Notice of Meeting for the
Unified Development Code Advisory Committee
of the City of Georgetown
September 11, 2019 at 3:30 PM
at City Hall, 808 Martin Luther King Jr Street, Georgetown, TX 78626

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King Jr. Street, Georgetown, TX 78626 for additional information; TTY users route through Relay Texas at 711.

Public Wishing to Address the Board

On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found at the Board meeting. Clearly print your name, the letter of the item on which you wish to speak, and present it to the Staff Liaison, preferably prior to the start of the meeting. You will be called forward to speak when the Board considers that item.

On a subject not posted on the agenda: Persons may add an item to a future Board agenda by filing a written request with the Staff Liaison no later than one week prior to the Board meeting. The request must include the speaker's name and the specific topic to be addressed with sufficient information to inform the board and the public. For Board Liaison contact information, please logon to http://government.georgetown.org/category/boards-commissions/.

A At the time of posting, no persons had signed up to address the Board.

Legislative Regular Agenda

B Consideration and possible action to approve the minutes of the June 12, 2019 regular meeting of the Unified Development Code Advisory Committee. - Mirna Garcia, Management Analyst

C Update on the 2018/19 UDC Annual Review Plan, Schedule and Next Steps -- Sofia Nelson, CNU-A, Planning Director

D Updates regarding the 86th Legislative Session -- Sofia Nelson, CNU-A, Planning Director

E Discussion and possible direction on amendments to Chapter 5, Zoning Use Regulations, of the Unified Development Code (UDC) -- Chelsea Irby, Senior Planner, and Ethan Harwell, Planner

Adjournment

Certificate of Posting

I, Robyn Densmore, City Secretary for the City of Georgetown, Texas, do hereby certify that this Notice of Meeting was posted at City Hall, 808 Martin Luther King Jr. Street, Georgetown, TX 78626, a place readily accessible to the general public as required by law, on the _____ day of _________________, 2019, at _________, and remained so posted for at least 72 continuous hours preceding the scheduled time of said
meeting.

Robyn Densmore, City Secretary
SUBJECT:
Consideration and possible action to approve the minutes of the June 12, 2019 regular meeting of the Unified Development Code Advisory Committee. - Mirna Garcia, Management Analyst

ITEM SUMMARY:

FINANCIAL IMPACT:
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SUBMITTED BY:
Mirna Garcia, Management Analyst

ATTACHMENTS:

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City of Georgetown, Texas
Minutes of the Regular Meeting of the
Unified Development Code Advisory Committee Meeting
Wednesday, June 12, 2019 at 3:30 P.M.
City Hall
808 Martin Luther King Jr Street, Georgetown, Texas 78626

Committee Member(s) in Attendance: John Philpott; Brian Robinson; Stuart Garner; Tracy Dubcak, Vice-Chair; PJ Stevens, Chair

Committee Member(s) Absent: Philip Wanke; Jason Wirth

Staff Present: Andreina Dávila-Quintero, Current Planning Manager; Chelsea Irby, Senior Planner; Ethan Harwell, Planner; Michael Patroski, Planner; Mirna Garcia, Management Analyst

Meeting called to order at 3:30 P.M.

Public Wishing to Address the Board
On a subject that is posted on this agenda: Please fill out a speaker registration form which can be found at the Board meeting. Clearly print your name, the letter of the item on which you wish to speak, and present it to the Staff Liaison, preferably prior to the start of the meeting. You will be called forward to speak when the Board considers that item.

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A. Public Wishing to Address the Board
   At the time of posting, no persons had signed up to address the Committee.

Legislative Regular Agenda

B. Consideration and possible action to approve the minutes of the May 8, 2019 regular meeting of the Unified Development Code Advisory Committee. – Mirna Garcia, Management Analyst

   Motion by Philpott, second by Dubcak to approve the minutes as presented. Motion passed 5-0.

C. Discussion and possible direction on amendments to Chapter 5, Zoning Use Regulations, of the Unified Development Code (UDC). – Andreina Davila-Quintero, AICP, Current planning Manager.

