CITY OF FORNEY, TEXAS

ORDINANCE NO. _______

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE
COMPREHENSIVE ZONING ORDINANCE NO. 1085, AND MAP, AS
AMENDED, BY CHANGING THE ZONING ON APPROXIMATELY 54.58-
ACRE TRACT OF LAND SITUATED IN THE A. HYER SURVEY,
ABSTRACT NO. 203, CITY OF FORNEY, KAUFMAN COUNTY, TEXAS,
FROM LI-LIGHT INDUSTRIAL DISTRICT TO PD-PLANNED
DEVELOPMENT OVERLAY DISTRICT, WITH A BASE ZONING
DISTRICT DESIGNATED AS MU-MIXED USE DISTRICT; PROVIDING A
SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE;
PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE;
AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Forney ("City Council"), pursuant to Chapter 211 of the Texas Local Government Code as amended, possesses the power to regulate zoning and development in the City; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Forney; and

WHEREAS, the City Council of the City of Forney, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of said Planning and Zoning Commission of the City of Forney and of all testimony and information submitted during said public hearing, has determined that, in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be changed, and that the official zoning map of the City of Forney, Texas, shall be amended to reflect the rezoning of the property described.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF FORNEY, TEXAS THAT:

Section 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct legislative and factual determinations of the City of Forney and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. ZONING AMENDED

From and after the effective date of this Ordinance, the property described herein shall be rezoned as set forth in this section, and the official zoning map of the City of Forney, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of said City of Forney, Texas Comprehensive Zoning Ordinance, Ordinance No. 1085, as amended, are not amended, but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That zoning for certain tracts of land being 54.58 acres of land situated in the Absalom Hyer
Survey, Abstract No. 203, City of Forney, Kaufman County, Texas and more fully described in Exhibit "A" attached hereto and incorporated herein for all purposes, presently zoned LI-Light Industrial District, is hereby rezoned PD-Planned Development Overlay District, with a base zoning district of MU-Mixed Use District.

This planned development overlay district is zoned in accordance with the City's Comprehensive Plan and in accordance with Exhibit B (Development Standards), Exhibit C (Concept Plan), and Exhibit D (Permitted Uses) attached hereto and incorporated herein by reference as if repeated verbatim.

Section 3. SEVERABILITY CLAUSE

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

Section 4. SAVINGS CLAUSE

The Zoning Ordinance shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed $2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 7. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY ON THIS _____DAY OF SEPTEMBER 2020.

Mary Penn, Mayor
ATTEST:

___________________________________
Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

____________________________________
Jon Thatcher, City Attorney
EXHIBIT “A”

LEGAL DESCRIPTION:

BEING a tract of land situated in the City of Forney, Kaufman County, Texas, a part of the Absalom Hyer Survey, Abstract No. 203, being part of a called 54.58 acre tract of land described in a Warranty Deed to Stephen James Crittenden, Et Al, as recorded in Volume 4553, Page 261, Deed Records, Kaufman County Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a four inch iron axle found at the south corner of said 54.58 acre tract of land and an angle point for a called 8.102 acre tract of land to the City of Forney, as recorded in Volume 2939, Page 18, D.R.K.C.T., said axle being in the northeast line of a called 13.332 acre tract of land to Wal-Mart Stores Texas, L.P., as recorded in Volume 2299, Page 383, D.R.K.C.T.;

THENCE North 45 degrees 12 minutes 23 seconds West, along the southwest line of said 54.58 acre tract of land, passing at a distance of 1,248.36 feet a one-half inch iron rod with yellow plastic cap found at the north corner of said 13.332 acre tract of land and the east corner of Lot 2, Block A, Mustang Crossing Addition, an addition to the City of Forney, according to the plat recorded in Cabinet 2, Page 676, Plat Records, Kaufman County, Texas (P.R.K.C.T.), continuing a total distance of 1,647.28 feet a three inch brass monument found at the north corner of said Lot 2, said point being the south corner of a called 0.104 acre tract of land described in a Deed to State of Texas as recorded in Volume 1691, Page 271, Real Property Records, Kaufman County Texas (R.P.R.K.C.T.) and said point in the southeast line of Farm to Market 548 (a variable width right-of-way);

THENCE along the southeast line of Farm to Market 548 as follows:

