

PLANNING AND ZONING COMMISSION AGENDA
Tuesday, November 14, 2023– 5:30 P.M.
WOLFFORTH CITY HALL
COUNCIL CHAMBERS
302 MAIN STREET
WOLFFORTH, TEXAS

The order of these agenda items may be changed. The Planning and Zoning Commission may discuss and/or take action on each of the following items:

Call Meeting to Order

Public Comment

This is an opportunity for the public to address the Planning and Zoning Commission regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the public comment sign in sheet and state his/her name and city of residence before speaking. Speakers shall address the Planning and Zoning Commission with civility that is conducive to appropriate public discussion. Speakers can address only the Planning and Zoning Commission and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

Items for Individual Consideration

- 1. Consider and take appropriate action on minutes from CIAC Meeting from September 12, 2023**
- 2. Consider and take appropriate action on a Public Hearing to consider amending the City of Wolfforth Zoning Ordinance Section 14.03.008 Use Table and Section 14.03.013 Commercial use categories.**
- 3. Consider and take appropriate action on amending the City of Wolfforth Zoning Ordinance Section 14.03.008 Use Table and Section 14.03.013 Commercial use categories.**
- 4. Adjourn**

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 806-855-4120, or e-mail at citysecretary@wolfforthtx.us for further information.

CERTIFICATION

Dated this 9th day of November 2023.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Wolfforth, Texas is a true and correct copy of said notice that has been posted at City Hall of the City of Wolfforth, Texas, in a place convenient and readily accessible to the general public at all times, and said notice was posted on November 9, 2023 by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of such meeting.

Tara Tomlinson, Director of Development Services

Date Notice Removed

**CAPITAL IMPROVEMENT ADVISORY COMMITTEE
SEPTEMBER 12, 2023 5:30pm
WOLFFORTH CITY HALL
COUNCIL CHAMBERS
302 MAIN STREET
WOLFFORTH, TEXAS**

MEMBERS PRESENT: Russell Dabbs, Rebekah Peer, Michael Adams, Charlotte McDonald

MEMBERS ABSENT: Robert Garcia, Kyle Reeves

OTHERS PRESENT: City Manager Randy Criswell, Director of Development Services Tara Tomlinson, Chris Ekrut (via TEAMS)

Charlotte McDonald opened the meeting at 5:36 p.m.

1. Public Comment:
 - a. Victoria Whitehead, discussed impact fee effects and asked for a partnership with developers.
2. Motion by Michael Adams, second by Russell Dabbs to approve minutes for August 8, 2023. Motion carried unanimously.
3. Chris Ekrut, from NewGen Strategies, presented on Land Use Assumptions and Water Impact Fee Capital Improvement Plan.
4. Motion by Michael Adams, second by Russell Dabbs to make the following recommendation to City Council. "The cost of new growth should not affect current citizens of Wolfforth. Therefore, the maximum impact fee should be applied to new construction moving forward." Motion carried unanimously.
5. With no other business to come before the Committee, motion was made by Russell Dabbs, second by Rebekah Peer to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 6:03 pm.

PASSED AND APPROVED THIS THE 14th DAY OF NOVEMBER, 2023.

ATTEST:

Tara Tomlinson, Director of Development Services

Kyle Reeves, Chair of Planning and Zoning Board

AGENDA ITEM COMMENTARY

ITEM TITLE

Conduct a Public Hearing to consider amending the City of Wolfforth Zoning Ordinance Section 14.03.008 Use Table and Section 14.03.013 Commercial use categories.

INITIATOR/STAFF INFORMATION SOURCE

Tara Tomlinson, Director of Development Services

BACKGROUND

All Hale Meat's is currently working on building a new facility, on site, that will be USDA approved for their meat packing and selling of goods cooked and cured. They will be required to plat and zone their property in order to stay in compliance with city ordinances. Currently, the use table does not include a specific use that follows their current conforming use. The following is a proposed use that will require a special use permit in a C-3 area only.

EXHIBITS

1. Public Notice
2. Use Table and Commercial Use Categories description

COMMITTEE ACTION/STAFF RECOMMENDATION

1. Allow for the presentation from the applicant
2. Open the Public Hearing
3. Receive any public comments
4. Close the Public Hearing

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Wolfforth Planning and Zoning Commission will meet on November 14, 2023, at 5:30pm and the Wolfforth City Council November 20, 2023 at 6:00pm in the City Hall Meeting Room, 302 Main Street, Wolfforth Texas to hold public hearings and take public comments regarding an amendment to the Wolfforth Zoning Ordinance Section 308- Use Table Category.

At this time and place all such persons shall have the right to appear and be heard.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 806-855-4120, fax 806-855-4121 or email city.secretary@wolfforthtx.us for further information.

Add this to the Use Table in 14.03.008

Use Category	Short Definition	Specific Use Regulations May Apply	C3
Meat Processing with Retail Front	Processing, packaging, curing, cooking, and selling of goods. Goods are sold on site.	*	S

*I wouldn't have S for any other zoning category, just the C3. It will keep in line with the Future Land Use plan too. Zoned C-3 With Special Use.

Then...

Either under 14.03.013 Commercial use categories

OR 14.03.015 Other Use Categories

Meat Processing with Retail Front-

- (1) Characteristics. Processing, packaging, curing, cooking, and selling of goods. Products may be finished or semi-finished and are sold wholesale or for individual use. Goods are displayed and sold on site. The curing, cooking, and selling of products shall be considered the principle use. Less than 25% of the property is used for slaughterhouse or less than 5000 square feet of the property is designated for this use whichever is smaller.
- (2) Accessory Use. Accessory use may include office, storage of goods and equipment, manufacturing or repacking of goods for on-site sale, and parking.
- (3) Examples. Store that sells, cures, cooks, and packages meat with a non-principle use of a slaughterhouse.

Do we need to include a definition under 14.08?

