposes*.

ARTICLE 39.09 ENFORCEMENT AND REMEDIES

Contents:

Division 9.1 Enforcement Procedures
Section 39.09.001 Purpose
Section 39.09.002 Applicability
Section 39.09.003 Right of Entry
Section 39.09.004 Violations
Section 39.09.005 Owner Responsibility

Division 9.1 Enforcement Procedures

Section 39.09.001 Purpose

The purpose of this Article is to set out the procedures for enforcing this UDC, and the remedies available to the City for violations of this UDC.

Section 39.09.002 Applicability

a. **Compliance Required**. No person may use, occupy or develop land, buildings or other structures, or authorize or permit the use, occupancy or development of land, buildings or other structures, except in accordance with all the provisions of this UDC.

b. **Continuation of Prior Enforcement Actions**. Nothing in this UDC shall prohibit the continuation of previous enforcement actions undertaken by the City pursuant to regulations in effect before the effective date of this UDC. Enforcement actions initiated before the effective date of or amendments to this UDC may be continued to completion or settlement under the terms of the regulations in effect prior to the effective date of this UDC.

Section 39.09.003 Right of Entry

The Director of Code Enforcement is empowered to enter any building, structure, or premises in the City upon which a development or land use is located, as follows:

a. **Inspection**. Entry shall be for the purpose of inspection to ensure compliance;

b. **Hours**. Inspection shall be performed during business hours, unless an emergency exists; and

c. **Permission**. Inspection shall be made only after:

1. Contact and permission is granted by the owner or tenant; or
2. An order is given from a court of competent jurisdiction.

Section 39.09.004 Violations

a. **Complaints**. Any person may file a written complaint to the Director of Code Enforcement on a suspected violation of this UDC. The Director of Code Enforcement shall record the complaint immediately, investigate, and take action as provided in this Article.

b. **Penalties.**

1. *Fine*. Any person, landowner, building owner or occupant who violates any of the provisions of this UDC or who fails to comply with any of the provisions of this UDC or who builds, alters, or occupies any building, structure, or land in violation of any statement of or plan submitted and approved under this UDC shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed $2,000.00 or such other amount as may be provided by the general laws of the State of Texas for such offenses. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

2. *Director of Code Enforcement Authority*. In addition to the remedies provided in Article 39.09, *Enforcement and Remedies*, the Director of Code Enforcement may, in case of any violation of this UDC, institute on behalf of the City of Lubbock any appropriate action or proceeding to prevent, restrain, correct, or abate such violation, or to prevent any illegal act, conduct of business, or use in or about such premises.

Section 39.09.005 Owner Responsibility

It shall be the responsibility of the property owner to maintain and ensure conformance to the provisions of this UDC.

ARTICLE 39.10 WORD USAGE

Contents:

Division 10.1 Rules of Construction

Section 39.10.001 Rules of Construction

Division 10.2 Definitions

Section 39.10.002 Definitions

Division 10.1 Rules of Construction

Section 39.10.001 Rules of Construction

a. **"Shall," "will," "should," "may," and "must."**

1. The words "shall," "must," and "will" are always mandatory.

2. The words "should" and "may" are discretionary.

b. **Representative of the City**. Any office referred to in this UDC by title means the person employed or appointed by the City in that position, or their duly authorized representative, and includes any person designated to perform the duties of such office.

c. **Customary Usage**. Definitions not expressly prescribed in this UDC are to be construed in accordance with customary usage in municipal planning and engineering practices.

d. **Most Recent Version**. All references to other county, state, or federal regulations in this UDC refer to the most current version and citation for those regulations unless expressly indicated otherwise. If the referenced regulations have been repealed and not replaced by other regulations, requirements for compliance are no longer in effect.

e. **Tense and Number**. Words in the present tense include the future and vice-versa. Words in the singular number include the plural number and vice-versa.

f. **Building and Structure**. The word "building" includes the word "structure."

g. **District**. The word "district" means zoning district.

h. **City**. The word "City" means Lubbock, Texas.

i. **Comprehensive Plan**. The words "Comprehensive Plan" refer to Plan Lubbock 2040, a Comprehensive Plan for the Future.

j. **Gender**. If a feminine term is used, the masculine also applies and vice-versa.

k. **Conjunctions**.

1. *And*. The word "and" shall be construed to include all connected items in a series or set of conditions or provisions.

2. *Or*. The word "or" shall be construed to include one or more of the items in a series or set of conditions or provisions, unless the context clearly indicates otherwise.

l. **Lists**. The use of terms such as "including," "such as," or similar language is intended to provide examples, not to be exhaustive lists of all possibilities, unless the context clearly indicates otherwise.

m. **Rounding**. If any regulatory formula in this UDC results in a non-whole number of an indivisible object or feature (for example, a bufferyard requiring 6.33 trees or a parking lot requiring 20.75 spaces), then the non-whole number shall be rounded down or up to the next lowest or highest whole number (in the bufferyard case, 6 and in the parking lot case, 21).

n. **Days**. All references to "days" are deemed calendar days unless expressly indicated otherwise. The time in which an act shall be completed is computed by excluding the first day and including the last day. In computing working days, if applicable, Saturdays, Sundays, or holidays observed by the City are excluded. A day concludes at the close of business for the Planning Department, and any materials received after that time will be deemed to have been received the following day.

o. **Illustrations, Tables, and Text**.

1. *Text*. The text material of this UDC controls over tables and illustrations in cases of inconsistency. Likewise, tables control over illustrations.

2. *Graphics*. Illustrations and photographs in this UDC are provided for illustrative purposes only.

p. **Defined and Undefined Terms**. Terms defined in Division 10.2, *Definitions*, are those having a special meaning relative to the purposes of this UDC. All words not defined in Division 10.2 shall be given their usual and customary meanings, according to the Director of Planning, unless the context clearly indicates otherwise.

q. **Conflicts**. Where this UDC conflicts with another local, state, or federal law, whichever the Director of Planning finds imposes the more stringent restrictions controls. Where the Director of Planning finds conflicting provisions to be equally stringent, then the provision more recently adopted controls.

Division 10.2 Definitions

Section 39.10.002 Definitions

A

Abutting means property where two adjoining lots have a common boundary, not including lots that are separated by a public right-of-way.

AC means the Auto-Urban Commercial zoning district.

Accessory Dwelling Unit means a space incorporated within the living area or detached from the primary single-family residence. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

Accessory Structure means a subordinate and incidental structure located on the same lot as and reasonably necessary and incidental to the principal use or structure. This definition includes, but is not limited to, garages, tool houses, greenhouses, and storage sheds.

Accessory Use means a subordinate use incidental to and located on the same lot with the principal use, and which is reasonably necessary and incidental to the conduct of the principal use.

Adjacent means next to, but shall not necessarily mean “touching.” Also refer to the definition for "Abutting."

Adult Care Center means a facility that provides services under an Adult Day Care Program on a daily or regular basis, but not overnight, to four or more elderly or handicapped persons who are not related by blood, marriage or adoption to the owner of the facility. Adult Care Centers must be licensed by the Texas Health and Human Services Commission. This definition includes adult day care centers, rescue missions, and shelters for the homeless and other types of transient housing not licensed by the Texas Health and Human Services Commission.

Agent means a person designated in writing by the short-term rental operator in lieu of themselves as the 24-hour emergency contact for a lawfully operating short-term rental.

Agricultural Accessory Use or Structure means an agricultural use or structure that specifically supports the agricultural use on the same property.

Agricultural Use means a use category for the commercial production of field crops for food, fiber, or energy; community gardens; orchards; viniculture; horticulture; dairying; pasturage; aquaculture; and truck farming. The term also includes bulk grain or feed storage; commercial feedlots; grain mills; greenhouse/nursery; farming, landscaping, and horticultural sales and services; hatcheries; indoor crop production; riding stables, private; wildlife sanctuaries; woodland preserves; animal husbandry or the raising or breeding of game, livestock, cattle, horses, or poultry, and the keeping of bees, or other uses that the Director of Planning interprets to be functionally similar to a use in this list. An Agricultural Use includes any use listed under "Residential Uses" - "Agricultural" in Table 39.02.016 in Section 39.02.016, *Land Use Matrix*.

All-Weather Surface means areas paved with concrete, asphalt, graded stone, grass-crete pavers, uni-stone pavers, or other paving materials approved by the City Engineer.

Alley means a public way that gives access to the rear of lots or buildings.

Alternative Tower Structure means clock towers, bell steeples, light poles, and similar alternative antenna mounting structures.

Ancillary Exterior Wall means any building facade that is visible from a public right-of-way, residential property, or public open space, but that is not the primary facade.

Animal, Large means any equine animal including, but not limited to, a horse, stallion, mare, gelding, filly, colt, mule, hinny, jack, jennet, any species of the bovine family; including but not limited to any cow, calf, steer or bull, any llama, sheep, ram, ewe, lamb; any goat, billy, nanny, or kid; or an emu, ostrich, or rhea.

Animal Husbandry means the keeping or raising of livestock or any other animal for agricultural purposes, whether it be commercial or non-commercial. This definition includes game farms, hatcheries (fish or fowl), and poultry.

Apartment means any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied as five or more dwelling units or which is occupied as the home or residence of five or more families living independently of each other and maintaining separate cooking facilities. The use may include a manager's or rental office.

Appeal means a request for review of a decision regarding the interpretation of any provision of this UDC or a final decision by a decision-making body.

Area of Special Flood Hazard means an area having special flood, mudflow, or flood-related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map (FIRM) as Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations shall be enforced and the area where the mandatory purchase of flood insurance applies. For the purpose of determining Community Rating System (CRS) premium discounts, all AR and A99 zones are treated as non-SFHAs.

Automated Teller Machine (ATM), Non-Freestanding or Vending Kiosk means an automated mechanized consumer banking device operated by a financial institution for the convenience of its customers, whether inside or outside of a financial institution, or located in a structure unrelated to the financial institution operating it.

Automobile and Related Uses means a use category that includes commercial uses related to direct sales of and service to passenger vehicles, light, medium, and heavy trucks and equipment, and other motor vehicles such as motorcycles, boats, and recreational vehicles.

Uses in this use category include: Automobile and vehicle wash; Automobile structured parking (primary use); Automobile parking lot (primary use); Automobile / vehicle parts and/or accessories; Automobile / vehicle sales and rental; Automobile / vehicle repair and auto body; Automobile / vehicle service; Travel Plaza; Truck parking lot (primary use); or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Automobile and Vehicle Wash means any area or business using self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of another business operation (e.g., as an accessory use to an automobile fueling or charging station, automobile sales, rental, and service), or as a stand-alone operation, of any type, on a commercial basis. This definition includes auto laundries and car washes.

Automobile / Motorcycle Race Track means a facility that is used primarily for the sport of racing motor vehicles (e.g., automobiles, trucks, and/or motorcycles). A racetrack may include seating, concession areas, suites, and accessory administrative offices. This term also includes any facility used for driving motor vehicles under simulated racing or driving conditions.

Automobile Parking Lot (Primary Use) means surface lots, which may be shared or leased, designed and built for the parking of small to medium-sized motor vehicles, not including large trucks such as semi-trailers that are designed to move large quantities of goods and with no other use taking place on the property.

Automobile Structured Parking (Primary Use) means a garage that is available to the public for free or for a fee, or to residents, tenants, or guests of a building. Structured parking is also frequently referred to as a parking garage.

Automobile / Vehicle Parts and/or Accessories Sales means retail sales of automobile-related parts and accessories.

Automobile / Vehicle Repair and Auto Body means any land, building, structure, or premises used for the general repair of automobiles including but not limited to engine rebuilding or reconditioning of motor vehicles; engine steam cleaning; transmission welding or rebuilding and installation; collision service such as body, frame and fender straightening and repair; tire recapping and vulcanizing; and painting of motor vehicle after a collision, fire damage, water damage, or other natural disaster or for the purpose of restoration. This definition includes automobile body shops; automotive glass shop; muffler shop; and spray-painting shop.

Automobile / Vehicle Sales and Rental means premises on which new or used passenger automobiles or light trucks in operating condition are displayed for sale, lease, or rental. This definition includes automobile sales and service; motorcycle shop, including sales, rentals and service; secondhand or used car sales lot.