Northeasterly, a distance of 143.69 feet along the southeast line of said 0.104 acre tract of land and along a non-tangent curve to the right, having a central angle of 06 degrees 34 minutes 26 seconds, a radius of 1,252.33 feet, a tangent of 71.92 feet, and whose chord bears North 41 degrees 30 minutes 11 seconds East, 143.61 feet to a one-half inch iron rod with yellow plastic cap stamped “Bohler Eng.” Set (hereinafter called “iron rod set”);

North 44 degrees 47 minutes 25 seconds East, a distance of 411.22 feet along the southeast line of said 0.104 acre tract of land to a one-half inch iron rod found at the east corner of said 0.104 acre tract of land, said point being at the south corner of a called 0.033 acre tract of land described in a Deed to State of Texas as recorded in Volume 1698, Page 193, (R.P.R.K.C.T.);

North 44 degrees 55 minutes 48 seconds East, a distance of 141.64 feet along the southeast line of said 0.033 acre tract of land to an iron rod set at the east corner of said 0.033 acre tract of land;

North 45 degrees 04 minutes 19 seconds West, a distance of 10.16 feet along the northeast line of said 0.033 acre tract of land to a three inch brass monument found at the north corner of said 0.033 acre tract of land;

North 44 degrees 38 minutes 37 seconds East, a distance of 690.33 feet to a one-half inch iron rod found at the west corner of Lot 1, Industrial Park-Phase 1, an addition to the City of Forney, according to the plat recorded in Cabinet 2, Page 303, P.R.K.C.T., said point being in the northeast line of said 54.58 acre tract of land;

THENCE South 45 degrees 02 minutes 52 seconds East, along the northeast line of said
54.58 acre tract of land, passing at a distance of 999.36 feet a five-eighths inch iron rod with yellow plastic cap stamped “FMI” found at the south corner of said Lot 1 and the west corner of Lot 2 of said Industrial Park-Phase 1, passing at a distance of 1,324.05 feet a five-eighths inch iron rod with yellow plastic cap found at the south corner of said Lot 2 and the west corner of Lot 3 of said Industrial Park-Phase 1, and continuing a total distance of 1,656.36 feet to a one-half inch iron rod set at the east corner of said 54.58 acre tract of land and the south corner of said Lot 3, said point being in the northwest line of lot 4 of said Industrial Park-Phase 1;

**THENCE** South 44 degrees 19 minutes 57 seconds West, a distance of 1,382.05 feet along the southeast line of said 54.58 acre tract of land to the **POINT OF BEGINNING** and containing 2,291,422 square feet or 52.604 acres tract of land.
EXHIBIT “B”  
DEVELOPMENT STANDARDS AND PERMITTED USES

A. Applicability

1. The PD - Planned Development Overlay District ("PD") created herein shall apply to and govern the development of the tract(s) of land described in Exhibit "A" ("Property") attached hereto and Incorporated herein by reference for all purposes allowed by law.

2. Except as stated herein, the regulations of this PD shall be based upon the MU – Mixed Used District zoning in effect as of the date of the adoption of this PD as outlined in the Comprehensive Zoning Ordinance of the City of Forney, Texas, Ordinance No. 1085, as amended ("Zoning Ordinance"). This PD also incorporates additional specified uses enumerated herein. If a conflict exists between the terms of the Zoning Ordinance and this Ordinance the provisions of this Ordinance shall control.

3. All infrastructure, facilities and public improvements required to be constructed in order to serve the Property Within this PD shall be constructed in accordance with the City's Engineering Design Standards ("EDS") then in effect. The EDS will, from time to time, require revisions and updates to allow for changing construction technology. When changes are required the EDS may be amended by separate ordinance. It is the responsibility of the owner and/or developer to obtain a copy of and be familiar with the City's EDS.

B. Submittals Required

1. Concept Plan - a concept plan for the Property has been submitted with the property owner's request for a zoning change and is attached to this Ordinance as Exhibit "C" and incorporated herein by reference for all purposes allowed by law. The concept plan may be amended from time to time, subject to review and approval by the City of Forney Planning and Zoning Commission and City Council. All proposed changes, amendments or modifications to the concept plan and any related concept elevations shall be submitted to the City of Forney Planning and Zoning Commission and City Council for their respective recommendation, approval and adoption in accordance with the requirements of the Zoning Ordinance. Proposed changes, amendments or modifications to the concept plan may be for the entire Property within the PD or any portion or tract thereof.