Slaughterhouse- A building where animals are killed and butchered for the intention of being processed as food. Slaughterhouses supply meat, which then becomes the responsibility of meat-packing facilities.

AGENDA ITEM COMMENTARY

ITEM TITLE

Consider and take appropriate action on amending the City of Wolfforth Zoning Ordinance Section 14.03.008 Use Table and Section 14.03.013 Commercial use categories.

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EXHIBITS

1. Use Table and Commercial Use Categories description

COMMITTEE ACTION/STAFF RECOMMENDATION

ARTICLE 14.03 USE REGULATIONS

§ 14.03.001. Establishment of districts.

In order to carry out the provisions of this chapter, the city is hereby divided into distinct zoning districts upon which may be applied certain overlay zones.

(1) Base zoning districts.

"AO" Agricultural Open Space District

"R1" Single-Family Dwelling District

"RH" Row House District

"R2" Two-Family Dwelling District

"MF" Multifamily Dwelling District

"RG" Zero Lot Line, Gardenhome Residence District

"C-1" Local Retail District

"C-2" General Commercial District

"C-3" Commercial District

"MHP" Manufactured Housing Park District

"MHS" Manufactured Housing Subdivision District

"M-1" Light Industrial and Manufacturing

"M-2" Heavy Industrial and Manufacturing

"PD" Planned Development District

"PIP" Planned Industrial Park District

(Ordinance adopted 3/21/2022)

§ 14.03.002. Zoning of newly annexed areas.

All territory annexed to the city after the effective date of this chapter shall be classified as R-1 Single-Family Residential District. The planning commission shall, as soon as practicable after the annexation of any territory, recommend to the city council a zoning plan of all the land within each newly annexed area. The zoning plan may or may not describe districts other than the R-1 Single-Family Residential District, as appropriate. The procedure used by the city council to adopt such a zoning plan shall be the same as is provided by Texas state law for the adoption of an original zoning map and regulations. In so doing, the planning commission may hold a public hearing on rezoning concurrent with proceedings to undertake a proposed annexation, so that the city council may

take final action to approve rezoning and annexation of the same territory on the same meeting agenda.

(Ordinance adopted 3/21/2022)

§ 14.03.003. Residential district intent statements.

- (a) AO, Agricultural Open Space District. The AO, Agricultural Open Space District is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one acre in a suburban or rural setting.
- (b) R-1 (Single-Family Residential) District. The Single-Family Residential District is intended to provide opportunities for development of detached single-family residences at medium densities. This district is also intended to serve as a holding zone for vacant land areas annexed to the city.
- (c) RH (Single-Family Row House District). The RH District is designed essentially for the development of row dwellings which share a common wall located upon the property line with no side setback except upon corner lots. The district is intended to maximize the use of land for single-family development. Other uses may not be intermingled with row houses.
- (d) R2 (Two-Family Dwelling District). The Two-Family Dwelling District provides opportunities for the development of duplexes.
- (e) MF (Multifamily Residential) District. The Multifamily Residential District is intended to provide opportunities for development of apartment buildings.
- (f) RG (Zero Lot Line, Gardenhome Residential) District. The Zero Lot Line, Gardenhome District is intended to provide opportunities for medium density residential development using the gardenhome, and zero lot line concepts to incorporate (1) more efficient use of land than typical single-family development, making needed housing more affordable; (2) design of dwellings that integrate and relate internal/external living areas resulting in more pleasant and enjoyable housing; and (3) placement of dwellings against the property line, permitting outdoor space to be grouped and utilized to its maximum benefit. Regardless of any provisions in this chapter to the contrary, gardenhomes shall comply with the following:
 - (1) Zero lot lines are those lines situated so that the roof line of a structure can be located on the side lot boundary without any setback required.
 - (2) Only one zero lot line will be allowed per lot.
 - (3) The minimum lot size shall be 5,500 square feet.
 - (4) The minimum front yard shall be fifteen feet (twenty feet if on an arterial street) with the front of the garage being set back twenty (20) feet, relative to the front lot line. The garage setback shall be relative to the rear lot line for rear entry driveway structures.

- (5) The minimum rear yard shall be five (5) feet for a single story structure and fifteen (15) for any two story structure.
- (6) There shall be at least ten (10) feet of separation between structures. Five (5) feet of the lot adjacent to the zero setback will be deducted as an access easement for construction and repair of the adjacent zero setback structure.
- (7) The combined lot coverage of all structures shall not exceed sixty-five percent of the lot area. Trellises and open porches shall not be included in the combined area.
- (8) No structure shall exceed two stories or thirty-five (35) feet in height.
- (9) No doors or windows shall be located on any wall located on a zero lot line, except that windows shall be allowed on a zero lot line adjacent to a street.
- (g) MHP (Manufactured Housing Park) District. The Manufactured Housing Park District is intended to provide opportunities for development of land with improvements and utilities specifically for the accommodation of manufactured housing in projects under unified management and control. These parks may include other services and common facilities for use by the residents. Any MHP District may include more than one manufactured housing park as long as each park within the district is under unified management and control. A Manufactured Housing Park District may be imposed as an additional use in the zone where it is designated without changing the original zoning designation. The combination of a Manufactured Housing District with another use or district shall be as designated on the official zoning map.
- (h) MHS (Manufactured Housing Subdivision) District. The Manufactured Housing Subdivision District is intended to provide opportunities for development of land with manufactured housing units. A Manufactured Housing Subdivision District may be imposed as an additional use in the zone where it is designated without changing the original zoning designation. The combination of a Manufactured Subdivision District with another use or district shall be as designated on the official zoning map.

(Ordinance adopted 3/21/2022)

§ 14.03.004. Commercial district intent statements.