Automobile / Vehicle Service means any land, building, structure, or premises used for the routine maintenance of automobiles and limited servicing of automobiles including, but not limited to, the sale and installation of oil, lubricants, filters, batteries, tires, brakes, belts, and other similar activities or for installing or repairing parts and accessories but not to include the activities of Automobile / Vehicle Repair and Auto Body as defined.

Awning or Canopy means any structure attached to the wall of a building which was built and designed for the purpose of cosmetics or for shading a window, door, or sidewalk. Awnings are not integral to the building, are typically triangular or curved in cross-section and are generally comprised of a metal frame and canvas or other fabric.

B

Bakery, Wholesale means a place for preparing, cooking, or baking of products primarily intended for off-premise distribution. This definition includes confectionary works.

Balcony means an open habitable or decorative portion of an upper floor extending beyond a building's exterior wall with one or more sides permanently open to the exterior except for a railing or parapet not exceeding four feet in height. A balcony is not supported from below by vertical columns or piers but is instead supported by either a cantilever or brackets.

Bank, Credit Union, and Financial Services means any of the class of business in freestanding buildings, kiosks, or automated teller machines that provides financial services and the transmission of funds.

Base Flood means the flood having a one-percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) means the elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the base flood. Refer to the City's Drainage Criteria Manual.

Basement means any area of the building having its floor subgrade (i.e., below ground level) on all sides.

Batch Plant means a permanent or temporary use where cement, mortar, or asphalt is manufactured. This definition includes concrete products manufacturing.

Bay Window means a window, that is not a transom window, that is part of an outside wall of the structure and that projects outward from the remaining portion of the wall.

Bicycle Space means an area for the temporary storage of a bicycle that is permanently reserved for such purpose.

Big Box Retail means a retail development with a single general commercial building or multiple such buildings all of which are a minimum of 50,000 square feet in gross floor area. The format includes warehouse club stores with or without paid memberships, discount retailers, and similar uses.

Billboard means any structure upon which copy is placed on a poster or panel and mounted on a pole or metal structure, typically as follows: (1) wood posts or pole supports with dimensional lumber as the secondary support (A-frame) with a wood or metal catwalk and a single display panel, (2) steel A-frame constructed with angle iron or steel supports with metal framing, catwalk, and a single display panel, (3) multi-mast structure constructed with steel poles, I-beam or equivalent as primary support, with a catwalk, and a single display panel, or (4) monopole structure constructed with tubular steel support, tubular steel framing, metal catwalk and a single display panel with a concrete foundation.

Block means the aggregate of private lots and rear alleys circumscribed by streets.

Block Face means one side of a street between two connective features intersecting that street. The features can be other streets or boundaries of standard geographic areas (e.g., parkland, bulb of a cul-de-sac street, other right-of-way, etc.).

Boarding or Rooming House means any building or portion thereof which contains guest rooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by three or more, but not exceeding 11 individuals, for compensation, paid directly or indirectly, and no meals are served or provided to the occupants.

Brewery means a place where beer is manufactured or made commercially.

Brewpub means an establishment that sells beer that has been brewed on the premises, and which may include a restaurant.

Build-to-Zone (BTZ) means the range of allowable distances from the front property line along which the principal vertical plane of the building's primary facade shall be built in order to create a moderately uniform line of buildings along the street.

Building means a structure having a roof supported by columns or walls and designed or intended for the shelter, support, enclosure or protection of persons or chattels, except for tents and canopies.

Building Materials and Hardware Sales means the retail sale, rental, or lease of durable consumer goods, or the retail sale, rental, or lease of such goods in combination with repair and maintenance services and the sale of replacement parts and accessories. Stores that include in part the sale of raw materials such as lumber and/or brick are included within this definition and land use category. This definition also includes builder's supply; electrical supply dealer; hardware store; home improvement center; paint, tile, carpet, wall covering, and floor covering store.

Building Official means the building inspection administrator of the Department of Building Safety of the City of Lubbock or his or her Designee.

C

Canopy Tree means a tree exceeding 30 feet in height at maturity, planted for its high crown of foliage or overhead canopy and listed as a Canopy Tree in Appendix A, *Plant List*.

Cargo Terminal means a facility used for the loading and unloading of materials to be distributed by either truck or train. This includes railroad roundhouse or shops; truck, bus, and train maintenance facilities; railroad yards; and truck or railway freight terminal depot or station.

Carnival means an establishment with amusement activities; merry-go-rounds, Ferris wheels and similar types of amusement rides; booths for the conduct of games of skill; food dispensing facilities; and sideshows; that are temporarily conducted outdoors and not within a theater, auditorium, gymnasium or other permanent building.

Carport means a roofed motor vehicle shelter open on three sides that does not allow the vehicle to pass completely through.

Cemetery / Funeral Services means land used or intended to be used for the burial of the dead, whether human or animal, including crematoriums and mausoleums and buildings where funeral services may be held. This definition includes funeral homes and/or mortuaries.

CFR means Code of Federal Regulations.

Child Care, Day Care Center means a child care facility that provides care at a location other than the residence of the director, owner, or operator of the child care facility for seven or more children under 14 years of age for less than 24 hours a day, but at least two hours a day, three or more days a week. This definition includes day care centers, nursery schools, and kindergartens.

Circus means an event with a variety of shows, including, but not limited to, animal acts, feats of physical skill, and performances by entertainers such as jugglers or clowns, which is temporarily conducted out-of-doors and not within a theater, auditorium, gymnasium or other permanent building.

City means the City of Lubbock, Texas.

City Engineer means the City Engineer of the City of Lubbock or his or her designee.

City Manager means the City Manager of the City of Lubbock or his or her designee.

Civic and Institutional Uses means a use category containing uses that provide services to the general public related to recreation, fellowship, worship, health, and education.

Uses in this category include: Adult care center; Cemetery / funeral services; Correctional institution; Child care, day care center; Club or lodge; Community centers, public; Educational services (excluding transportation-related instruction); Educational services (transportation-related instruction only); Hospital / rehabilitative care; Library, museum, or gallery; Medical and diagnostic laboratories; Medical office / clinic; Place of public assembly, indoor; and Governmental service (police, fire, emergency medical services); or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Civic Building means a building designed specifically for a civic and institutional use.

Civic Open Space means a natural or landscaped outdoor area provided for the purpose of active or passive public recreation. It may include publicly accessible outdoor amenities such as a playground, seating area, picnic area, multi-use path and temporary or permanent small outdoor performance space or place of public assembly.

Clearance means the minimum distance from the bottom of the sign to the sidewalk or grade beneath the sign.

Club or Lodge means a building and related facilities owned and used on a regular or recurring basis for fraternal, social, educational, recreational, or cultural enrichment of its members, and whose members meet certain prescribed qualifications for membership. This definition includes health or athletic clubs.

Cluster System means a sewage collection, treatment, and disposal system designed to serve two or more sewage-generating units on separate legal tracts where the total combined flow from all units does not exceed 5,000 gallons per day that complies with Title 30, Chapter 285, of the Texas Administrative Code.

Commercial Amusement, Indoor means uses that provide commercial amusement indoors (except sexually-oriented businesses). This definition includes game rooms (pinball machines and video games machines only); pool, billiard and/or domino parlors; skating rinks; theaters and motion picture shows (includes multiple screens and live action theaters); coin-operated machines; bowling alleys; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Commercial Amusement, Outdoor means uses that provide commercial amusement outdoors, including, but not limited to: athletic field, park, stadium, or arena, commercial; baseball field/park; farmers' market; golf course or golf driving range; miniature golf course; model airplane center or go-cart track; motorcycle race track; outdoor markets, limited to farm products and new merchandise; pool (commercial); or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Commercial Uses means a use category that includes uses engaged in the provision of goods, services, and repair activities to retail consumers and, to a lesser extent, other businesses.

Uses in this use category include: Bank, Credit Union, and Financial Services; Brewpub, Microbrewery, Microdistillery, or Microwinery; Building Materials and Hardware Sales; Fuel Sales; Grocery (Food Sales); Heavy Machinery Sales and Rentals; Home Furnishing Store; Kennel; Manufactured Home Sales and Storage; Hotel or Motel; Office, General; Pawn Shop; Personal Service; Recreational Vehicle Parks and Campgrounds; Repair Service; Restaurant; Retail Sales; Self-Storage, Mini-Warehouse; Sexually Oriented Business; Smoke Shop or Tobacco Store; Studio (Arts, Crafts, or Recording); Veterinary Clinic and/or Service, Large Animal; Veterinary Clinic and/or Service, Small Animal; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Common Destination means an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Open Space; a Civic Building; a Commercial center; a Third Place; a Meeting Hall; or a transit station and may act as the social center of a neighborhood.

Common Ownership means the collective ownership of a property by two or more persons. The property is not held in any one person's name in particular, but in the names of all the persons.

Community Garden means an area of land managed and maintained to grow and harvest food or horticultural products for personal or group consumption or for off-site sale or donation.

Concept Plan means an initial submittal describing a Planned Unit Development project.

Contractor's Shop and/or Service Yard means an area used to store and maintain construction equipment and other materials customarily used in the trade carried on by the construction contractor. This definition includes building materials, storage; contractor plan or storage yard; roofing contractor's shop; septic tank service; insulation applicator business; pest control service; and refrigeration service. This definition excludes temporary contractor's storage associated with the site of an on-going construction project.

Contributing Building, Structure, or Site means a building, structure, or site that is part of a local, state, or federal historic registry, and that retains a significant amount of its physical integrity, whether exposed or concealed, and character-defining features, or that is associated with significant people or events.

Cornice means a projecting horizontal decorative molding along the top of a wall or building.

Correctional Institution means a facility providing housing and care for individuals legally confined for violations of law. This definition includes prison, jail, or other place of incarceration.

Contiguous means "touching" or "in contact."

D

Dancing means to move the body, especially the feet, in rhythm, ordinarily to music.

Dedication Deed means a legal instrument that designates property, usually within a subdivision, with a particular legal description. It also designates the boundaries of land reserved for public use, such as streets or alleys, is signed by the owner(s) and primary lienholder(s) of the property being platted and identifies easements for particular purposes such as utilities. A plat accompanies and illustrates the legal description and right-of-way dedications from the dedication deed (or Dedicatory Certificate).

Developer means a person who causes land to be divided into a subdivision or a person who submits an application to the City for a land development project.

Development Application means a written or digital request to receive approval of a development review procedure listed in Article 39.07, *Development Review Procedures*.

Development Lot means a parcel or abutting parcels of land, that have definite boundaries, which is improved as a single unit of use.

Development means any manmade change in improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

Diligence means a constant and earnest effort to complete activities proposed as part of an approved application.

Distillery means a place where liquor is manufactured or made commercially.

Div. means Division.

Donation Bin / Recycling Collection, Drop-Off means containers dedicated for the purpose of collecting discarded materials for recycling or reuse for the benefit of nonprofit charitable organizations.

Dormitory means a building in which living quarters are provided primarily for individual students under the general supervision or regulation of an established college or university and as distinguished from an apartment, hotel, motel or rooming house. A dormitory may provide apartment units for guests, faculty or supervisory personnel on a ratio not to exceed one such apartment unit for each 50 students for which the building is designed. Individual rooms or suites of rooms may have cooking facilities. The dormitory may include facilities such as a commissary and/or snack bar, lounge and study area, dining halls and accessory kitchen, recreation facilities and laundry, provided that these facilities are for the benefit and use of the occupants and their guests and not open to the general public. This definition includes sorority houses and fraternity houses.

Drip Line means a vertical line extending from the outermost edge of a tree's crown canopy to the ground.

Drainage Criteria Manual (DCM) means the manual adopted and approved by the City of Lubbock City Council that establishes requirements for drainage plans, drainage analyses, drainage design and construction in newly developing or redeveloping areas.

DRC means Development Review Committee.

Drip Line Zone means the area of undisturbed natural soil around a tree defined by a horizontal circle drawn at grade with the center being the center of the main trunk of the tree and a radius equal to the distance from the center of the main trunk to the outermost portion of the drip line.

Drive-In or Drive-Through Facility means a place of business being operated for the retail sale of food and other goods, services, or entertainment wherein patrons may be served or otherwise conduct their business while remaining in their automobiles.