2. Site Plan - a site plan shall be submitted for approval before actual development commences, in accordance with the plan requirements of the Zoning Ordinance. The site plan may be for the entire Property within the PD or any portion or tract thereof. After approval of the site plan, minor changes may be authorized by the City Manager or the Director of Community Development when such minor changes will not cause any of the following circumstances to occur:
a. A change in the character of the development.
b. An increase in the maximum authorized ration of the gross floor areas in structures to the area of the lot(s).
c. An increase in the intensity of use(s).
d. A reduction in the originally approved separations between buildings.
e. An increase in the external effects on adjacent property.
f. A reduction in the originally approved setbacks from property lines.
g. An increase in concerns of circulation, safety, and utilities.
h. An increase of more than 20 percent or 5,000 square feet, whichever is less, in ground coverage by structures.
i. A reduction in the ratio of off-street parking and loading space to gross floor area in structures.
j. A change in the subject, size, lighting, or orientation of originally approved signs.
k. A significant decrease in the percentage of landscaping required.
l. A decrease in the amount of open space, park land, and trails required.

3. Neither the City Manager nor the Director of Community Development is obligated to approve changes to the site plan and either may at any time refer a requested change to the site plan, minor or otherwise, to the City of Forney Planning and Zoning Commission and City Council for their recommendation, approval and adoption in accordance with the requirements of the Zoning Ordinance.

4. The initial concept plan approval for this development shall be valid for a period of four years from the date the City Council approves the concept plan. If within that four-year period a site plan is submitted for approval, and approved, for a portion of the development, the expiration date of the initial concept plan will be extended for a period of one year from the date of site plan approval. Site plans shall be valid for a period of one year from the date the City Council approves the site plan. The initial concept plan shall expire upon the expiration of the site plan(s) unless and until the Infrastructure for the first full phase of development on the Property is completed and accepted by the City. All subsequent concept plans for the Property shall be subject to Section 12.10 of the Zoning Ordinance, as amended.

C. Uses Permitted

A Schedule of Uses identifying the specific uses permitted by right within the PD is attached hereto as Exhibit "D" and is incorporated herein by reference for all purposes allowed by law. For clarity the uses are divided into two (2) general areas which are separated by a common area. The area north of the common area (“northern retail area”) and fronting FM 548 is generally composed of office, retail, and other commercial uses whereas the area south of the common area (“southern residential area”) is composed of residential uses. This PD proposes to include as a minimum the following phasing:

a. Phase 1: Allow the start of 130 townhomes to be construction. 40,000 square feet of retail/office must be constructed and receive a Certificate of Occupancy to allow the multi-family units to begin construction.
b. Phase 2: 420 multi-family units maybe constructed.
c. Phase 3: Any additional office/retail/townhomes may be constructed during or after Phase 2

Any use not specifically listed in the attached Schedule of Uses is hereby expressly prohibited, unless approved by the Planning and Zoning Commission and the City Council with a Conditional Use Permit.
D. Definitions

The definitions contained in Section 49, "Definitions," of the Zoning Ordinance, as amended, shall apply to the PD created herein.

E. Development Standards

1. Height Regulations – The height regulations for the permitted uses shall conform to the height regulations as set forth in “Section 32 MU - Mixed Use District,” of the Zoning Ordinance, as amended, except as provided otherwise herein. In the event of a conflict between the height regulations contained in Section 32 of the Zoning Ordinance and the height regulations contained in this PD, the provisions of this PD control.
   a. The building heights as noted below are permitted ‘by-right’.
      i. Retail. Retail use not to exceed one (1) story.
      ii. Restaurant. Restaurant use sit down or drive-through, not to exceed one (1) story.
      iii. Multi-Family. Multi-family use not to exceed four (4) stories.
      iv. Office. Office use not to exceed five (5) stories. A building over four (4) stories shall require approval of a conditional use permit.
      v. Hotel. Hotel, motel, extended stay, etc. use not to exceed eight (8) stories. A building over four (4) stories shall require approval of a conditional use permit.
      vi. Podium style building. Retail is restricted to the ground level with office, residential, or hotel use allowed above. The height may not exceed the height noted above for the upper level use. In the event of shared uses in the upper floors, it shall be the lesser height between the shared uses.