- (a) C-1 (Local Commercial) District. The Local Commercial District is intended to provide opportunities for development of commercial development that serves and is supported by a relatively small surrounding neighborhood. Allowable commercial uses include a wide variety of office activities, as well as a more limited range of retail trade and services aimed toward meeting the routine needs of residents in that neighborhood. Commercial development should be low intensity with small floor areas and limited traffic generation and trade area. The character of commercial development is compatible with the surrounding residential neighborhood. This district is also intended for commercial establishments whose activity, materials and merchandise are housed entirely

inside the building, except as may be allowed by the general development standards of this chapter.

- (b) C-2 (General Commercial) District. The General Commercial District is intended to provide opportunities for development of commercial establishments of higher intensity, with larger trade area, floor area and traffic generation than neighborhood commercial uses. Limited outdoor storage, screened from adjacent residential uses, may be appropriate.
- (c) C-3 (Heavy Commercial) District. The Heavy Commercial District is intended to provide opportunities for development of wholesale trade, retail sales, warehousing development, repair and service establishments, heavy and bulk equipment supply dealers or other such establishments that typically are characterized by outside storage of materials or merchandise.

(Ordinance adopted 3/21/2022)

§ 14.03.005. Manufacturing and industrial district intent statements.

- (a) M-1 (Light Manufacturing) District. The Light Manufacturing District is intended to provide opportunities for businesses in the processing, manufacturing, storage and service industries, each of which are characterized by a relatively low degree of nuisance and adverse impact on neighboring property.
- (b) M-2 (Heavy Manufacturing) District. The Heavy Manufacturing District is intended to provide opportunities for processing and manufacturing that is inherently noxious, or dangerous due to the chemicals or processes involved. Outdoor storage is allowed.

(Ordinance adopted 3/21/2022)

§ 14.03.006. PD (Planned Development) District.

- (a) Purpose. The purposes of the Planned Development District include, but are not limited to the following.
 - (1) To allow diversification of uses, structures, and open spaces and to promote flexibility of design in a manner compatible with existing and allowed uses of land on adjacent properties.
 - (2) To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of open space.
 - (3) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.
 - (4) To promote the efficient use of land to facilitate a more economic arrangement of buildings, uses of land and utilities.
 - (5) To promote the development of vacant property within the presently developed urban area.

(b) Allowed uses.

- (1) Any use or combination of uses otherwise authorized by these zoning regulations is allowed in a Planned Development (PD) District, if such use or uses is consistent with, and meets the standards for, the concept plan and PD District approved by the city council. Allowable uses shall be listed in a use schedule in the specific ordinance establishing each PD District.
 - (2) It is intended that PD Districts conform as closely as possible to established zoning and subdivision regulations while still allowing maximum flexibility of design to make planned developments as desirable as possible.
 - (3) Each PD District ordinance is incorporated by reference into this chapter. Every individual PD District approved under the provisions of this chapter shall be considered as a zoning amendment applicable to the property involved. Conditions specified for the development of a PD District shall be construed as conditions precedent to the granting of a certificate of occupancy by the building official and compliance as required by the city.
- (c) Review of planned development. A PD District shall be reviewed in accordance with the procedures in section 14.02.007 and shall comply with the development standards in section 14.05.005.
(Ordinance adopted 3/21/2022)

§ 14.03.007. PIP (Planned Industrial Park) District.

- (a) Purpose. The purposes of the Planned Industrial Park (PIP) District include, but are not limited to the following.
- (1) To allow diversification of uses, structures, and open spaces and to promote flexibility of design in a manner compatible with existing and allowed uses of land on adjacent properties.
 - (2) To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of open space.
 - (3) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.
 - (4) To promote the efficient use of land to facilitate a more economic arrangement of buildings, uses of land and utilities.
 - (5) To promote the development of vacant property within the presently developed urban area.
- (b) Allowed uses.
- (1) No residential uses shall be allowed within the PIP District, except those designated for caretakers or security personnel employed on the premises.
 - (2) Any nonresidential use or combination of uses otherwise authorized by these

zoning regulations is allowed in a PIP District, if such use or uses is consistent with, and meets the standards for, the concept plan and PIP District ordinance approved by the city council. Allowable uses shall be listed in a use schedule in the specific ordinance establishing each PIP District.

- (3) It is intended that PIP Districts conform as closely as possible to established zoning and subdivision regulations while still allowing maximum flexibility of design to make planned developments as desirable as possible.
- (4) Each PIP District ordinance is incorporated by reference into this chapter. Every individual PIP District approved under the provisions of this section shall be considered as a zoning amendment applicable to the property involved. Conditions specified for the development of a PIP District shall be construed as conditions precedent to the granting of a certificate of occupancy by the building official and compliance as required by the city.
- (c) Review of planned industrial park. A PIP District shall be reviewed in accordance with the procedures in section 14.02.007 and shall comply with the development standards in section 14.05.006.
(Ordinance adopted 3/21/2022)

§ 14.03.008. Use table.

All of the use categories listed in the table below are explained in sections 14.03.010 through 14.03.015. The second column of the use table contains an abbreviated explanation of the respective use category. If there is a conflict between the abbreviated definition and the full explanation in sections 14.03.010 through 14.03.015, the provisions of sections 14.03.010 through 14.03.015 shall control.

- (1) Allowed uses. Uses identified with an "A" are allowed by right as set forth in section 14.02.009. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (2) Conditional uses. Uses identified with a "C" are allowed subject to approval by the planning commission as set forth in section 14.02.005. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (3) Special uses. Uses identified with an "S" are allowed subject to approval by the city council as set forth in section 14.02.006. A "*" identifies uses that may be subject to additional specific use regulations set forth later in article 14.04.
- (4) Excluded uses. The following uses shall be excluded from any and all zoning districts within the city limits.
 - (A) Meat and poultry rendering of byproducts;
 - (B) Chemical and nuclear waste storage dumps; and
 - (C) Mobile homes as defined in section 14.08.004.
- (5) Use table. Allowed, conditional and mandatory planned development uses are set

forth in the following table. Uses that may be subject to additional specific use standards set forth in article 14.04 are designated with a "*".

Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
A=Allowed S=Special Use	C= Conditional *=Specific use regulations may apply														
Group Living	Residential occupancy that does not meet the definition of "household living"	*	—	—	—	—	A	—	—	—	A	A	A	—	—
Household Living	Residential occupancy of a dwelling by a "household"	*	A	A	A	A	A	A	A	A	C	C	C	C	C
Recovery Facility, Alcohol and Drug	Residential programs that provide care and training or treatment for psychiatric, alcohol or drug problems	*	—	—	—	—	—	—	—	—	—	A	A	A	A
College	Institutions of higher learning	*	—	—	—	—	—	—	—	—	—	A	A	—	—
Community Services	Public, nonprofit, or charitable uses providing service to the community		—	—	—	—	—	—	C	C	A	A	A	C	C
Day Care	Care, protection and supervision for children or adults on a regular basis	*	—	—	—	—	—	—	—	—	A	A	A	C	C
Detention Facilities	Facilities for detention of incarcerated people		—	—	—	—	—	—	—	—	—	—	S	S	S
Golf Course, Golf Driving Range	Facilities for golf, including practice areas	*	S	S	—	—	S	S	S	S	S	S	S	S	S
Hospital	Medical or surgical care, with overnight care	—	—	—	—	—	—	—	—	—	—	C	C	C	C
Parks and Open Areas	Natural areas consisting mostly of vegetative landscaping, outdoor recreation, gardens, etc.		A	A	A	A	A	A	A	A	A	A	A	A	A
Religious Institutions	Meeting areas for religious activities		C	C	C	C	C	C	C	C	A	A	A	A	A
Safety Services	Public safety and emergency services		C	C	C	C	C	C	C	C	A	A	A	A	A

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Schools	Elementary, middle, or high school level schools		C	C	C	C	C	C	C	C	C	A	A	—	—
Utilities, Basic	Infrastructure that needs to be located in or near the area where the service is provided		A	A	A	A	A	A	A	A	A	A	A	A	A
Auto and Boat Dealer	Sales of cars, light trucks and boats	*	—	—	—	—	—	—	—	—	—	—	A	A	A
Bed & Breakfast	A single-family dwelling offering overnight accommodations	*	S	S	—	—	S	—	—	—	C	C	A	C	C
Campground/Recreational Vehicle Park	Temporary, often overnight accommodations for camping units and recreational vehicles		S	—	—	—	—	—	S	—	—	—	S	S	S
Game Hall	A game arcade, bingo, billiard or pool hall	*	—	—	—	—	—	—	—	—	—	—	C	C	C
Office	Activities in an office setting focusing on business, government, professional, medical or financial services		—	—	—	—	—	—	—	—	A	A	A	A	A
Bars & Taverns	The sale of beer, wine and mixed alcoholic beverages for consumption on the premises as the primary business activity.	—	—	—	—	—	—	—	—	—	—	—	A		A
Parking, Commercial	Parking not accessory to an allowed use, fees may be charged		—	—	—	—	—	—	—	—	C	A	A	A	A
Recreation and Entertainment, Outdoor	Large commercial uses that provide continuous recreation or entertainment		—	—	—	—	—	—	—	—	—	—	S	S	S
Rental, Equipment	Firms leasing or renting heavy vehicles, equipment and machinery under 3.5 tons to the public, may also provide product repair	*	—	—	—	—	—	—	—	—	—	—	A	A	A

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Retail Sales and Service	Firms involved in the sale or new or used products to the public, may provide personal services, entertainment or product repair	*	—	—	—	—	—	—	—	—	—	—	A	A	A
Self-Service Storage	Uses providing separate storage areas for individuals or businesses	*	—	—	—	—	—	—	—	—	C	C	A	A	A
Vehicle Repair	Service to passenger vehicles, light or medium trucks, other consumer motor vehicles, generally, the customer does not wait at site while service is being performed	*	—	—	—	—	—	—	—	—	—		C	A	A
Vehicle Service, Limited	Direct services to vehicles where the customer generally waits nearby while the service is performed	*	—	—	—	—	—	—	—	—	A	A	A	A	A
Vehicle Wash	Automatic or nonautomatic facilities for washing vehicles		—	—	—	—	—	—	—	—	A	A	A	A	A
Veterinary Clinics, Small Animals	Offices and clinics for small, non-hoofed animals		—	—	—	—	—	—	—	—	A	A	A	A	A
Industrial Service	Firms servicing industrial, business or consumer machinery, equipment, products or byproducts		—	—	—	—	—	—	—	—	—	—	—	A	A
Manufacturing and Production, Light	Firms involved in assembly, light manufacturing, processing, fabrication, or packaging of goods	*	—	—	—	—	—	—	—	—	—	—	—	A	A
Manufacturing and Production, Heavy	Firms involved in heavy manufacturing, production or fabrication of goods		—	—	—	—	—	—	—	—	—	—	—	A	
Warehouse and Freight Movement	Firms involved in storage or movement of goods		—	—	—	—	—	—	—	—	—	—	C	A	A

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Waste-Related Use	Uses that receive recycled materials or wastes for disposal on-site or transfer to another location, uses that collect sanitary wastes, or that produce goods or energy from composting	*	—	—	—	—	—	—	—	—	C	C	C	A	A
Wholesale Trade	Firms involved in sale, lease, or rental of products for industrial, institutional, or commercial business	*	—	—	—	—	—	—	—	—	—	—	C	A	A
Agriculture	Raising or producing plants		A	—	—	—	—	—	—	—	—	—	—	C	C
Animal Kennel	Facilities for overnight care of animals, except horses		—	—	—	—	—	—	—	—	—	—	—	C	C
Entertainment Event, Major	Activity or structure that draws large numbers of people to specific events		—	—	—	—	—	—	—	—	—	—	S	S	S
Firearms Range	Indoor or outdoor facilities for discharging firearms	*	S	—	—	—	—	—	—	—	—	—	S	S	S
Horse Boarding and Riding Academy	Overnight care of horses, with or without related equestrian facilities		S	—	—	—	—	—	—	—	—	—	—	C	C
Mining	Extraction of mineral or aggregate resources for off-site use		S	—	—	—	—	—	—	—	—	—	—	C	C
Passenger Terminals	Facilities for the arrival or departure of airplanes, trains or buses		—	—	—	—	—	—	—	—	—	—	C	C	C
Plant Nursery	Facilities producing flowers, shrubs, horticultural or household plants for retail or wholesale trade		A	—	—	—	—	—	—	—	—	C	A	A	A
Telecommunications Facilities	Devices and supporting elements necessary to produce non-ionizing electromagnetic radiation operating to produce a signal	*	C	C	C	C	C	C	C	C	C	C	C	A	A