DU means Dwelling Unit.

Duplex means a single building that contains two dwelling units located on a single lot. The units share either common walls or common floor/ceilings. A duplex is also known as a two-family dwelling.

Dwelling means a building or portion of a building designed exclusively for residential occupancy, including single-family, two-family, and multiple-family dwellings, except for buildings designed and used as hotels, boarding or rooming houses, and motels.

Dwelling Unit means one or more rooms in a dwelling designed for occupancy by one individual or family living independently as a single housekeeping unit, with no more than one kitchen unit.

Dwelling Units per Acre means the number of residential dwelling units per 43,560 square feet of development. This measurement accounts for lot areas and widths, common open space (as applicable), and rights-of-way.

E

E-Cigarette means any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize a liquid solution that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The liquid used in e-cigarettes typically contains nicotine; therefore, e-cigarettes and their associated liquids are classified as both tobacco products and tobacco paraphernalia.

Easement means the right of the public or an authorized entity or entities to use the land owned by another for a specific purpose.

Educational Services means any use devoted to learning, regardless of whether it is public, private, commercial or noncommercial or for children or adults. Playground equipment, athletic fields, athletic stadiums, cafeterias, gymnasiums, parking (including bus parking), and libraries are considered valid accessory uses of this land use. This definition also includes commercial school, including trade school; commercial schools, except mechanical or trade; nonprofit training center with retail sales as an incidental use; private schools having a curriculum equivalent to that of public schools, public schools; and schools, private or public, directly related to the medical profession.

Electronic Message Display or "EMD" means a sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

Encroachment means a structural or architectural element that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, into the public frontage, into the right-of-way or onto another property.

Engineering Minimum Design Standards and Specifications means the design standards and construction specifications issued by the engineering department for municipal water, wastewater, storm sewer, and street paving improvements.

ETJ means Extraterritorial Jurisdiction.

Existing Structures means structures, for the purpose of determining rates, for which the start of construction commenced before the effective date of the FIRM or before September 2, 1982, for FIRMs effective before that date.

Existing Vegetation means the plant cover, floristic composition, or vegetation structure occurring in a specific place at a specific time and must be healthy and non-invasive.

Exterior Architectural Feature means the style, design, general arrangement, and components of all the outside surfaces of a structure which characterize the landmark or district.

Extraterritorial Jurisdiction (ETJ) means the unincorporated area, not part of any other city, which is contiguous to the corporate limits of ~~any city~~ Lubbock as defined in the Texas Local Government Code, Title 2, Chapter 42, and extends from such limits a distance of five miles.

F

Facade means the exterior wall of a building that is set along a street, not including an alley.

Facade Transparency means the amount of transparent window glass or other openings in the facade of a building, relative to the overall surface area of the facade.

Family means one or more persons related by blood, adoption or marriage, or not more than three unrelated persons living and cooking together as a single housekeeping unit. Residents of group homes are included within this definition.

Farm, Ranch, or Orchard means land used for growing of usual farm products and/or raising of usual farm poultry and farm animals and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law. This definition includes agricultural field crop or orchards; agricultural animal husbandry; crop production; feedlots; game farms; hatchery (fish, fowl, or poultry); horticulture; indoor crop production or farming; livestock grazing or pasturing; and private stable or riding facility.

Farming, Landscaping and Horticultural Sales and Services means the sale of products either cultivated by agricultural methods or sold to assist with the cultivation of agriculture. This definition includes agricultural implement and tractor sales and service; feed grinding and processing; irrigation intake or pump; irrigation sales and services, including pumps and equipment; dairy supply dealer; and feed stores.

FEMA means the Federal Emergency Management Administration.

FIRM means the Flood Insurance Rate Map.

Fixtures means the assembly that holds the lamp in a lighting system which is designed to provide light output control. This includes, but is not limited to, reflectors (mirrors) or refractors (lens), the ballast, housing, and the attachment parts.

Flood Hazard Boundary Map means an official map of a community issued by FEMA, where the boundaries of the flood, mudflow and related erosion areas having special hazards have been designated.

Flood Insurance Rate Map means an official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard areas and other flood areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) means a compilation and presentation of flood risk data for specific watercourses, lakes, and coastal flood hazard areas within a community. When a flood study is completed for the NFIP, the information and maps are assembled into an FIS. The FIS report contains detailed flood elevation data in flood profiles and data tables.

Flood or Flooding means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties from:

a. The overflow of inland or tidal waters.
b. The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Protection System means those physical structural works which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain Administrator means the City Engineer or his or her appointee who administers and implements provisions related to floodplain management.

Floodplain or Floodprone Area means any land area susceptible to being inundated by floodwaters from any source.

Floodplain Management means:

a. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood-control works and floodplain management regulations.
b. Floodplain management is a decision-making process that aims to achieve the wise use of the nation's floodplains. "Wise use" means both reduced flood losses and protection of the natural resources and function of floodplains.

Floodplain Management Regulations means Zoning Ordinances and Subdivision Ordinances, including this UDC, Building Codes, Health Ordinances, Drainage Criteria Manual, Special Purpose Ordinances (such as floodplain and grading ordinances) and other applications of police power. The term "floodplain management regulations" describes such state or local ordinances, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Flour Mill means a building and the equipment used for grinding grain into flour, including a corn mill, flour mill, or other similar type of mill.

FMSL means feet above mean sea level.

Forecourt means a Private Frontage wherein a portion of the facade is close to the frontage line and the central portion is set back.

Foundation Planting means a group of plants used in landscape design to blend a building with its setting and obscure from view any undesirable features of the foundation.

Fraternity/Sorority House means a house on or off the premises of a college campus that contains sleeping quarters, meeting rooms, and common living space including kitchens, bathrooms, and living rooms for collegiate fraternities or sororities.

Freeway means a major divided highway depicted on the current City of Lubbock Master Thoroughfare Plan designed for high-speed travel, having few or no intersections and frontage roads with limited access to the main lanes.

Front Facade See Primary Facade.

Front Lot Line means the line at the front of a home where the public right-of-way ends, and a homeowner's property begins.

Frontage means the area between a building facade and the vehicular lanes or pedestrian-only street, inclusive of its built and planted components.

Frontage Build-Out means the percentage of the lot width which must be occupied by building facade within the building setback or build-to-zone. For example, a property that is 100 feet wide with a minimum frontage build-out of 60% would require that at least 60 feet of facade length be maintained along the setback or within the build-to-zone. Any additional length of front facade would be allowed to step back further from the build-to-zone, if desired. The intent of this requirement is to encourage development to maximize their front facade exposure along the Street.

Frontage Elements means the structural and architectural elements which extend outward from the facade of a building along frontages, including awnings, canopies, galleries, porches and stoops, and which do not count as an extension of the facade itself for the purposes of measuring setbacks and build-to-zone.

Frontage Line means a lot line abutting a street right-of-way.

Fuel Sales means a place where vehicular fuel, stored only in underground tanks, is offered for sale to the public or where charging stations are made available for the charging of vehicles.

Fully Shielded means a light fixture that emits no light above a horizontal plane touching the lowest part of the fixture.

G

Gallery means a narrow balcony or platform running the length of a wall that is covered and open at one side.

Garage means a detached accessory building or an attached portion of the main building for the parking or temporary storage of automobiles for the occupants of the premises.

Garden Wall means a wall no greater than 48” in height that defines the frontage line and/or the perimeter of a property, dividing private areas from streets, rear lanes, or adjacent lots.

GFA means Gross Floor Area.

GI means the General Industrial zoning district.

Glare means a lighting effect that creates an intense and blinding light that reduces visibility.

GOBO Projection Sign means a sign displayed on a fixed surface by projecting light through a semitransparent template that contains a static image. *Note: "GOBO" is an acronym for "goes between optics."*

Governmental Service Facility (Police, Fire, Emergency Medical Services) means a local government facility for the conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.

Grand Opening means a temporary promotional activity for a new business for a period and frequency established in Section 39.02.021, *Temporary Uses and Standards*.

Greenhouse / Nursery means an establishment primarily engaged in the propagation (for sale at retail or wholesale) of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. This definition includes commercial and noncommercial uses.

Grocery (Food Sales) means an establishment engaged in retail and/or wholesale sale of food, foodstuffs, sundries, or other common household items to members of the public. This definition includes all types of grocery stores regardless of the square footage of the store. The use may contain a cafeteria as an internal accessory use.

Groundcover means plants of species that will not generally reach a height of more than two feet, installed in such a manner as to form a continuous cover over the ground. Groundcover includes sod, ornamental grasses, mulch, or perennial or seasonal plantings and are listed as a Groundcover in Appendix A, *Plant List*.

Group Home means a residential dwelling occupied as a residence by persons who would otherwise not meet the definition of family (more than two unrelated persons).

H

Habitable Space means as defined by the International Building Code or the International Residential Code.

Hard Surface means a surface that will not soften when exposed to moisture and which is of sufficient thickness to withstand usual wheel loads. The use of asphalt, concrete, soil-cement, also gravel or crushed rock when used in compliance herewith will meet this requirement. Caliche may be used as a base for asphalt, crushed rock, or gravel. In the event gravel or crushed rock is used, such material must be applied six to eight inches thick with a soil binder, or, in the alternative, applied two to three inches thick over a minimum six-inch-thick caliche base. Caliche, used by itself, will not be acceptable as a hard surface. The use of precast concrete slabs is acceptable if such slabs are at least two feet square and are adequately reinforced. Such slabs must be clearly specified in construction plans approved by the building official.

Hardscape means the non-living elements used in landscape such as decorative walls, ledges, fountains, sculptures, stone paths, etc.

HC means the Heavy Commercial zoning district.

HDR means the High Density Residential zoning district.

Heavy Machinery Sales and Rentals means an establishment providing for the sales and rental of equipment to be used for farming and construction, trailers and recreational vehicles, boats and boat trailers, mobile homes, Class 7 and larger heavy duty trucks, with long-term leasing or service (business permitted outside of the building).

Helipad (Hospital/Public Safety) means any landing area for helicopters on public or private lands, which, in addition, includes all necessary facilities for the picking up and discharging of passengers or cargo.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Landmark means any individual building, structure, site, area, or land or of architectural, landscape architectural, historical, archeological or cultural importance or value, as may be designated for preservation by a local, state, or federal governmental entity.

Historic Preservation Overlay District means an area designated by the City Council with lands, structures, and landscape architectural features regulated for the preservation and utilization of the district.

Historic Structure means any structure that is:

a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

d. Individually listed on a local or state inventory of historic places in communities with historic preservation programs that have been certified either:

   1. By an approved state program as determined by the Secretary of the Interior; or

   2. Directly by the Secretary of the Interior in states without approved programs.

Home Beauty Shop means the use of a residential dwelling to engage in the business practice or the trade of hair dressing or cosmetology under a license issued by the State of Texas.

Home Furnishing Store means retail or service activities for the selling of home furnishings and appliances that can either be easily installed or are intended to be used as furniture. Stores that sell a substantial amount of raw materials such as lumber and/ brick are not included within this definition or its use category. Rather, this definition includes household appliance sales and repair shop; small appliances; upholstery shops, furniture, and the like.

Home Occupation means an occupation, profession, domestic craft, or economic enterprise that is customarily conducted in a residential dwelling. This definition includes, but is not limited to, the use of a home for cottage food production operations and day nurseries that are owner-occupied and provide services for less than six children.

HPO means Historic Preservation Overlay zoning district.

Horticulture means the cultivation of a garden, orchard, or plant nursery that includes flowers, fruits, vegetables, or ornamental plants.

Hospital / Rehabilitative Care means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, disability, and other physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences. ~~This definition includes hospitals, clinic/medical offices (except veterinary facilities) and sanitariums.~~

Hotel or Motel means a building occupied for transient residential purposes where individuals are lodged with or without meals, in which, as a rule, the rooms are occupied singly for hire, there may be a public dining room and a general kitchen. A motel or hotel may include accessory uses such as restaurants, club rooms, banquet halls, ballrooms, and meeting rooms.

I

Indoor Crop Production means a method of growing crops or plants, usually on a large scale, entirely indoors, often implementing growing methods such as hydroponics and utilizing artificial lights to provide plants with the nutrients and light levels required for growth.