2. Area Regulations - The area regulations for the permitted uses shall conform to the area regulations as set forth in “Section 32 MU - Mixed Use District,” of the Zoning Ordinance, as amended, except as provided otherwise herein. MF-15 uses shall comply with MF-15 District regulations. In the event of a conflict between the area regulations contained in Section 32 of the Zoning Ordinance and the area regulations contained in this PD, the provisions of this PD control.
   a. Minimum Lot Area
      i. Minimum retail lot area shall be five thousand square feet (5,000 sf) except for approved kiosks and ATM buildings.
      ii. Minimum retail lot width is fifty feet (50’).
      iii. Minimum residential lot width is 100 feet (100’)
      iv. Minimum lot depth is one hundred feet (100’).
b. Minimum Setbacks.
   i. Minimum front setback is twenty-five feet (25') from the street right-of-way line. Where property has frontage on more than one street, one street frontage may be treated as a side yard, but in all cases must honor landscape, visibility, or utility buffers and easements as may be applicable.
   ii. Minimum side and rear setbacks shall be fifteen feet (15’) from the street right-of-way line and/or boundary line of the planned development.
   iii. For the northern retail area, no interior setbacks are required within the PD, save and except that buildings must comply with the adopted Fire Code.
   iv. In comparison to an existing neighboring residential use, the side and rear yard setback shall observe the following:
      a. A sixty foot (60’) setback for any building with a differential of over one (1) story in height.
      b. A two hundred foot (200’) setback for a building with a differential of over two (2) stories or thirty-five feet (35’) in height.
   v. For the southern residential area, buildings must be separated by a minimum of twenty-five feet (25’).

c. Maximum Floor Area.
   i. For the northern retail area, the maximum lot coverage is sixty percent (60%) (including main and accessory buildings) and the maximum impervious surface coverage is ninety-five percent (95%).
   ii. For the southern residential area, the maximum lot coverage is fifty percent (50%) (including main and accessory buildings) and the maximum impervious surface coverage is eighty percent (80%).
   iii. There is no maximum floor-to-area (FAR) ratio as long as other site requirements, such as parking and landscape, are met.
   iv. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, are met.
   v. For MF-15 uses, a one-bedroom unit shall have a minimum floor area of 730 square feet.

d. Density.
   Multi-family uses may have a maximum of 28 units per acre with a maximum of 420 units per 15 acres in the phase.
   Townhome minimum to be twenty-two feet (22’) by sixty feet (60’) pad

3. Parking Requirements - Parking shall conform to the parking requirements established in Section 38, "Off-Street Parking and Loading Requirements," of the Zoning Ordinance, as amended, except as provided herein. In the event of a conflict between the parking regulations contained in Section 38 of the Zoning Ordinance and the parking requirements contained in this PD, the provisions of this PD shall control.
   a. Minimum parking space is nine feet (9’) by eighteen feet (18’) except as allowed by Section 38 “Off-Street Parking and Loading Requirements” for compact spaces.
   b. The location and arrangement of parking spaces required for any particular phase or development within the PD shall be determined at the time of site plan and certificate of occupancy approvals.
c. The northern retail area may utilize shared parking in accordance with the guidelines of the current edition of “Shared Parking” as released by the Urban Land Institute (ULI). To utilize shared parking, the designer must submit a spreadsheet outlining the tabulation of the gross floor area and calculations for number of required spaces in accordance with ULI guidance as part of the site plan submittal.

d. A minimum of 1.45 spaces per unit shall be provided in the southern multi-family residential area and 1.25 spaces per unit for the townhomes.

e. No shared parking is allowed between the northern retail area and the southern residential area.

f. All off-street parking, maneuvering, loading and storage areas shall be paved with concrete paving in accordance with the City's parking lot paving requirements (i.e., no parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces) including five-inch (5") thick reinforced concrete, with minimum No. 3 rebar steel reinforcement spaced at least twenty-four inches (24") on center, graded to drain properly per City standards (i.e., no standing or pooling of water) or as may be recommended by a geotechnical engineer and approved by the City engineer. All driveway approaches shall be of reinforced concrete as described above and shall be curbed to City standards. No paved parking space or area shall be designed such that a vehicle has to back up into a public street or across a public sidewalk.

g. Parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Non-permanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

h. Any off-street parking area located along any public street shall be screened from adjoining properties and/or streets by vegetation which is at least three feet (3') in height except where within a sight visibility area or easement which restricts such plantings.

i. Pharmacy and bank drive thru lanes shall provide a minimum of three (3) car stacking spaces. Gasoline stations shall provide a minimum of three (3) car stacking spaces per fuel pump aisle. Stacking spaces shall include the space at the window and/or fuel pump.

j. An off-street parking lot shall be landscaped. See Landscaping Requirements below for more detail.