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Use Category	Short Definition (see also article 14.08)	*	AO	R1	RH	R2	MF	RG	MHP	MHS	C1	C2	C3	M1	M2
Any Use(s) Deemed Appropriate	Only where such uses(s) can provide effective transition between less restrictive and more restrictive zoning districts	*	S	S	S	S	S	S	S	S	S	S	S	S	S
Light Manufacturing	Food and beverage processing; drug processing, tobacco manufacture; building materials processing; light metal fabrication; jewelry fabrication; processing and fabrication of optical and scientific instruments; artificial limb fabrication; broom fabrication; manufacture of wearing apparel including boots and shoes; bags and mattress manufacture		—	—	—	—	—	—	—	—	—	—	—	A	A
Small Residential/Commercial Windmills	Windmills of less than 35 feet in height as described	*	A	A	A	A	—	—	—	—	A	A	A	A	A
Residential/Commercial Windmills	Larger windmills designed to supply power to a single location. Residential occupancy of a dwelling by a "household"	*	S	S	S	S	S	S	S	S	S	S	S	S	S
Industrial Windmills	Windmills designed to generate electricity for sales	*	—	—	—	—	—	—	—	—	—	—	—	S	S

City of Wolfforth, TX

§ 14.03.008

§ 14.03.008

(Ordinance adopted 3/21/2022)

§ 14.03.009. Residential structure types.

Household and group living uses must comply with the following table in regard to location of individual structure types. Residential uses allowed in nonresidential districts may be housed in any type of residential structure except single-family detached and mobile and manufactured homes.

Structure Type	AO	R1	RH	R2	MF	RRG	MHP	MHS
Single-family detached	A	A		A	—	—	—	A
Single-family connected			A	A				
Accessory apartment	A	—		—	—	—	—	—
Two-family dwelling	—	—		A	A	—	—	—
Gardenhome	—	—		—	—	A	—	—
Multifamily dwelling	—	—		—	A		—	—
Manufactured home	—	—		—	—	—	A	A
Mobile home	—	—		—	—	—	A	—
Group living structure**		—		—	A	—	—	—
Community home	A**	A**		—	A**			

* Refer to section 14.05.001 for additional standards.

** Structure type allowed only with approved group living use.

(Ordinance adopted 3/21/2022)

§ 14.03.010. Use categories; general.

- (a) Basis for classifications. Use categories classify land uses and activities into use categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses into appropriate zoning districts.
- (b) Principal use characteristics. Principal uses are assigned to the category that most closely describes the nature of the principal use. The "Characteristics" subsection of each use category describes the common characteristics of each principal use.
 - (1) Considerations used in categorizing principal uses. The following considerations shall be used to determine what category a use is in and whether the activities are to be considered principal or accessory uses.
 - (A) The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category.
 - (B) The relative amount of site area or floor space and equipment devoted to the activity.
 - (C) Relative amounts of sales from each activity.
 - (D) The customer type for each activity.
 - (E) The relative number of employees in each activity.
 - (F) Hours of operation.
 - (G) Building and site arrangement.
 - (H) Vehicles used with the activity.
 - (I) The relative number of vehicle trips generated by the use.
 - (J) Signs.
 - (K) How the use advertises itself.
 - (L) Whether the activity is likely to be found independent of the other activities on the site.
 - (2) Developments with multiple principal uses. When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, bookstore and bakery, for example, would be classified in the Retail Sales and Service category because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

- (c) Accessory uses. Accessory uses are allowed by-right only in conjunction with a principal use. Unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions.
- (d) Use of examples. The "Examples" subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "wholesale warehouse" but that sells mostly to consumers, is included in the Retail Sales and Service category rather than the Wholesale Trade category. This is because the actual activity on the site matches the description of the Retail Sales and Service category.

(Ordinance adopted 3/21/2022)

§ 14.03.011. Residential use categories.

- (a) Group Living.
 - (1) Characteristics. Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group may be larger than the average size of a household. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories). Generally, Group Living structures may often, but are not required to, have a common eating area for residents. The residents may receive care, training, or treatment.
 - (2) Accessory uses. Accessory uses commonly associated with Group Living are recreational facilities and parking of vehicles for occupants and staff.
 - (3) Examples. Examples of Group Living include dormitories; fraternities and sororities; monasteries and convents; rooming and boarding houses; assisted living facilities for elderly residents; nursing and convalescent homes; some group homes for the physically or developmentally disabled, mentally or emotionally disturbed.
 - (4) Exceptions.
 - (A) Lodging where tenancy may be arranged for periods of less than 30 days is considered a hotel or motel use and classified in the Retail Sales and Service category.
 - (B) Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis, or for a longer period, is classified as Household Living.
 - (C) Facilities for rehabilitation of residents with alcohol or drug-related dependencies are considered Recovery Facilities.

office setting and generally focusing on business, government, professional, medical, or financial services.