Industrialized Housing means a single-family residential structure that is:

a. Designed for the occupancy of one or more families;

b. Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and

c. Designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.

The term is synonymous with "modular home".

Industrial and Manufacturing Product Sales and Supply means the sale and supply of petroleum products and large scale industrial and manufacturing products typically sold and shipped in large quantities. This definition includes uses such as oil well equipment sales, service and/or storage; pump sales and service; road machinery sales and service (totally within a building); road machinery sales and service (business permitted outside of building); welding equipment and supplies (acetylene).

Industrial and Manufacturing Uses means a use category that includes uses engaged in the manufacturing, assembly, or processing of business or consumer goods, chemicals, animal and agricultural products, and metals. Sales to and visits by the general public are rare.

Uses in this use category include: Bakery, Wholesale; Batch Plant, Permanent; Contractor's Shop and/or Service Yard; Industrial and Manufacturing Product Sales and Supply; Manufacturing, Heavy (includes handling of explosive and/or foul materials); Manufacturing, Light (includes product assembly and processing); Meat Packing and Related Industries; Micromanufacturing; Publishing Services; Resource Extraction; Stockyard; Taxidermy Shop; Warehousing and Storage; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Infill means redevelopment of a vacant property surrounded on a minimum of two sides by existing development.

Installation means the temporary or permanent construction of the foundation system and the placement of a manufactured home or manufactured home component on the foundation, including supporting, blocking, leveling, securing, anchoring, and properly connecting multiple or expandable sections or components and making minor adjustments.

Installer means a person, including a retailer or manufacturer, who contracts to perform or performs an installation function on manufactured housing.

Intermodal Shipping Container means a metal standardized re-sealable transportation box for unitized freight handling with standardized equipment, commonly referred to as a "sea container."

IP means the Industrial Park zoning district.

Item of Information means a word, logo, abbreviation, symbol, or geometric shape.

J

Junkyard, Salvage Yard, and Wrecking Yard means a place or a business that owns junk and/or salvage and is operated to store, buy, or sell said junk and/or salvage. Typically, all or part of the junk and/or storage is stored outdoors.

K

Kennel means a place primarily for the keeping of five or more dogs, cats, or other small animals more than four months of age, where they are housed, groomed, bred, boarded, trained, and/or sold. Veterinarian services are not included in the definition of a kennel. This definition includes an animal shelter (totally within a building).

L

Lake Area means that part of any natural stormwater lake area in the City, the perimeter of which has been established by the City Engineer, ~~and it is substantially the overflow elevation for overflow playas~~ and it is the predicted 100-year water surface elevation of overflow playa lakes, and the 500-year, 24-hour predicted peak water surface elevation for non-overflow playas (reference elevation). The lake area can either reside in its natural state or be modified through a cut and fill plan.

Landfill means a solid waste disposal facility consisting of an area of land or an excavation used for disposal of any solid waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service.

Landscaping means creating an aesthetic effect by the use of a combination of plant material, including, but not limited to, grass, trees and shrubs, planters, brick, stone, natural forms, aggregate and other landscape features.

Lease-Purchase means a lease contract for a manufactured home, in which the lessor retains title, containing a provision or, in another agreement, conferring on the lessee an option to purchase a manufactured home.

Library, Museum, or Gallery means an institution for the collection, display, and distribution of books, objects of art or science, and which is sponsored by a public or quasi-public agency, and which facilities are open to the general public.

LI means the Light Industrial zoning district.

License Holder or Licensee means a person who holds a department-issued license as a manufacturer, retailer, broker, rebuilder, salesperson, or installer.

Light Trespass means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Live-Work Unit means a building or portion of a building that combines a dwelling unit with an integrated retail or workspace that is principally used by one or more of the residents of the dwelling unit. The workspace is secondary or accessory to the primary residential use and is designed to accommodate changes in use.

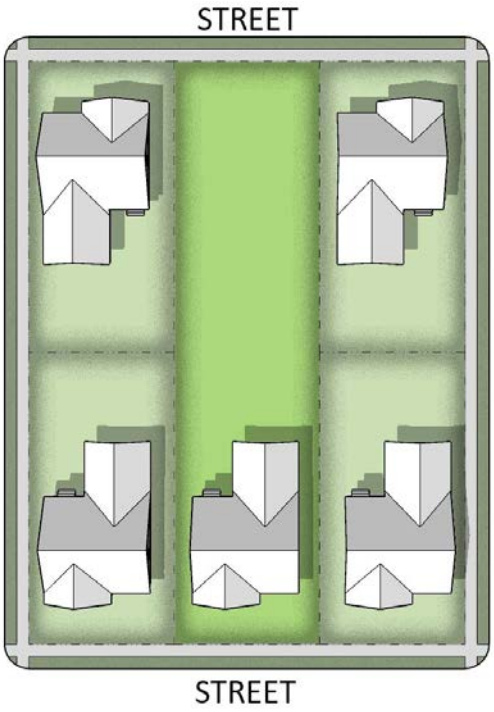
Loading Facility means a space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles, and not considered as part of the minimum required off-street surface parking.

Lot means the contiguous area of land under one ownership having access to a street, or other public access, either occupied or to be occupied, by a building or building group together with accessory buildings and used together with such yards and other open spaces as are required by this UDC, which parcel of land is designated as a separate and distinct tract with boundaries and is identified by a tract, lot number, or symbol in a duly approved subdivision plat of record.

Lot Coverage means the area of a parcel occupied by permanently anchored primary and/or accessory buildings.

Lot, Double Frontage means a lot with frontage on two parallel streets, with vehicular access normally restricted to only one of the streets.

Double Frontage Lot



Lot Lines means the lines designated on a plat as being the boundaries of a lot.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Lumen means a unit used to measure the amount of light emitted by a lamp. The lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer.

Luminaire means a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts ready to be mounted on a pole or other location.

M

Manufactured Home, HUD-Code means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in one or more sections; and in the traveling mode, measures at least eight body feet in width or at least 40 body feet in length or, when erected on site, includes at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home. The term HUD-code manufactured home does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

Manufactured Home Installation means the temporary or permanent construction of the foundation system and the placement of a manufactured home or manufactured home component on the foundation, including supporting, blocking, leveling, securing, anchoring, and properly connecting multiple or expandable sections or components and making minor adjustments.

Manufactured Home Park means any tract of land under single ownership, where accommodation is provided for a non-transient manufactured home use. This definition includes mobile homes and travel trailer parks.

The use may include a manager's or rental office, pool, laundry, or other amenity designated for the use of the residents of the Manufactured Home Park.

Manufactured Home Sales or Storage means a business engaged in the display, sales, storage, or rental of manufactured homes or other portable buildings.

Manufactured Home Space or Recreational Vehicle Space means a plot of land within a manufactured home or recreational vehicle park designated for the accommodation of a single manufactured home or recreational vehicle.

Manufactured Home Stand means a hard-surfaced area of a manufactured home or recreational vehicle space that is reserved for the placement of a manufactured home or recreational vehicle. Each manufactured home stand shall be provided with adequate "tie downs" to secure the superstructures against uplift, sliding, rotation and overturning. See "tie-down" requirements in Section 39.05.013, *Specific Standards*.

Manufactured Home Subdivision means a tract of land designed and used for manufactured homes on their own lots, that has been final platted of record in its entirety in accordance with this UDC and in accordance with the specific use standards for such subdivisions in this UDC.

Manufacturer means a person who constructs or assembles manufactured housing for sale, exchange, or lease-purchase in this state.

Manufacturing, Heavy means a use category containing uses engaged in the manufacturing, assembly or processing of chemicals, animal products and metals, the activities of which are likely to have characteristics that discourage adjacency to residential uses. This definition includes:

- acetylene manufacturing and storage;
- acid manufacturing;
- alcohol manufacturing and storage;
- aluminum product fabrication;
- ammonia manufacturing or storage;
- animal raising, slaughtering, dressing, and packing;
- arsenals;
- asphalt manufacturing or refining;
- asphalt storage, liquid or solid;
- bag and bagging;
- blacksmithing or horseshoeing;
- blast furnace;
- bleaching powder or chlorine manufacture or storage;
- boiler making, repairing and boiler work;
- brewery;
- brick, tile, pottery, or terra cotta manufacturing (business permitted outside of building);
- butane and propane manufacture;
- celluloid or similar-cellulose material manufacture;

- cement, lime, gypsum, or plaster of paris manufacture;
- chemical plants;
- clothing manufacturing;
- cooperage works;
- corrugated metal manufacture;
- cottonseed products manufacturing;
- creosote treatment or manufacturing;
- die casting manufacture;
- disinfectants and insecticides;
- distillery;
- dye stuff manufacture;
- emery cloth and sandpaper manufacture;
- fat rendering;
- fertilizer manufacture;
- forge plant;
- foundry;
- galvanizing gas manufacture;
- glassblowing;
- glue or gelatin manufacturing;
- gravel crushing, screening, and washing (business permitted outside of building);
- laboratory, chemical, general analysis;
- linen and towel supply service;
- liquefied petroleum gas sales and service, wholesale;
- lumber yard or sawmill;
- machine shop;
- match manufacture;
- manufactured home or mobile home manufacturing;
- mixing plant for concrete, mortar, plaster and paving materials;
- monument manufacture;
- oil and rubber goods manufacture and refining;
- oil cloth and linoleum manufacture;
- oil compounding and barreling;
- oil reclamation plant;
- ornamental iron works;
- paint manufacture;
- paper (waste) and rag processing and storage;

- paper box manufacturing and paper products manufacturing;
- petroleum refining;
- pharmaceutical manufacture;
- planing mill;
- prefabricated or ready-built house or portable building manufacturing;
- refrigerator manufacture;
- rolling mill;
- sandblasting;
- sash and door manufacturing;
- sheet metal workshop;
- shoe polish manufacture;
- smelter;
- soap manufacture;
- steel fabrication plant;
- stack lot;
- stone cutting;
- storage of poisonous gases and insecticides;
- structural steel plant;
- tank manufacture (business permitted outside of building);
- tanning and curing of raw hides or skins;
- tar distillation or manufacturing;
- textile manufacturing;
- tile roofing manufacture (business permitted outside of building);
- trailer or camper manufacturing;
- welding shop; or
- other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Manufacturing, Light means uses engaged in the manufacturing, assembly or processing of industrial, business or consumer goods, usually from basic finished inputs such as metal, stone, glass, plastic or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. includes product assembly and processing. This definition includes:

- armature binding;
- bag cleaning;
- bottling plant;
- bottling works;
- broom manufacturing;
- cabinet or carpentry shop;

- candle manufacturing;
- candy plant;
- cheese manufacturing;
- chemical laundry; cleaning, dyeing, or dry cleaning shop;
- commercial laundry;
- cotton baling or compressing (no ginning);
- cotton ginning;
- creamery and dairy products manufacturing;
- egg storage, egg candling, egg sorting, egg grading;
- electronic components assembly;
- electroplating;
- flour mill;
- food products manufacture, unless otherwise classified; frozen food lockers;
- fruit and vegetable canning or preserving manufacture–not otherwise classified;
- hot tamale plant;
- ice cream manufacturing;
- ice manufacturing and bulk ice storage;
- job printing and lithographing;
- mattress manufacturing or mattress renovation;
- micromanufacturing;
- milling, custom;
- moving, storage, packing, manufacturing and crating of household goods;
- pickle, sauerkraut, or vinegar manufacture;
- plumbing service;
- plumbing, heating, refrigeration, or air-conditioning business;
- sign shops, limited to window lettering, painted wall signs, banners and desk signs;
- store fixture manufacturing;
- tamale plant;
- textile manufacturing;
- tortilla manufacturing;
- yeast plant; or
- other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Marquee means a permanent roof-like structure other than a roof attached to, supported by, and projecting from a building, providing protection from natural elements over the ground, sidewalk, or walkway.

Master Drainage Plan means that plan adopted and approved by the City Council that establishes the regulatory water surface elevation for Playa Lakes and rates of overflow between lakes for certain areas studied within the corporate limits of the City and certain areas within the City's extraterritorial jurisdiction.

Master Sign Plan means an optional submittal that coordinates and sets the scope, character, and aesthetic quality of signs for a larger property or multi-building development, while allowing an additional degree of flexibility and creativity in sign design and display.