   Staff report was presented by Davila-Quintero. On April 24, 2018, the City Council directed staff to update the UDC’s zoning use regulations as a part of the 2018/19 UDC Annual Review process (Amendment No. 12 and 13). The purpose of this amendment is to review specific uses for each
zoning district to see where they may be permitted by right, permitted with limitations, permitted with approval of a special use permit, or not allowed. Specific uses that have been identified for consideration include but are not limited to: self-service machines (i.e. ice machines), storage yards, contractor services (limited and general), office/warehouse, office, uses in a Gateway Overlay District. The purpose of this item is to continue discussion with the UDC Advisory Committee on specific uses that need further review and consideration, the Office/Warehouse, Contractor Services and Storage Yard specific uses.

Davila-Quintero provided further explanation for Committee members regarding the uses identified for consideration and the types of zoning areas the uses are permitted. Feedback was sought from Committee members for the Office/Warehouse and Contractor Services uses and whether there should be separate listing for storage yards as specific use.

There was also discussion among Committee members regarding the definition of storage yards, where they are allowed, and the requirements. There was also discussion regarding requirements for SUP’s for these uses. Stevens recommended staff compile a list of requirements and present it to the Committee at the next meeting for further discussion.

Davila-Quintero identified the items that will be discussed at the next meeting, including discussion of the overlay district. There were questions from Committee members regarding mixed-use requirements and where it is allowed. Davila-Quintero and Irby provided further explanation and clarification on the use.

D. Update on the 2018/19 UDC Annual Review Plan, Schedule and Next Steps. – Andreina Davila-Quintero, AICP, Current Planning Manager

Davila-Quintero presented the staff report. The purpose of this item is to provide an update on the UDC Annual Review Plan, tentative schedule and next steps. In addition, City Staff and members of the UDCAC will discuss the tasks identified at the previous meeting, as well as new tasks to be completed for the next meeting. Feedback and information received on each task will be incorporated when related UDC topics are scheduled and presented for discussion.

Davila-Quintero also informed Committee members of recent legislative changes. Effective July 1st, cities will no longer be able to enforce more stringent regulations than the national code, regarding the use of building materials.

Adjournment

Motion by Dubcak to adjourn the meeting. Second by Robinson. Meeting adjourned at 4:50 p.m.

____________________________________  Attest, Jason Wirth
PJ Stevens, Attest
SUBJECT:
Update on the 2018/19 UDC Annual Review Plan, Schedule and Next Steps -- Sofia Nelson, CNU-A, Planning Director

ITEM SUMMARY:
The purpose of this item is to provide an update on the UDC Annual Review Plan, tentative schedule and next steps. In addition, City Staff and members of the UDCAC will discuss the tasks identified at the previous meeting, as well as new tasks to be completed for the next meeting. Feedback and information received on each task will be incorporated when related UDC topics are scheduled and presented for discussion.

FINANCIAL IMPACT:
None.

SUBMITTED BY:
Andreina Dávila-Quintero, AICP, Current Planning Manager

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* The UDC Chapter or Section referenced in this column provides the regulation subject to this amendment. However, please note that other sections may need to be amended to address any conflicts and ensure consistency throughout the document.
SUBJECT: Updates regarding the 86th Legislative Session -- Sofia Nelson, CNU-A, Planning Director

ITEM SUMMARY: Staff will provide an update on new state legislation from the 86th Legislation Session that affect development standards and processes, particularly:

- HB2439 - Relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.
- HB3167 - Relating to municipal approval procedure for land development applications.

FINANCIAL IMPACT: None.

SUBMITTED BY: Andreina Dávila-Quintero, AICP, Current Planning Manager
SUBJECT:
Discussion and possible direction on amendments to Chapter 5, Zoning Use Regulations, of the Unified Development Code (UDC) -- Chelsea Irby, Senior Planner, and Ethan Harwell, Planner

ITEM SUMMARY:
On April 24, 2018, the City Council directed staff to update the UDC’s zoning use regulations as a part of the 2018/19 UDC Annual Review process (Amendment No. 12 and 13). The purpose of this amendment is to review specific uses for each zoning district to see where they may be permitted by right, permitted with limitations, permitted with approval of a special use permit, or not allowed.