4. Landscaping Requirements - Landscaping shall conform to the landscaping requirements established in Section 39, "Landscape Requirements," and Section 39a, “Tree Preservation,” of the Zoning Ordinance, as amended, except as provided herein. In the event of a conflict between the landscaping regulations contained in either Section 39 or Section 39a of the Zoning Ordinance and the landscaping requirements contained in this PD, the provisions of this PD shall control.

  a. All plants installed within the PD must conform to Section 50, "Approved Plant List," of the Zoning Ordinance, as amended.
b. A minimum of fifteen percent (15%) of the PD must be open space/landscaped area. This includes both permanent retention ponds and temporary detention ponds. Detention ponds must include ground cover and have slopes which do not exceed 3:1 (H:V).

c. A minimum eighteen foot (18') landscape buffer shall be provided along FM 548 right-of-way.

d. A minimum ten foot (10') landscape buffer shall be provided along the boundary line of the planned development.

e. Off-street parking lots shall contain a minimum of one (1) tree for every fifty (50) parking spaces. Landscape islands, which shall be generally no smaller than a standard parking space, must contain at least one tree and shall not be separated by more than twenty-five (25) parking spaces. All landscaped areas shall be protected by raised concrete. No paving shall be permitted within four feet (4') of the center of a tree.

5. Lighting and Glare Requirements. All outdoor lighting shall conform to the lighting standards established within Section 45, "Lighting and Glare Standards," of the Zoning Ordinance, as amended, except as provided herein.

a. A lighting plan identifying lighting (pole) locations and design specifications shall be submitted with and approved at the time of civil site permit plan or building permit plan approval. Full photometrics must also be submitted at this time. All submitted plans, including foundation detail plans for the light poles, must bear the stamp and signature of the responsible design professional engineer.

b. Light poles cannot exceed thirty-five feet (35’) in height, including the base.

c. All parking areas shall have appropriate lighting positioned such that no light adversely impacts adjacent residential uses or areas. The allowable maximum intensity measured at the property line of any adjacent residential use or area shall be no more than 0.25-foot candles.

d. All light fixtures shall be directional or full shut-off fixtures to eliminate glare and ambient light pollution.

e. All lighting on parcels or tracts within the Property shall be shielded or directed to avoid light pollution on adjacent properties and parcels outside the Property. Lighting levels at the property line of any tract or parcel within the Property
that is adjacent to property contiguous to the Property shall not exceed 0.25-foot candles measured at the property line.

F. Special Requirements

1. Alcoholic Beverage Sales. The sale of alcoholic beverages for on-premise and off-premise consumption, shall be allowed within the northern retail area of the PD provided that all special requirements contained herein and in Section 29 5(B) of the Zoning Ordinance and Article 4100 of the City Code are first satisfied. All sales shall conform to the requirements established by the Texas Alcoholic Beverage Commission (“TABC”).

2. Outdoor Dining Areas. A business adjacent to a sidewalk may place outdoor seating, dining facilities and retail sales, including service kiosks, along and about the sidewalk adjacent to its primary structure provided that such use of the sidewalk area does not reduce the amount of traversable space for pedestrian traffic to less than five feet (5’) in width.

3. Outdoor Vending Machines. No more than two (2) outdoor vending machines are allowed for any single business. All outdoor vending machines must conform to Section 43.12, "Outdoor Vending Machines," of the Zoning Ordinance, as amended.

4. Utilities. All utility lines shall be placed under ground. Any existing overhead utility lines may remain in place.

5. Sidewalks. All sidewalks are to be concrete and a minimum of five foot (5’) in width except as noted herein:
   a. A minimum eight foot (8’) wide concrete sidewalk is required along the front façade within the northern retail area for all retail, restaurant, café, or other food or beverage use.
   b. All crosswalks shall encompass decorative, stamped, or stained concrete which distinguishes the area from the surrounding pavement.

6. The developer and/or owner shall be responsible to maintain the exterior of all facilities including, but not limited to, trash removal, landscaping, mowing, water features, common/public areas, plat areas, and detention ponds.
EXHIBIT “C”

CONCEPT PLAN
EXHIBIT “D”

PERMITTED USES
Uses for this Planned Development are as provided for a MU – Mixed Use District in Section 37, "Use Table," of the Zoning Ordinance, as amended, except as provided herein.