MDR means the Medium Density Residential zoning district.

Mean Sea Level means the North American Vertical Datum (NAVD) of 1988.

Meat Packing and Related Industries means an establishment building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a slaughterhouse or rendering plant.

Medical and Diagnostic Laboratories means a facility that is used for the express purpose of the design, fabrication, and repair of dental and optical goods, and/or a laboratory where tests are performed on biological specimens in order to obtain information about the health of a patient. This definition includes medical, dental, and optical laboratories.

Medical Office / Clinic means a use where medical, dental, psychiatric, psychological, chiropractic, and other outpatient services are performed. This definition includes blood banks and blood plasma centers.

Meeting Hall means a building available for gatherings, including conferences, that accommodates at least one room equivalent to a minimum of 100 square feet per projected dwelling unit within the Pedestrian Shed in which it is located.

Microbrewery, Microdistillery, or Microwinery means a small, independently owned establishment where beer, wine, or other alcoholic beverage is brewed, fermented, or distilled for on-premises consumption and/or distribution.

Micromanufacturing means the retail or business-to-business production of artisan goods that are produced indoors using small hand tools or light machinery including, but not limited to, 3-D printers or computer numerical control routers. Sample uses include, but are not limited to, fruit and vegetable canning, pickling, or preserving; ironwork; two-dimensional and three-dimensional printing; the making or assembling of bedding, candles, cheese or other dairy products, clothing or textiles, electronic components, non-alcoholic beverage, signs, or soap.

Mobile Home means a structure:

a. Constructed before June 15, 1976;
b. Built on a permanent chassis;
c. Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
d. Is transportable in one or more sections; and
e. In the traveling mode, measures at least eight body feet in width or at least 40 body feet in length or, when erected on-site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

Multiple-Family means a use category containing residential occupancy of three or more self-sufficient dwelling units on a single property by households on a month-to-month or longer basis in structures. Units are accessed by/from interior elevators or hallways, or from individual exterior entrances and are separated by interior walls and/or floors.

Uses in this use category include: Apartments, Dormitories, Fraternity/sorority houses, Live-work units, Manufactured home parks, Multiplexes, Retirement housing, Vertical mixed-use, or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Multiplex means a multi-family building type with three or four dwelling units, or which is occupied as the home or residence of three or four families living independently of each other and maintaining separate cooking facilities. A multiplex is designed to resemble a large single-family home. Units may have either private or shared access and may be arranged in a variety of configurations, including back-to-back, side-to-side, or over-under.

MU-1 means West Broadway Mixed-Use zoning district.

MU-2 means Broadway Mixed-Use zoning district.

MU-3 means the General Mixed-Use zoning district.

MU-4 means the Depot Mixed-Use zoning district.

MU-5 means the Civic Center Mixed-Use zoning district.

MU-6 means the Arts Mixed-Use zoning district.

Mulch, Locally-Sourced means mulch created in Lubbock County from source materials that came from Lubbock County.

Mural means a wall sign consisting of visual depictions and/or works of art such as mosaic, painting or graphic art techniques that are painted directly onto the exterior of a wall of a building.

N

N/A means Not Applicable.

National Flood Insurance Program (NFIP) means a federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages.

NC means the Neighborhood Commercial zoning district.

New Construction means, for the purpose of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nightclub or Bar means a commercial establishment where alcoholic beverages may be served for consumption on the premises and in which dancing, musical entertainment, comedy, or other types of performances and activities may be presented.

Nonconformity means a general term including any nonconforming uses, buildings, structures, lots, site features, signs, and billboards. A nonconformity met the applicable regulations at the time it was established, erected, platted, or developed, but no longer complies with the standards of this UDC.

Nonconformity Conversion means the process where a nonconformity changes to a conforming use.

Non-Contributing Building means a building that does not add to the historic architectural qualities, historical or traditional cultural associations, or archeological values for which a property is significant because:

a. It was not present during the period of significance or does not relate to the documented significance of the property or district;
b. Due to alterations, disturbances, additions, or other changes, it no longer possesses historical integrity or is incapable of yielding important information about the period;
c. It does not independently meet any of the National Register of Historic Places evaluation criteria; or
d. It is less than 50 years old.

It is possible for a non-contributing building to be located within the Historic Preservation Overlay (HPO) district.

Non-Overflow Playa Lake means a lake with storage volume sufficient to completely contain the combined runoff from its subbasin's initial condition runoff, its subbasin's FFD condition 100-year, 24-hour runoff, as well as the overflow volume contributed to it from upstream playas.~~a lake with sufficient water storage capacity to contain the combined volume of its own drainage basin as well as the volume contributed from upstream Playa Lakes for the 100-year 24-hour storm event and the predicted water surface elevation is 0.5 feet or greater below the lake's natural overflow crest elevation as indicated in the City of Lubbock Drainage Criteria Manual.~~

Nonresidential Use means any use listed under "Nonresidential Uses" in Table 39.02.016 in Section 39.02.016, *Land Use Matrix*.

Nudity means appearing while any of the following portions of the human body are less than completely and opaquely covered:

a. Genitals, whether or not in a state of sexual arousal;
b. Pubic region or pubic hair;
c. Buttock(s);
d. The portions of the female breast(s) beginning from a point immediately above the top of the areola and continuing downward to the lowest portion of the breast(s); or
e. Any combination of the above.

O

OF means the Office Zoning District.

Office, General means a room or group of rooms used for the provision of executive, management, governmental, or administrative services. Typical uses include administrative offices and services including real estate, magazine agency, insurance, nonprofit training center, property management, investment, personnel, radio studios with no tower or antenna, travel, secretarial services, telephone answering, and business offices of governments, public utilities, organizations, and associations but excluding medical offices. This definition includes pest control (office only), janitorial or cleaning service (office only), and carpet cleaning (office only), or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Off-Street Parking means an area for the temporary storage of an automobile which shall be permanently reserved for such purpose, and which shall not be within or on any public street, alley or other right-of-way.

On-Site Sewage Disposal System means one or more systems that:

a. Do not treat or dispose of more than 5,000 gallons of sewage each day;
b. Are used only for disposal of sewage produced on a site where any part of the system is located; and
c. Comply with Title 30, Chapter 285, of the Texas Administrative Code.

Opacity means the measurement of a fence as the total width of pickets (or other fence components), divided by the distance between posts; or in the case of horizontal fence types, the total width of horizontal fence elements divided by the height of the fence. For example, if a fence measures a total of 100 linear feet, and the combined width of all of its vertical pickets is 60 feet, then the fence has a 60 percent opacity.

Open Space means land areas that are left undeveloped or mostly undeveloped from ground to sky in order to meet the minimum common open space requirement of a zoning district for an entire subdivision. Common open space may be open to the general public or open to only residents of its associated subdivision.

Operator means any person who operates a short-term rental, as defined in this UDC.

Ornamental Tree means a tree 30 feet or less in height at maturity, planted primarily for its ornamental value such as flowers, leaf color, size, or shape and listed as an Ornamental Tree in Appendix A, *Plant List*.

Outdoor Exhibition or Show means a temporary outside use that lasts for less than a week at a time and which includes multiple different entertainment opportunities for both children and/or adults.

Outdoor Display of Merchandise means the outdoor display or sale of finished products actively available for sale. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which shall be considered Outdoor Storage.

Outdoor Shooting / Archery Range means the use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games (paintball), or temporary competitions, such as turkey shoots. This definition includes shooting galleries. Excluded from this definition shall be general hunting and unstructured and nonrecurring discharging of firearms on private property with the property owner's permission.

Outdoor Sales Event means a temporary location for the purpose of purchase by consumers, whether immediately or by placing of orders, of any merchandise, services, products, or goods irrespective of whether payment for such is made outdoors or in a temporary structure or permanent structure. This definition includes Christmas tree and Christmas wreath sales from Thanksgiving Day through December 31st and garage sales.

Outdoor Storage means the storage of any item outside of an enclosed building or structure that is not accessible to the general public. This includes, but is not limited to, garden supplies; building supplies; plants; materials stored in crates or boxes; lumber yards; pipe; contractor's equipment; and other similar uses.

Outdoor Swimming Pool means an above- or below-ground structure that is filled with water and used for swimming.

Overflow Playa Lake means a Playa Lake where storage volume is not sufficient to completely contain the combined runoff from its subbasin's initial condition runoff, its subbasin's Future Fully Developed (FFD) condition 100-year, 24-hour runoff, as well as the overflow volume contributed to it from upstream Playa Lakes.

Owner means the person or entity that holds legal and/ or equitable title to real property.

P

Package Store means a place where alcoholic beverages are sold for consumption off the premises as a part of the primary business activity. Refer to Texas Alcoholic Beverage Code, Chapter 22, Section 22.01.

Parapet means a low protective wall along the edge of a roof, bridge, or balcony.

Park & Recreation Facility or Center means an area containing a building or complex of buildings housing community recreation facilities owned, operated, or leased for operation by a public entity. This definition includes private community centers for recreational and social use; private recreational centers; public parks and recreational facilities; wildlife sanctuaries; woodland preserves.

Parking space means an area for the temporary storage of an automobile that is permanently reserved for such purpose.

Parkway means any part of the public right-of-way lying between the curb or improved roadway surface edge of any public street and the abutting private property line.

Passenger Terminal means a facility that receives and discharges passengers and at which facilities and equipment required for their operation are provided. This definition includes bus passenger terminal, trolley, taxi, railroad, shuttle van, or other similar vehicular services.

Pawn Shop means an establishment licensed to transact business by the Consumer Credit Commissioner under TLGC Chapter 371, *Finance Code*, where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker).

Pedestrian Shed means an area defined by the average distance that may be traversed at an easy walking pace from its edge to its center. This distance is applied to determine the size of a neighborhood or extent of a community. Pedestrian sheds are oriented toward a central common destination. A standard pedestrian shed has an average ¼ mile or 1,320-foot radius, which is about the distance of a five-minute walk at a leisurely pace.

Person means every natural person, firm, co-partnership, association, partnership, corporation, joint stock association, body politic, or society; and the term "person" shall include both singular and plural, and the masculine shall embrace the feminine gender. The term includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Personal Service means an establishment primarily engaged in providing services generally involving the care of the person or his or her apparel. This definition includes barber or beauty shop; body piercing studio; carpet cleaning family-bundle; gym for fitness, yoga, barre, zumba, or similar activities; janitorial or cleaning service; laundry and/or dry-cleaning pickup station; micro-blading salon; reducing studio or salon; health club; self-service laundry; dry-cleaning pick-up station; tailor shop; tattoo studio; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Place of Public Assembly, Indoor means a building in which people assemble for civic, educational, religious, or cultural purposes. This use includes event facilities, meeting halls, fraternal organizations, places of worship, performing arts facilities, public uses, and private clubs. This use does not include residential buildings. This definition includes civic center, performing arts center; semipublic uses such as community clubhouses, YMCA, YWCA, Boy Scouts, Girl Scouts, etc.

Place of Worship means a place of public assembly whose primary purpose is to provide a meeting area for religious practice.

Planning and Zoning Commission means the City Council-appointed commission that advises the City Council regarding zone changes and other matters that affect the growth and development of the community and reviews and approves plats.

Plat, Amending means a plat that corrects minor errors in course or distance, descriptions of real property, scrivener errors, or that shifts internal lot lines without vacation of the preceding plat and without a public hearing or approval of other lot owners within the platted subdivision.

Plat, Conveyance means a plat solely for the purpose of the recording of the lot, recording an existing lot or parcel created by other means, or to record the remainder of a tract created by the final platting of a portion of the property. A Conveyance Plat may be used to convey the property's interests but does not constitute approval for development of the property and the property subject to the Conveyance Plat is not eligible for a Building Permit.

Plat, Final means a map or drawing of all, or a portion of, a subdivision prepared according to the City subdivision regulations by a registered professional surveyor, approved by the Planning and Zoning Commission or other authority and filed in the county clerk's office as a legal designation. A Final Plat includes a Replat.