- (2) Accessory uses. Accessory uses may include sundry shops, cafeterias, health facilities, parking, or other amenities intended primarily for the use of employees in the firm or building.
- (3) Examples. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utility offices; TV and radio studios; medical and dental clinics (not including veterinary clinics), medical and dental labs; and blood-collection facilities.
- (4) Exceptions.
 - (A) Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when located on the same premises as or adjacent to a principal use in another category, are considered part of the other category.
 - (B) Offices for construction contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the office site and fabrication, services, or similar work is not carried on at the office site.
 - (C) Veterinary clinics for small, non-hoofed animals shall be classified as a separate use category. Veterinary clinics for large, hoofed animals shall be classified as Industrial Services.

(d) Parking, Commercial.

- (1) Characteristics. Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.
- (2) Accessory use. In a parking structure only, accessory uses may include gasoline sales, car washing and vehicle repair activities if these uses provide service only to vehicles parked in the garage.
- (3) Examples. Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others).
- (4) Exceptions.
 - (A) Parking facilities that are accessory to a use, but for which a fee is charged to the public to park for occasional events nearby, are not

considered Commercial Parking facilities.

(B) Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the parking facility to the principal use or charges a fee to the individuals who park in the facility.

(C) Public transit park-and-ride facilities are classified as Basic Utilities.

(e) Plant Nurseries.

- (1) Characteristics. Plant Nurseries are comprised of land and buildings used for floricultural or horticultural plant production for retail or wholesale trade. This use category includes commercial greenhouses where the roof and sides of such buildings are made largely of transparent/translucent materials and in which temperature and humidity can be regulated for cultivation of delicate or out-of-season plants, for subsequent sale.
- (2) Accessory uses. Accessory uses include office buildings, barns and sheds for storing materials and equipment, buildings for allowable retail sales. Selling lawn and garden supplies and equipment as well as plant material produced off-premises is ordinarily allowed in conjunction with a plant nursery, except in an AO District.
- (3) Exceptions. In AO Districts, the only retail sales allowed are of plant material produced on those same premises. In AO Districts, plant nurseries shall not include sales of lawn and garden supplies and equipment, nor shall the sale of plant material produced off-premises be allowed.

(f) Recreation and Entertainment, Outdoor.

- (1) Characteristics. Outdoor Recreation and Entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.
- (2) Accessory uses. Accessory uses may include concessions, restaurants, parking, caretaker's quarters and maintenance facilities.
- (3) Examples. Examples include amusement parks, theme parks, miniature golf facilities and zoos.
- (4) Exceptions.
 - (A) Golf courses and golf driving ranges are classified as a separate, distinct use category.
 - (B) Uses that draw large numbers of people to periodic events, rather than on a continuous basis, are classified as Major Entertainment Events.

(C) An amusement facility housed entirely indoors is classified as Retail Sales and Service.

(g) Retail Sales and Service.

- (1) Characteristics. Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.
- (2) Accessory uses. Accessory uses may include offices, storage of goods and equipment, manufacture or repackaging of goods for on-site sale, and parking.
- (3) Examples. Examples include uses from the four following groups:
 - (A) Sales-oriented: Stores selling, leasing, or renting consumer, home and business goods generally intended for actual use by the buyer or renter and not for resale, including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden equipment and supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery and videos.
 - (B) Personal service-oriented: Branch banks; emergency medical care; laundromats; photographic studios; photocopy and blueprint services; print shops and lithographers (where finished goods are sold primarily onsite and to the general public, not to wholesalers); hair, tanning and personal care services; photo developing and clothes cleaning, with customer drop-of and pickup; business, martial arts and other trade schools; dance or music classes; taxidermists; mortuaries; and animal grooming.
 - (C) Entertainment-oriented: Restaurants, cafes, delicatessens, indoor continuous entertainment activities such as bowling alleys and ice rinks; dance halls; theaters, health clubs, gyms, membership clubs and lodges; hotels, motels, campgrounds, recreational vehicle parks and other temporary lodging with an average length of stay of less than 30 days.
 - (D) Repair-oriented: Repair of televisions, bicycles, clocks, watches, shoes, guns, appliances and office equipment; tailor; locksmith; and upholsterer.
- (4) Exceptions.
 - (A) Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.

- (B) Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
 - (C) Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Services."
 - (D) Game arcades, billiard and pool halls are not classified as Retail Sales and Services. Game halls are classified as a separate use category.
 - (E) Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
 - (F) Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.
 - (G) Bars and Taverns are not classified as Retail Sales and Services. Bars and Taverns are classified as a separate use category.
- (h) Self-Service Storage.
- (1) Characteristics. Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.
 - (2) Accessory uses. Accessory uses may include living quarters for a resident administrator or security and leasing offices. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use.
 - (3) Examples. Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.
 - (4) Exceptions. A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.
- (i) Vehicle Repair.
- (1) Characteristics. Vehicle Repair firms service passenger vehicles, light and medium trucks and other household consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.
 - (2) Accessory uses. Accessory uses may include offices, sales of parts and vehicle storage.
 - (3) Examples. Examples include general automotive repair; specialty shops for transmission, brake, muffler, radiator or alignment repair; auto body shop;

auto upholstery shop; auto customizing; and tire sales and mounting.

- (4) Exceptions. Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.

(j) Vehicle Service, Limited.

- (1) Characteristics. Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed.
- (2) Accessory uses. Accessory uses may include minor auto repair and minor auto parts sales.
- (3) Examples. Examples include full-service, mini-service and self-service fuel stations; and quick lubrication services.
- (4) Exceptions. Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.

(k) Veterinary Clinics, Small Animals.

- (1) Characteristics. Diagnosis and treatment of diseases and injuries of animals, especially domestic animals. On-site diagnosis and treatment of large, hooved animals shall not be allowed at such veterinary clinics. Outside boarding of any animals shall not be allowed.
- (2) Accessory uses. Accessory uses shall include laboratories, parking, and fenced-in areas for exercising (not boarding) animals admitted for treatment or care.
- (3) Exceptions. Veterinary clinics for on-site diagnosis and treatment of large, hooved animals shall be classified as Industrial Services.