USES PERMITTED BY RIGHT

Residential (Southern Residential Area)

  Accessory Building/Structure (Non-residential)
  Multi-Family (Apartments)
  Single-Family Attached (Townhomes)
  Swimming Pool (Private Use by Resident or Apartment Complex)

Office Uses (Northern Retail Area)

  Armed Services Recruiting Center
  Offices (brokerage services, health services, insurance agency, legal services, medical office, real estate, professional)
  Telemarketing agency
  Bank
  Savings and Loan
  Security Monitoring Company (No Outside Storage)

Personal and Business Service Uses (Norther Retail Area)

  Appliance Repair
  Artist Studio
  Automobile Driving School (Including Defensive Driving) Automatic Teller Machines (ATM’s)
  Barber / Beauty Shop College (Barber or Cosmetology School or College)
  Barber / Beauty Shop
  Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or towers/antennae)
  Computer Sales
  Credit Unions
  Dance / Drama / Music Schools (Performing Arts)
  Extended Stay Hotels / Motels (Residence Hotels)
  Financial Services (Advice/Invest)
  Hotel/Motel
Martial Arts School / Dance Studio
Laundry / Dry Cleaning (Drop Off/Pick Up) Locksmith
Photo Studio
Photocopying / Duplicating
Shoe Repair
Studio for Radio or Television (Without Tower)
Tailor Shop
Tool Rental (Indoor Storage Only)
Travel Agency
Retail Uses (Norther Retail Area)
   All-Terrain Vehicle Dealer / Sales (no outdoor storage)
   Antique Shop (no outside storage)
   Art Dealer / Gallery
   Auto Supply Store for New & Rebuilt Parts
   Bakery (Retail)
   Bike Sales and/or Repair
   Book Store
   Brewpub (See Definition)
   Cafeteria
   Confectionery Store (Retail)
   Convenience Store (without gas sales)
   Department Store
   Florist
   Food or Grocery Store
   Furniture Sales (Indoor)
   Garden Shop (Inside Only; no outside storage)
   Handicraft Shop
   Hardware Store
Major Appliance Sales/Rental (Indoor)
Needlework Shop
Pet Shop / Supplies / Grooming
Pharmacy
Plant Nursery (Retail Sales / Outdoor Storage)
Restaurant
Restaurant (Drive-In)
General Retail Store
Temporary Outdoor Retail Sales / Commercial Promotion
Upholstery Shop (Non-Auto)
Vacuum Cleaner Sales and Repair
Veterinarian (Indoor Kennels)

Transportation and Automotive Uses (Northern Retail Area)
Auto Accessories
Auto Glass Repair/Tinting
Auto Parts Sales (indoors only; no repair bays)
Auto Repair (Minor)
Auto Tire Repair /Sales (Indoor)
Full-Service Car Wash (Detail
Shop) Gasoline Service Station
Public Garage / Parking Structure
Quick Lube/Oil Change/Minor Inspection

Amusement and Recreational Uses (Northern Retail Area)
Amusement, Commercial (Indoors)
Billiard / Pool Facility (Three or More
Tables) Day Camp
Dinner Theatre
Golf Course (Public)
Health Club (Physical Fitness; Indoors Only)
Motion Picture Theater (Indoors) Motion
Picture Studio, Commercial Film
Museum (Indoors Only)
Park and/or Playground (Public; municipal)
Swimming Pool (Public; municipal) Tennis
Court (Private / Not Lighted) Theater
(Non-Motion Picture; Live Drama) Video
Rental / Sales

Institutional / Governmental Uses (Northern Retail Area)

Assisted Living Facility
Child Care Center (Day Care) (Business) (See Section 38.5) Church/Place of Worship
Civic Club
Clinic (Medical)
Community Center (Municipal)
Fire Station
Franchised Private Utility (not listed)
Governmental Building or Use (County, State or Federal)
Helistop
Hospital (Acute care / Chronic Care)
Library (Public)
Mailing Service (Private)
Municipal Facility or Use
Non-Profit Activities by Church (in furtherance of church/religious purposes)
Police Station
Portable Medical Unit-Human Blood Collection (See Definitions)
Post Office (Governmental)
Rectory/Parsonage
School, K through 12 (Public)
Sewage Pumping Station
Utility Distribution Line
Water Supply Facility (Private)
Water Supply Facility (Public; includes Elevated Water Storage)
Water/Wastewater Treatment Plant (Public)

Light Industrial / Manufacturing Uses

Contractor’s Office/Sales, No Outside Storage including Vehicles
Contractor’s Temporary On-Site Construction Office (only with permit)
Brewery
Plumbing Shop (no outside storage)
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)