Plat, Preliminary means the conceptual design, presented as a drawing, for a proposed subdivision which serves as a working instrument for review and approval or denial by the Planning and Zoning Commission. Required changes are noted within the acceptance or rejection of the plat by the Planning and Zoning Commission. Each Preliminary Plat shall contain all contiguous property under single or common ownership, unless otherwise allowed by the Director of Planning, and include topographic information.

Playground means a civic open space designed and equipped for children's recreation.

Playa Lake means a natural saucer-like depression in the topography, typically having a clayey bottom that collects runoff from rain but is subject to rapid evaporation. The term includes all areas within the basin projected to be inundated by pooled stormwater runoff, as determined by an engineering analysis performed according to this UDC.

Playa Lake Area Cut and Fill Plan means a plan, requiring approval of the City Engineer, that indicates excavation and embankment representing the physical changes being made with a playa lake modification.

Playa Lake Database means a system where the City collects detailed information about playa lakes.

Point of Order means the location where a customer orders an item at a drive-through establishment.

Porch means an open air element of a building with a floor and a roof covering the floor that is supported by columns, posts, or piers. A porch may be located on more than one story.

Portable-On-Demand (POD) Storage Unit or Container means a large container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property.

Porte-Cochere means a permanent structure attached to a residence or a nonresidential establishment and erected over a driveway, not exceeding one story in height, open on two or more sides, and that allows a vehicle to pass completely through.

Post-FIRM means those buildings or structures that were constructed on or after the date of the initial FIRM. The City's initial FIRM is dated September 2, 1982.

Pre-FIRM means those buildings or structures that were constructed before the date of the community's flood hazard map or those buildings or structures that pre-date the initial FIRM.

Poultry means a domestic fowl, including a chicken, turkey, goose, pigeon, guinea fowl, quail, ostrich, emu, or other similar type of bird, raised for the production of meat or eggs, or for sale.

Power Generation, Transmission, and Distribution means a large-scale creation of power which includes large solar collectors and windmills for nonresidential uses and more forms of utility power generation. This definition includes central power and lighting plant and public utility installations.

Primary Civic Open Space means the main outdoor gathering place for a community. It is often, but not always, associated with an important civic building.

Primary Facade means the facade of a building that faces the street. In the case of a corner lot, it is the facade along the higher priority street on the street hierarchy established in Subsection 39.02.005.a, *General Mixed-Use Standards*.

Primary Frontage means the frontage along the primary frontage line.

Primary Frontage Line means the lot line dividing a lot from a street right-of-way. On a corner lot only one lot line shall be considered as a front lot line, where it is the lot line along the higher priority street on the street hierarchy.

Principal Entrance means the main point of access for pedestrians into a building.

Principal Structure means the largest and primary building on a lot.

Principal Use means the main activity or combination of activities on a lot or in a structure.

Private Yard Area means the area that is unenclosed, except for fencing, and open to the sky, located between the principal structure and accessory structure. The private yard area may consist of pools, yards, atriums, gardens, walkways, patios, and other similar uses as acceptable.

Production Water means water that comes out of the well with the crude oil as a byproduct during the extraction of oil and natural gas either on- or off-site. Production water contains soluble and non-soluble oil and organics, suspended solids, dissolved solids, and various chemicals used in the production process.

Production Water, Treated means production water that has been treated to remove oil residues, salts, suspended solids, and other chemicals so that the water may be reused. The level of treatment is dependent on what the water be used for.

Professional Engineer means an engineer licensed to practice engineering in the State of Texas.

Public Frontage means the area between the vehicular lanes and the frontage line.

Public Realm means the physical and social domain of the public that is held in common either by their physical presence or by visual association. This includes, but is not limited to, plazas, squares, parks, thoroughfares, public frontages, private frontages, civic buildings, and civic open spaces.

Publishing Services means an establishment primarily engaged in the production of books, magazines, newspapers and other printed matter. This definition includes printing plant and/or newspaper.

PZC means Planning and Zoning Commission.

R

Rear Lot Line means the line at the rear of a home where the owner's property ends.

Recreational Equipment or Trailer, Oversized means any recreational equipment or trailer whose total size or total combined (equipment and trailer measured together) size, excluding any trailer tongue, is over seven feet in width or seven feet in height or 22 feet in length.

Recreational Vehicle means a vehicle which is built on a single chassis; measures 400 square feet or less when measured at the largest horizontal projections; is self-propelled or permanently towable by a light duty truck; and is designed primarily as temporary living quarters for recreational, camping, travel, or seasonal use and not for use as a permanent dwelling. The term shall include any travel trailer, camp trailer, pop-up or tent campers, house trailer, motor home or house car, and any pickup camper, on or off the pickup (excluding recreational dual purpose vehicles), except a simple shell, on the pickup, having no cooking or bath facilities. As used in this UDC, the term recreational vehicle is synonymous with vacation travel trailer.

Recreational Vehicle Parks and Campgrounds means a parcel in single ownership on which two or more recreational vehicle sites and/or camping sites are located, established or maintained for occupancy by recreational vehicles or camp units as temporary living for recreation, education, or vacation purposes.

Regulating Plan means a map that shows the physical locations and boundaries of neighborhoods, primary streets, and open spaces subject to regulation by this UDC.

Repair Service means establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding Automobile and Related Uses. This definition includes bicycle and lawnmower sales and repair shops; electronics repair shop; furniture repair; medical device repair; radio and television repair shops; shoe or boot repair shop; small household appliance sales or repair shops; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Replat means a Final Plat which relocates lot boundaries of existing platted lots, meeting the same requirements as a Final Plat.

RE means the Residential Estates zoning district.

Reserve Strip means a narrow strip of land that a subdivider uses to prevent or control access to abutting streets or parcels. Bufferyards are not considered reserve strips.

Resource Extraction means the removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances, or organic substances, other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged. This definition means mining and extraction of caliche, clay, gravel; quarrying of rock or stone; sanitary landfills; oil or gas well; rock crusher; salt works.

Restaurant means a place where the primary business is the preparation and sale, on the premises, of food to members of the general public, and providing kitchen facilities separate and apart from the area of the premises devoted to public dining and which may or may not provide live entertainment to patrons of the premises. This definition includes brewpub; outside dining patios; restaurants with sales of mixed alcoholic beverages as an incidental use; restaurants, when designed for service and consumption of food inside the building only; sports grill; microbrewery, microdistillery, or microwinery; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Retail Floor Area means the sum of the square footage of all enclosed floors, mezzanines, and lofts of a building devoted to retail sales of merchandise, including floor areas used for display, merchandise, and access isles.

Retail Sales means the sale of goods, merchandise, services, and/or commodities to the general public. This definition includes:

- antique shop;
- art gallery, commercial;
- arts and crafts store;
- auction sales;
- bake shop, candy store, delicatessen, donut shop, or pie shop;
- barber or beauty supply dealer;
- book or stationery shop or newsstand;
- cafe supply dealer, fixtures;
- camera shop;
- canvas goods shop, tents and awnings (no manufacturing);
- coin and stamp shop;
- consignment clothing store;
- dairy supply dealer;
- department store;
- discount center;
- dress shop;
- drug store;
- duplicating/copy service;
- family center;
- feed store with no grinding, packaging, or mixing of feed permitted;
- feed store;

- florist shop;
- furniture store, new;
- gift shop;
- gun shop;
- hat shop;
- hobby shop;
- medical or nursing supplies and devices;
- monument sales;
- music or record shop;
- music or video shop;
- newsstand;
- office supply–no bulk printing operation permitted;
- package store;
- pet shop or pet grooming - no boarding of animals permitted;
- pharmacy;
- retail sales;
- secondhand stores of consumer goods;
- shoe store;
- smoke shop;
- sporting goods store;
- store fixtures sales;
- toy store;
- wholesale/warehouse – intended for the sale and storage of art and or art supplies;
- wine-beer, or alcohol tasting facility; or
- other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Retailer means a person engaged in the business of buying for resale, selling, or exchanging manufactured homes or offering manufactured homes for sale, exchange, or lease-purchase to consumers, including a person who maintains a location for the display of manufactured homes; and a person who sells, exchanges, or lease-purchases at least two manufactured homes to consumers in a 12-month period.

Retirement Housing means one or more dwelling units designed for independent living and marketed specifically for the elderly or for persons with physical disabilities. This definition includes rest homes, nursing homes, assisted living, and continuing care facilities.

Ride-Sharing means the process of private vehicles being used for the temporary transportation of passengers. This definition includes ride-hailing services such as Uber and Lyft and other taxi services.

Ride-Share Loading Area means an area designated to be used solely for the quick pick-ups and drop-offs of passengers using ride-sharing services.

Riding Stable means a building designed for and used for the storage of horses, mules, donkeys, vehicles drawn by such animals, or both.

Right-of-Way means a strip of land dedicated, deeded, used, or intended to be used for a street, alley, sidewalk, railroad, or other purpose by the public, certain designated persons, or governing bodies. It is an appropriation of the land to some public use made by the owner and accepted for such use by the public.

S

SD means substantial damage.

SI means substantial improvement.

Screening Device means a solid six-foot fence or wall of wood or masonry construction, or other materials approved by the Director of Planning, that is required by this UDC.

Sec. means Section.

Self-Storage Facility means a building or group of buildings under common management and control that are used for the storage of personal property or records, where individual owners or tenants control individual storage spaces.

Setback means the horizontal distance of a required open area at grade between the outer wall of a building or structure and the adjoining property lines, or, in the case of an abutting private street, the back-of-curb, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and side setback lines span the entire width of the property. The interior side and exterior side setback lines extend from the required front setback line to the required rear setback line.

Setback Figure

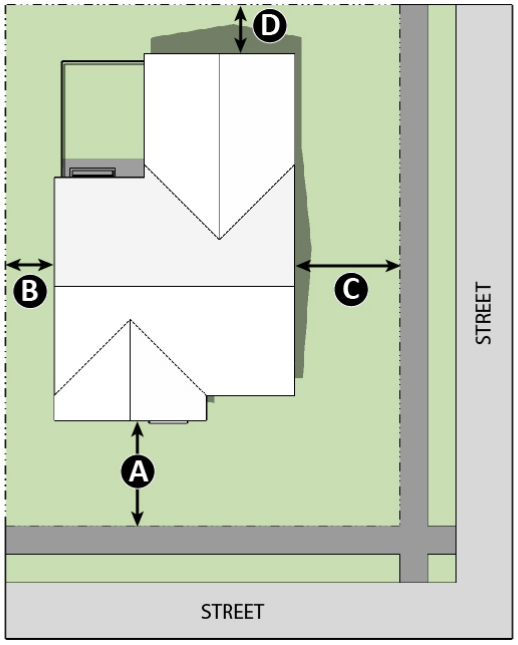


FIGURE NOTES: A = Front Setback; B = Side Setback; C = Street Side Setback; D = Rear Setback

Sexually-Oriented Business means a sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or other commercial enterprise the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

SF-1 means the Very Low Density Single-Family zoning district.

SF-2 means the Low Density Single-Family zoning district.

Short-Term Rental means a residential dwelling unit(s) that is rented out for compensation on a temporary basis for a period of less than 30 consecutive days.

Short-Term Rental Permit means a permit issued by the City that identifies the address of the subject property as a lawful short-term rental, the short-term rental permit number, the names and contact information of the owner, operator, and agent, if applicable, and a 24-hour emergency contact phone number for all of the preceding persons.

Side Lot Line means the lot lines that run generally perpendicular or at angles to the street or any lot line which is not a front or rear lot line.

Sign means any words, numbers, figures, devices, designs, trademarks, or other symbols visible from a public street, that attracts attention to or makes information known (such as an opinion, individual, firm, profession, business, commodity or service). A sign includes its structural supports designed for display.

Sign Area means the area measured by the smallest single rectangle that will enclose the outside dimension of the background panel or surface that includes the sign copy. For freestanding signs, the sign structure, including the base, side, and top frame not including the sign copy is not included in the sign area calculation.

Sign Height means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign.

Sign Setback means the horizontal distance between a sign and the front lot line, as measured from that part of the sign, including its extremities and supports, nearest to any point on an imaginary vertical plane projecting from the front lot line.

Sign, Abandoned means any sign except for a billboard, that no longer correctly directs or exhorts any person or advertises a bona fide business lessor, owner, product, service, or activity.

Sign, Accessory see "Sign, Incidental."