(l) Bars and Taverns.

- (1) Characteristics. The sale of beer, wine and mixed alcoholic beverages for consumption on the premises exceeds 75% of the gross revenues of the establishment.

(Ordinance adopted 3/21/2022)

§ 14.03.014. Industrial use categories.

(a) Industrial Service.

- (1) Characteristics. Industrial Service firms are engaged in the repair or servicing of industrial, business or household consumer machinery, equipment, products or by-products. Firms that service household consumer goods do so by mainly providing centralized services for separate retail outlets.

Construction contractors and building maintenance services and similar uses typically perform services off-site. Relatively few customers, especially the general public, come to the site.

- (2) Accessory uses. Accessory activities may include offices, parking and storage.

- (3) Examples. Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing (including wash) and repair; tire retreading or recapping; building, heating, plumbing or electrical contractors; utility, paving and road building contractors; printing, publishing and lithography; exterminators; recycling operations; janitorial and building maintenance services; fuel oil distributors; sign making; solid fuel yards; research and development laboratories; laundry, dry-cleaning and carpet cleaning plants; veterinary clinics for large hooved animals and photofinishing laboratories that accept work only from separate retail outlets, not directly from the public.

- (4) Exceptions.

- (A) Construction-related contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored at the site and fabrication or similar work is not carried on at the site.
- (B) Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop.
- (C) Printing, publishing and lithography in which finished goods are sold primarily on site and to the general public are included in the Retail Sales and Service category.

- (b) Manufacturing and Production.

- (1) Characteristics. Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of overall sales. Relatively few customers come to the manufacturing site. In general, the difference between light and heavy uses is their effect on the surrounding area. If the uses routinely subject the surrounding area to noxious or malodorous impacts, they are considered heavy manufacturing and production. Light manufacturing in general is considered to have fewer noxious effects produced by noise, smoke, odor, dust, vibration or glare, in comparison with heavy manufacturing and

production. See section 14.04.013 in the specific use standards.

- (2) Accessory uses. Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.
- (3) Examples.
 - (A) Examples include processing of food and related products; weaving or production of textiles or apparel; wood products manufacturing; woodworking, including cabinet makers; movie production facilities; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items and other electrical items; production of artwork and toys for mass distribution and marketing; and production of prefabricated structures, including manufactured homes.
 - (B) Examples that are expressly included in the heavy manufacturing and production category include, but are not limited to each of the following:
 - (i) Slaughterhouses and meatpacking;
 - (ii) Tanning or curing of furs, skins, leather or hides;
 - (iii) Wool pulling and scouring;
 - (iv) Cottonseed oil mills;
 - (v) Refining of petroleum and coal products;
 - (vi) Manufacture and processing of stone, clay and concrete products;
 - (vii) Mixing and batching of concrete and asphalt;
 - (viii) Fabrication of boilers and tanks;
 - (ix) Manufacture and processing of chemicals, including gaseous products and fertilizer.
- (4) Exceptions.
 - (A) Manufacturing of goods (including printed material) to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
 - (B) Manufacture and production of goods from composting organic material is classified as Waste-Related uses.
 - (C) Rendering of meat and poultry byproducts shall be prohibited from all zoning districts.
- (c) Warehouse and Freight Movement.

- (1) Characteristics. Warehouse and Freight Movement firms are involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some occasional will-call pickups. There is little on-site sales activity with the customer present.
 - (2) Accessory uses. Accessory uses may include offices, truck fleet parking and maintenance areas.
 - (3) Examples. Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; storage of weapons and ammunition; wholesale distribution centers; truck or air freight terminals; freight forwarding services; bus barns; parcel services; major post offices; grain terminals; gasoline and petroleum product terminals and the stockpiling of sand, gravel, or other aggregate materials.
 - (4) Exceptions.
 - (A) Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.
 - (B) Mini-warehouses are classified as Self-Service Storage uses.
 - (C) Warehousing or freight facilities characterized by stabling or storage of livestock shall be classified as Heavy Manufacturing and Production.
- (d) Waste-Related Use.
- (1) Characteristics. Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-Related uses also includes uses that receive hazardous wastes from others.
 - (2) Accessory uses. Accessory uses may include recycling of materials, offices and repackaging and transshipment of by-products.
 - (3) Examples. Examples include sanitary landfills, recyclable materials collection centers, waste composting, energy recovery plants, sewage plants and hazardous-waste collection sites.
 - (4) Exceptions. Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill. Chemical and nuclear waste storage dumps are prohibited from all zoning districts.
- (e) Wholesale Trade.
- (1) Characteristics. Wholesale Trade firms are involved in the sale, lease, or rent of products primarily intended for distribution to other merchants or firms who will, in turn, distribute them to the ultimate consumer. The uses

emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

- (2) Accessory uses. Accessory uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.
- (3) Examples. Examples include sale or rental of machinery, heavy equipment, heavy trucks, farm and ranch supplies, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, building hardware.
- (4) Exceptions.
 - (A) Firms that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
 - (B) Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.
 - (C) Livestock auctions, or any wholesale trade facilities characterized by stabling or storage of livestock, shall be classified as Heavy Manufacturing and Production.

(Ordinance adopted 3/21/2022)

§ 14.03.015. Other use categories.

- (a) Agriculture.
 - (1) Characteristics. Agriculture includes activities that primarily involve raising or producing plants.
 - (2) Accessory uses. A single dwelling is allowed on each lot or tract of land used for agriculture. Barns, sheds and bins for storage of material, equipment and farm products (used or produced on-premises) are considered accessory and incidental to agricultural use. Stands for the sale of agricultural produce grown on the premises are allowed in conjunction with agricultural use.
 - (3) Examples. Examples include farming (except dairy farms); truck gardening; forestry or tree farming; horticulture and floriculture; and wholesale plant nurseries.
 - (4) Exceptions.
 - (A) For the purpose of this chapter, agriculture does not include the use of property for production, processing or sale of animals.
 - (B) Dairy farms, milk production and animal feed lots are classified as Heavy Manufacturing and production.