Sign, A-Frame, or Easel means a freestanding sign that has two sides, and the frame or support structure of which is hinged or connected at the top of the sign in such a manner that the sign is easily moved or erected and that may or may not have wheels. Also known as a "sandwich board," "curb sign," or "sidewalk sign."

Sign, Banner means a sign made of fabric or any nonrigid material with no enclosing framework. This definition does not include a flag mounted on a flagpole but does include pennants.

Sign, Billboard: see "Billboard."

Sign, Canopy means any sign painted, printed, attached, or otherwise applied to the surface of a canopy or awning.

Sign, Damaged means any sign which has become so deteriorated or dilapidated as to require more than minimal reconditioning to restore it to an average, normal state of repair.

Feather Sign means a sign made of flexible material in the shape of a feather, quill, sail, blade or teardrop, and mounted on a solid or flexible pole or cord. These are sometimes referred to as “quill signs,” "shark fin" signs or flags, "teardrop flags," or “sail banners.”

Sign, Flag means a flexible piece of fabric, normally rectangular and attached on one side to a pole or rope.

Sign, Freestanding means a single or double-faced sign placed upon or supported by the ground independent of any other structure, usually a monument sign.

Sign, Hanging means a sign with shapes, symbols or channel letters inscribed on a sculptural or three-dimensional object, and that projects from a wall or is suspended from a horizontal architectural ledge (such as a canopy or marquee) or projection or from the ceiling of an architectural recess.

Sign, Incidental means a sign with copy located on a panel and mounted on a pole or a wall or similar structure, with or without a structural frame, that is normally incidental to the allowed use of the property but can contain any message or content.

Sign, Marquee means a sign attached to, in any manner, or made a part of a marquee.

Sign, Monument means a freestanding sign that is placed upon the ground or supported by a base that is at least 50% of the width of the sign at its widest point. A monument sign does not include a pole sign.

Sign, Mural: See "Mural."

Sign, Miscellaneous means a sign that is not prohibited but that is not a freestanding, roof, canopy, wall, or incidental sign type.

Sign, Pole means a freestanding sign that is supported by a pole, is not attached to a building, and where the bottom edge of the sign face is located at least three feet above the average finished grade at the base of the sign. A “pole sign” does not include a flag mounted on a flagpole.

Sign, Portable means any sign not permanently affixed to the ground or to a building and which is designed to permit removal and reuse. A portable sign may be mounted on wheels, or on a metal or other chassis that is not permanently attached to the ground surface, or constructed of canvas, cardboard, wallboard, or other light temporary materials.

Sign, Projecting (Blade) means a sign that is attached or affixed to a building, wall, or structure other than a pole, and that extends more than 15 inches from that building, wall, or structure. Also known as a "blade" sign.

Sign, Roof means any signs that are mounted on the roof of a building, or that is wholly or partially dependent upon the building for support, and that projects above the highest point of a building with a flat roof, the eave-line of a building with a gambrel, gable, or hip roof, or the deck-line of a building with a mansard roof.

Sign Setback means a setback that is the horizontal distance between a sign and the front lot line, measured from the nearest part of the sign, including its extremities and supports, to any point on an imaginary vertical plane projecting from the front lot line.

Sign, Sloping or Mansard Roof means any sign affixed to a sloping or mansard roof.

Sign, Subdivision Entry means a freestanding sign at the entrance of a single-family or two-family residential development.

Sign, Temporary means a sign typically made of lightweight or flimsy material that can be easily or quickly mounted or removed (such as cloth, canvas, vinyl, cardboard, wallboard, or other light temporary materials), with or without a structural frame, intended for a temporary period of display.

Sign, Vehicle or Trailer means any vehicle or trailer that displays, carries, pulls, or transports a sign or billboard and where: (1) the copy is visible from the public right-of-way, and (2) the vehicle is parked so that the copy is visible from the public right-of-way.

Sign, Wall means any sign affixed flat against and parallel to a building wall. For the purposes of this definition, a wall shall include window areas.

Single-Family means a use category containing residential occupancy of one or, in the case of a duplex, two self-sufficient dwelling units on a single property by a household on a month-to-month or longer basis in a structure.

Uses in this use category include: Duplexes; Cottages; Garden homes; Short-Term Rental; Single-family detached dwellings; Townhouses; Industrialized housing; or other uses that the Director of Planning interprets to be functionally similar to a use in this list.

Single-Family Cottage means a type of Single-Family Detached Dwelling that is located on its own lot, has narrower than typical side setbacks, and is used by a single family.

Single-Family Detached Dwelling means a building containing a single dwelling unit that is used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for living purposes, and that is:

a. Intended to be occupied as the home or residence of one family, and
b. Located on a single lot or tract and is unattached to other buildings containing dwelling units.

Single-Family Garden Home means a type of Single-Family Detached Dwelling that is located on its own lot, is shifted to one side of the lot immediately against or approximately against a side lot line and is used by a single family.

Site Development Plan means a detailed line drawing clearly describing the project and demonstrates the project's compliance with the applicable requirements of this UDC.

Site Feature means an element of a site that is regulated by Article 39.03, *Building and Site Design*, or Article 39.04, *Subdivision Standards*, including but not limited to building design, parking, loading, stacking, access, trees, landscaping, buffering, signs, and outdoor lighting.

Site Landscaping means the installation of groundcover, xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete, on areas of a site not designated as foundation plantings, bufferyards, parking lot landscaping, or utilized for pedestrian and vehicular access to the building (for example, sidewalks, parking spaces, loading spaces, service areas, and drive-in or drive-through facilities).

Skyglow means a form of light pollution involving the diffuse illumination of the night sky, apart from natural light sources such as the moon and stars.

Smoke Shop or Tobacco Store means an establishment dedicated to the retail sale of tobacco, tobacco products, or tobacco paraphernalia as its primary source of income. A grocery store or similar retail use that sells tobacco products or tobacco paraphernalia as an ancillary sale is not included in this definition.

Solar Collectors / Windmills (small accessory structures) means alternative and environmentally-friendly energy sources that collect or create power on-site for an individual home, group of homes, or a nonresidential development.

Space Width means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Sq. Ft. means Square Feet.

Stack Lot means a lot used for the outside storage of used materials, machinery, or equipment, and to which the general public is not normally invited.

Stacking Lane means a vehicular lane of stacking spaces dedicated to the drive-through, pick-up, and ATM type uses.

Stacking Space means an eight-foot wide by 18-feet deep space where vehicles wait or temporarily stand for occupants who patronize a drive-through or pick-up nonresidential establishment.

Start of Construction means, for other than new construction or substantial improvements under the Coastal Barrier Resources Act, Pub. L. 97-348, this includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stockyard means a site for services involving the temporary keeping of livestock for slaughter, market, or shipping. Typical uses include stockyards and animal sales in auction yards. This definition includes livestock sales.

Storm Shelter means a shelter specifically designed and constructed to protect a large number of people from a natural hazard event. The number of persons taking refuge in the shelter will typically be more than 12.

Stormwater Detention Basin means an area dedicated for the primary use of stormwater impoundment. Undeveloped open space activities may also exist. Stormwater detention basins may be under public or private ownership.

Story means that habitable portion of a building included between the surface of any finished floor to the surface of a finished ceiling. Habitable attics and raised basements are not considered stories for the purposes of determining building height.

Street means a dedicated public way primarily used for vehicular or pedestrian traffic as access to abutting properties or for other public uses such as allowed utility facilities. Cross-sections of the different types of streets are found in the engineering design standards and specifications.

Street, Alley Cut-Off means a triangular area of dedicated right-of-way formed at the intersection of two streets, two alleys or a street and an alley which provides for vehicle turn movements.

Street, Arterial means those streets which transfer traffic from collector streets to freeways on the current City of Lubbock Master Thoroughfare Plan.

Street, Centerline Offset means the distance between the centerlines of streets intersecting a common street.

Street, Collector means those streets which transfer traffic from local streets to arterial streets or freeways on the current City of Lubbock Master Thoroughfare Plan.

Street, Local means an existing or proposed street that is not shown as a Collector A, Collector B, Minor Arterial A, Minor Arterial B, Principal Arterial A, or Principal Arterial (Modified) on the current City of Lubbock Master Thoroughfare Plan.

Street, Private means a roadway that is not dedicated or accepted for public use or maintenance that provides vehicular or pedestrian access to more than one property, business, or dwelling unit.

Streetscreen means a freestanding wall built along the frontage line, or coplanar with the facade, often for the purpose of masking a parking lot from the thoroughfare. Also referred to as a streetwall.

Structure means anything constructed or erected which requires a location on the ground or attached to something having a location on the ground.

Structure, Principal See Principal Structure.

Studio (Arts, Crafts, or Recording) means a place designed to be used both as a dwelling place and a place of work by an artist, artisan, or craftsperson, including persons engaging in the application, teaching, or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture, and writing.

Subdivider means a person who causes land to be divided into a subdivision. For the purposes of this UDC, it is the same as developer.

Subdivision means the division of a tract of land within the corporate limits, or within the extraterritorial jurisdiction of the City, into two or more parts for the purpose of laying out any division of any tract of land or any addition to the City, or for laying out suburban lots or building lots or any lots and streets, alleys, or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent to the streets, alleys, and parks. The term "resubdivision" and "addition" shall be included within this definition.

Subsec. means Subsection.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction of the improvement. This includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or

b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Surveyor means a registered professional land surveyor licensed to perform land surveying in the State of Texas.

T

Tattoo Studio means an establishment where tattooing or permanent cosmetic application is performed, completely separated from living quarters, and being subject to all provisions of Article 8.10 of the City of Lubbock Code of Ordinances.

Taxidermy Shop means an establishment that prepares, stuffs, and mounts the skins of animals with lifelike effect.

TCEQ means Texas Commission on Environmental Quality.

Temporary Construction or Field Sales Office means a building or structure that is temporarily placed to aid in the process of managing a construction project.

Tenant means, for purposes of Division 3.5, *Signs*, a space in a building that is either rented or owned (for example, a condominium unit) by a separate person, corporation, partnership or other entity, with an entry on the building's front facade.

Third Place means a private building that includes a space conducive to unstructured social gathering. Third places are usually bars, cafes, and corner stores.

Thoroughfare means a way for use by vehicular and pedestrian traffic, or pedestrian traffic only, and to provide access to lots and open spaces, consisting of public frontage and often vehicular lanes. The term also means arterial.

Thoroughfare Plan means a general plan adopted by ordinance by the City Council for the public roads, streets, and highways within the corporate limits or in the extraterritorial jurisdiction of the City that designates the type and width of major streets. Specifically, this term means the current City of Lubbock Master Thoroughfare Plan.

TLGC means Texas Local Government Code.

Tobacco Paraphernalia means any equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in Texas Health and Safety Code. Items or devices classified as tobacco paraphernalia include, but are not limited to, the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches are excluded from the definition of tobacco paraphernalia.

Tobacco Product means any product in leaf, flake, plug, liquid (such as e-cigarette liquid), or any other form, containing nicotine or tetrahydrocannabinol derived from the tobacco or hemp plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this UDC, this term excludes any product that has been specifically approved by the United States Food and Drug Administration for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

Tower (Telecommunications) means 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.

Tower / Cupola means, for the purposes of the Mixed-Use Districts, a stand-alone structure that is significantly taller than it is wide or a portion of a building that is significantly taller than it is wide and typically has more detail than the surrounding building(s). When a tower is a portion of a building, the tower eave or cornice is taller than the remainder of the building eave or cornice height and one or more of the tower facades is located forward of the remaining building façade.

Townhouse means a house of a row, joined to its neighbors by party walls and covered by the same roof, while occupying separate lots. No townhouse structure shall have less than two dwelling units or an overall length exceeding 250 feet.

Trailer means any portable or mobile vehicle on wheels, skids or rollers not structurally anchored to a foundation, either self-propelled, or propelled by an attached vehicle, animal, person or other propelling apparatus, which is used or may be used for commercial hauling or storage purposes.

Transportation, Utility, and Communication Uses means a use category with the purpose of the transmission of energy or material to benefit the general public.

Travel Plaza means an establishment engaged in the fueling, servicing, repair, and/or parking of tractor trucks and trailers or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A travel plaza may also include overnight accommodations, showers or restaurant facilities primarily for the use of truck crews, and all of the typical conveniences for standard-sized automobile users that one typically sees at a gas station. This definition includes truck stops.

Truck Parking Lot (Primary Use) means surface lots with no other use taking place on the property designed and built for large trucks such as semi-trailers that are designed to move large quantities of goods. This definition includes a parking lot or parking garage.

TWC means Texas Water Code.

U

UDC means Unified Development Code.

UDHPC means Urban Design and Historic Preservation Commission.

Unoccupied means a property on which all buildings are unused or not being used for a permitted activity.

Use means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is, or may be, occupied or maintained.

Utilities means the conduits, pipes, wires, etc. and associated appurtenances used to provide various services to both residential and commercial uses. Water, wastewater, and stormwater service are primary utilities provided by the municipality and natural gas, electricity, and communication are primary utilities provided by public or private utilities.

V

Vacant means a property on which there is situated no structure(s).

Vacation Travel Trailer refer to Recreational Vehicle.

Variance means a grant of relief to a person from the requirements of this UDC when specific enforcement would result in unnecessary hardship.

Vehicle means every device in, upon, or by which any person or property is, or may be, transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Vehicle Charging Station means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Vehicle Use Area means an unenclosed area used by three or more vehicles of any type, including but not limited to automobiles, recreational vehicles, recreational equipment, or trailers, moving or at rest, including, but not limited to, parking lots, loading and unloading areas, stacking lanes, access and circulation drives, driveways, and parking aisles.

Vehicular Lanes means the lanes providing traffic and parking capacity within an Arterial, Collector, or Local Street. They usually consist of marked lanes in a variety of widths for parked and for moving vehicles.

Vending Kiosk means a self-service, interactive device that is located on the outer side of a principal building (or as a stand-alone unit outside and independent of the principal building), which is accessible to the general public for the purposes of dispensing product or information.

Vertical Illuminance means a measure of how much light is falling onto a surface, typically measured in foot-candles, calculated in a plane perpendicular to the property line.

Vertical Mixed-Use means a building that contains both commercial and residential uses and is not limited by a regulation defining on which floor or floors the residential and commercial uses are required to be located.

Veterinary Clinic and/or Service, Large Animal means any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of disease and injury of large animals and livestock. The term may also include veterinarians who in addition to their large animal services also provide care for small domestic animals.

Veterinary Clinic and/or Service, Small Animal means any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of disease and injury of small domestic animals. The term does not include large animal and livestock veterinarians.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in Sections 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of 44 CFR is presumed to be in violation until such time as that documentation is provided

Visibility Triangle means a triangular area that includes that portion of public right-of-way and any private property within a triangle formed by a diagonal line extending through points on the two property lines 25 feet from the street corner intersection of the property lines in all districts except for the MU districts. In the MU districts, the lines extend 10 feet from the ~~street corner intersection of the property lines~~back of curb.

The vertical dimensions of this triangle are a minimum of 12 feet vehicular traveled ways, including alleys, streets and easements, and a minimum of eight feet above sidewalks as established in Section 36.01.005, *Maintenance of Sidewalks*, Parkways, Alleys, etc.–By Abutting Owner, of the City of Lubbock Code of Ordinances.

Refer to Section 39.02.022, *Measurements*, for visual depictions related to this term.

W

Warehousing and Storage means a building used primarily for the storage of goods and materials. This definition includes bulk grain or feed storage; cold storage warehouse; cotton storage; grain elevator and storage; scrap paper or rag storage; storage of hides or skins; storage or baling of rags; wholesale house, sales office and storage - no cotton storage.

Water and Wastewater Treatment means facilities used for the treatment, storage, and distribution of potable and gray water to customers; and a facility, or group of facilities, used for the collection and treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes.

Water Storage means facilities and infrastructure provided by a public agency, utility, or franchise which conveys water facilities including regional water storage tanks and reservoirs. This definition includes water storage, elevated, and water storage, ground.

Water Storage Capacity means the volume of stormwater which any natural stormwater lake area is capable of holding in its natural state before any filling, cutting or redesign.

Water Surface Elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Winery means an agricultural processing facility used to produce wine that is purchased for off-premises distribution or consumption, except for limited tasting facilities. The processing activities may include but are not limited to, wholesale sales, crushing, fermenting, blending, aging, storing, bottling, and administrative office functions. This term includes vineyards.

Wing or Extension means that part of a building projecting towards the rear lot line, if any, but only if the width of that projection is less than one-half of the total building width. For the purposes of this definition, building width shall be the greatest dimension of the building, as measured at right angles to the front property line.

Wireless Telecommunications Tower means radio or television broadcasting towers, telecommunications towers, and antenna arrays. This definition includes antenna, tower, or alternative tower structure.

Y

Yard means any open space between a building or group of buildings and the nearest lot line that is unoccupied and unobstructed from the ground upward unless specifically allowed in this UDC.

Yard, Front means that yard between the front setback and the front lot line.

Yard, Rear means that yard between the rear setback and the rear lot line, if any.

Yard, Side means that yard between the side setback and the side lot line, if any.

Z

ZBA means Zoning Board of Adjustment.

APPENDICES

Appendix A Plant List

a. **Generally**. The following tables set out the approved and prohibited types of plants that may be used in landscape areas and bufferyards. The Director of Planning may approve additional plants upon request of the applicant.

b. **Approved Large Trees.** Table A-1, *Canopy Tree List*, sets out the canopy trees that may be used to satisfy the landscaping requirements of this UDC.

Table A-1
Canopy Tree List

Botanical Name	Common Name
Pinus eldarica	Afghan Pine
Cupressus arizonica	Arizona Cypress
Pinus nigra	Austrian Pine
Taxodium distichum	Bald Cypress
Quercus macrocarpa	Bur Oak
Ulmus crassifolia	Cedar Elm
Pistacia chinensis	Chinese Pistaache
Ginkgo biloba	Ginkgo
Koelreuteria paniculata	Goldenraintree
Pinus pinea	Italian Stone Pine
Zelkova serrata	Japanese Zelkova
Ulmus parvifolia	Lacebark Elm
Carya illinoensis	Pecan
Pinus edulis	Pinyon Pine
Catalpa bignonioides	Southern Catalpa
Quercus buckleyi	Texas Red Oak

Table A-1 Canopy Tree List	
Botanical Name	**Common Name**
Juglans microcarpa	Texas Walnut
Gleditsia triacanthos	Thornless Honeylocust, var. inermis
Sapindus drummondii	Western Soapberry

c. **Approved Ornamental Trees.** Table A-2, *Ornamental Tree List*, sets out the ornamental trees that may be used to satisfy the landscaping requirements of this UDC.

Table A-2 Ornamental Tree List	
Botanical Name	**Common Name**
Cotinus obovatus	American Smoketree
Malus spp.	Crabapple
Chilopsis linearis	Desert-Willow
Juniperus virginiana	Eastern Red Cedar
Crataegus spp.	Hawthorn
Pinus thunbergii	Japanese Black Pine
Cercis canadensis var. mexicana	Mexican Redbud
Rhus lanceolata	Prairie Flamelead Sumac
Juniperus scopulorum	Rocky Mountain Juniper
Cercis canadensis var. texensis	Texas Redbud

d. **Approved Shrubs.** Table A-3, *Shrub List*, sets out the shrubs that may be used to satisfy the landscaping requirements of this UDC.

Table A-3 Shrub List	
Botanical Name	**Common Name**
Large	
Prunus caroliniana	Cherry Laurel
Photinia serrulata	Chinese photinia
Nerium oleander	Oleander
Eleagnus angustifolia	Russian Olive
Sophora secundiflora	Texas Mountain Laurel
Sabal texana	Texas Palmetto
Diospyros texana	Texas Persimmon
Trachycarpus fortunei	Windmill Palm
Medium	
Mahonia trifoliata	Agarita
Leucophyllum sp.	Central Texas Sage
Forsythia intermedia spectabilis	Forsythia
Abelia grandiflora	Glossy Abelia
Pittosporum tobira	Green Pittosporum
Juniperus sp.	Juniper (other than Eastern Red Cedar)

Table A-3 Shrub List	
Botanical Name	**Common Name**
Punica granatum	Pomegranate
Pittosporum tobira variegata	Variegated pittosporum
Small	
Berberis thunbergii atropurpurea	Barberry
Rosa chinensis	China Rose
Sabal minor	Dwarf Palmetto
Cotoneaster glaucophylla	Grayleaf Cotoneaster
Rosmarinus officinalis	Rosemary
Rosa odorata	Tea Rose

e. **Approved Groundcover**. Table A-4, *Approved Groundcover, Vines, and Grasses*, sets out the shrubs that may be used to satisfy the landscaping requirements of Article 4.4, *Tree Preservation, Buffering, and Landscaping*.

Table A-4 Approved Groundcover, Vines, and Grasses	
Botanical Name	**Common Name**
Groundcovers and Vines	
Trachelospermum asiaticum	Asiatic Jasmine
Antigonon leptopus	Coralvine
Rosa banksia	Lady Banksia Vine
Rosa x bractaeta	Mermaid Rose Vine
Rosa x fortuniana	Rosa x Fortuniana Vine
Santolina sp.	Santolina
Polygonum aubertii	Silverlace Vine
Juniperus sp.	Trailing juniper
Ornamental Grasses	
Andropogon geraldii	Big Bluestem
Bouteloua gracilis	Blue Gramagrass
Helictotrichon sempervirens	Blue Ovena Grass
Bucheloe dactyloides	Buffalograss
Distichlis stricta	Desert Saltgrass
Pennisetum alopecuroides	Fountain Grass
Hilaria jamesii	Galleta
Sporobolus wrightii	Giant Sacaton Grass
Oryzopsis hymenoides (Achnatherum hymenoides)	Indian Rice Grass
Muhlenbergia lindheimeri	Lindheimers Muhly Grass
Schizachyrium scoparium	Little Bluestem Grass
Miscanthus sinensis	Maiden Hair Grass
Hesperostipa comata	Needle and Thread Grass
Festuca ovina glauca	Ornamental Blue Fescue
Sporobolis heterolepis	Prairie Dropseed
Aristida purpurea	Purple Three Awn Grass
Andropogon hallii	Sand Bluestem

Table A-4 Approved Groundcover, Vines, and Grasses	
Botanical Name	**Common Name**
Eragostis tricodes	Sand Lovegrass
Bouoteloua curtipendula	Sideoats Gramagrass
Nassella tenuissima	Silky Thread Grass
Bothriochloa saccharoides	Silver Beardgrass
Panicum virgatum	Switch Grass
Andropogon smithii	Western Wheatgrass

f. **Prohibited Plants**. Table A-6, *Prohibited Plants*, sets out the plants that are prohibited in all landscape areas.

Table A-6 Prohibited Plants List	
Botanical Name	**Common Name**
Alternanthera philoxeroides	Alligatorweed
Cardiospermum halicacabum	Balloonvine
Orobanche ramose	Branched Broomrape
Schinus terebinthifolius	Brazilian Peppertree
Pyrus calleryana	Callery "Bradford" Pear
Alhagi maurorum	Camelthorn
Triadica sebifera	Chinese Tallow Tree
Myriophyllum spicatum	Eurasian Watermilfoil
Convolvulus arvensis	Field Bindweed
Landoltia punctate	Giant Duckweek
Arundo donax	Giant Reed (Poaceae)
Convolvulus arvensis	Hedge Bindweed
Eichhornia azurea	Hyacinth, Rooted Water
Eichhornia crassipes	Hyacinth, Floating Water
Hydrilla verticillata	Hydrilla
Rottboillia cochinchinensis	Itchgrass
Cuscuta japonica	Japanese Dodder
Pueraria Montana var. lobata	Kudzu
Lagarosiphon major	Lagarosiphon
Melaleuca quinquenevria	Paperbark
Lythrum salicaria	Purple Loosestrife
Tamarix spp. Saltcedar	Saltcedar
Salvinia (all species)	Salvinia
Nassella trichotoma	Serrated Tussock
Panicum repens Torpedograss	Torpedograss
Solanum Viarum	Tropical Soda Apple
Ipomeoea aquatic	Water Spinach
Pistia stratiotes	Waterlettuce