(C) Livestock auctions, stockyards and sale barns are classified as Heavy Manufacturing and production.

(b) Animal Kennel.

- (1) Characteristics. An animal kennel includes any structure or premises where animals ordinarily considered household pets are kept, boarded, bred or trained, for commercial gain.
- (2) Accessory uses. Accessory uses may include an office building, as well as pens, barns and other enclosed structures necessary for sheltering animals. In nonresidential districts, accessory uses may also include multiple dwellings for proprietors and/or employees of the use.
- (3) Examples. Examples include a dog kennel intended for breeding, training and/or boarding dogs.
- (4) Exceptions. Animals kept on-premises for personal use and enjoyment of the owners and/or residents of those premises shall be allowed in any district, so long as such animal keeping conforms with provisions of the animal control ordinance in the city's Code of Ordinances.

(c) Entertainment Event, Major.

- (1) Characteristics. Major Entertainment Event uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.
- (2) Accessory uses. Accessory uses may include restaurants, concessions, parking and maintenance facilities.
- (3) Examples. Examples include stadiums, sports arenas, coliseums, auditoriums, exhibition and meeting areas, outdoor amphitheaters and fairgrounds.
- (4) Exceptions.
 - (A) Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales and Service.
 - (B) Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales and Service category.
 - (C) Theaters, including drive-in theaters, are classified as Retail Sales and Service.
 - (D) Recreation or entertainment uses conducted on a continuous basis are classified as Outdoor Recreation and Entertainment or as Retail Sales and Service uses.

(d) Horse Boarding and/or Riding Academy.

- (1) Characteristics. Horse boarding includes any structure or premises where

equine animals are housed or boarded for a service charge or for hire. A riding academy includes any premises where horses are boarded and/or where instruction in riding, jumping or showing is offered and/or where the general public may, for a fee, hire horses for riding.

- (2) Accessory uses. Accessory uses may include an office building, as well as pens, stables, barns and other enclosed structures necessary for sheltering animals. In nonresidential districts, accessory uses may also include multiple dwellings for proprietors and/or employees of the use. In AO Districts, only one dwelling unit is allowed on the premises.
- (3) Examples. Examples include horse boarding stables and horse riding academies.
- (4) Exceptions. Horses kept on-premises for personal use and enjoyment of the owners and/or residents of those premises shall be allowed in any district, so long as such horse keeping conforms with provisions of the animal control ordinances of the city.

(e) Passenger Terminals.

- (1) Characteristics. Passenger Terminals includes facilities for the landing and takeoff of flying vehicles, including loading and unloading areas. Aviation facilities may be improved or unimproved. Passenger Terminals also includes passenger terminals for aircraft, regional bus service and regional rail service.
- (2) Accessory uses. Accessory uses include freight handling areas, concessions, offices, parking and maintenance and fueling facilities.
- (3) Examples. Examples include airports, bus passenger terminals for regional bus service, railroad passenger stations for regional rail service and helicopter landing facilities.
- (4) Exceptions.
 - (A) Bus and rail passenger stations for subregional service such as mass transit stops and park-and-ride facilities are classified as Basic Utilities.
 - (B) Private helicopter landing facilities that are accessory to another use, are considered accessory uses. However, they are subject to all the regulations and approval criteria for helicopter landing facilities.

(f) Mining.

- (1) Characteristics. Mining includes mining or extraction of mineral or aggregate resources from the ground for off-site use.
- (2) Accessory uses. Accessory uses include storage, sorting, stockpiling, or transfer off-site of the mined material.
- (3) Examples. Examples include quarrying or dredging for sand, gravel or other

aggregate materials; mining; and drilling and production of oil, natural gas, or geothermal resources.

(g) Telecommunications Facilities.

- (1) Characteristics. Telecommunications facilities include all devices, equipment, machinery, structures or supporting elements which in combination extend above a height of 35 feet (including the height of other structures or buildings on which such facilities are located) and are necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self supporting, guyed, mounted on poles, other structures, light posts, power poles, or buildings. Facilities shall also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system.
- (2) Accessory uses. Accessory use may include transmitter facility buildings.
- (3) Examples. Examples include broadcast towers, communication towers and point-to-point microwave towers.
- (4) Exceptions.
 - (A) Radio and television studios are classified in the Office category.
 - (B) Radio and television broadcast facilities that are public safety facilities are classified as Basic Utilities.
 - (C) A receive-only satellite or other dish antenna less than 18 inches in diameter is considered an accessory use.

(h) Any Uses Deemed Appropriate.

- (1) Characteristics. This entry allows consideration of uses not ordinarily allowed in the zoning district where those uses are proposed, but only where and in a manner that such uses provide an effective transition between less restrictive and more restrictive zoning districts. Such special uses can integrate otherwise hard edges between zoning districts of starkly contrasting character and, furthermore, help make use of long-vacant tracts on the boundary between different zoning districts.
- (2) Accessory uses. Accessory uses commonly associated with transitional uses include off-street parking for occupants and/or customers, storage of supplies and equipment for maintaining the facilities for such use(s) and offices directly associated with such use(s) of a non-residential character.
- (3) Examples. Examples include limited commercial storage in residential districts, and day care in residential districts.
- (4) Exceptions. Manufactured homes shall not be allowed (by approval of a special use) at any location where otherwise prohibited by this chapter.

(i) Garage Sales.

- (1) Definition.As used herein Garage Sale shall mean the sale of items normally accumulated by a household.
- (2) Frequency.No more than three (3) Garage Sales shall be allowed for the same location in any one year. The duration of the Garage Sale shall not exceed three (3) consecutive days.
- (3) Resale.No items of personal property shall be purchased for Garage Sale with the intent or for the purpose of resale.

(Ordinance adopted 3/21/2022)