Specific uses that have been identified for consideration include, but are not limited to:
- Self-service machines (i.e. ice machines)
- Storage yards
- Contractor services (limited and general)
- Office/Warehouse
- Office
- Uses in a Gateway Overlay District

The purpose of this item is to continue discussion with the UDC Advisory Committee on specific uses that need further review and consideration, in particularly the Office/Warehouse, Contractor Services and Storage Yard specific uses (Attachment II). In addition, discussion will continue on specific uses that may be limited within the City's Gateway Overlay districts, such as Automotive Sales and Services and other auto-related uses, industrial uses, and certain transportation and utility uses.

The Zoning Use Regulations may be viewed and downloaded at https://library.municode.com/tx/georgetown/codes/unified_development_code?nodeId=UNIFIED_DEVELOPMENT_CODE_CH5ZOUSRE, which have also been included here as Attachment I.

FINANCIAL IMPACT:
None studied at this time.

SUBMITTED BY:
Andreina Dávila-Quintero, AICP, Current Planning Manager

ATTACHMENTS:
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<td>Attachment II - Proposed Amendments DRAFT</td>
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Chapter 5 - ZONING USE REGULATIONS
SECTION 5.01. - ZONING USES

Sec. 5.01.010. - General.

A. Authority.

The provisions of this chapter are adopted pursuant to Texas Local Government Code ch. 211 and the City Charter.

B. Compliance with Code of Ordinances.

There are various sections of the City of Georgetown Code of Ordinances and other City regulations that may also apply or be relevant to a proposed use. Following are references to particular sections of the City Code of Ordinances that may be related to a particular use:

- **Title 6 Business License and Regulations:** Chapters 6.04 Carnivals, Circuses, and Other Exhibitions; 6.16 Peddlers and Solicitors; 6.20 Taxicabs, Buses, and Other Vehicles For Hire; 6.30 Sexually Oriented Business; 6.40 Alcoholic Beverages; 6.50 Itinerant Merchants.
- **Title 7 Animals.**
- **Title 8 Health and Safety:** Chapters 8.12 Food Sanitation; 8.16 Noise Control; 8.20 Nuisances.
- **Title 10 Vehicles and Traffic:** Chapter 10.16 Parking.
- **Title 12 Streets, Sidewalks, and Public Places:** Chapters 12.05 Valet parking; 12.12 Advertising signs and banners; 12.24 Events and celebrations; 12.36 Georgetown Airport zoning.

Sec. 5.01.020. - Zoning Use Classifications.

A. Use Categories.

A primary use is assigned to the Use Category that most closely corresponds to its nature as described in the characteristics of each Use Category. Use Categories classify land uses and activities based on similar 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, likely impact on surrounding properties, and site conditions.

B. Use Tables.

A Use Table is contained within each of the Use Categories detailed in this chapter, which depict the specific zoning uses allowed by zoning district. Each section represents a Use Category, for example "Residential Uses," that contains specific listed uses and their corresponding zoning districts. All of the uses listed in the Use Tables found in this chapter
are defined in Chapter 16. Below is a key to each of the Use Tables and indicate how each use is treated by district.

1. **Uses Permitted By Right.**

   A "P" indicates that a use is allowed by right. Such uses are subject to all other applicable regulations of this Code and the City Code of Ordinances.

2. **Uses with Limitations.**

   An "L" indicates that a use is permitted, provided that it meets additional standards referenced in the far right "Note" column of each Use Table. These standards can be found in the limitations section following each use table. Such uses are subject to all other applicable regulations of this Code and the City Code of Ordinances.

3. **Uses with Special Use Permit.**

   An "S" indicates that a use is allowed only if granted a Special Use Permit by the City Council in accordance with the procedures in Section 3.07. Uses that require a Special Use Permit are required to meet all other applicable regulations of this Code and the City Code of Ordinances, including the additional standards contained in the limitation section of each use category.

4. **Uses Not Allowed.**

   A cell with the symbol "—" or left blank indicates that a use is not allowed.

C. **Multiple Primary Uses.**

   Multiple primary uses on one lot shall be allowed only if each individual use is allowed in the underlying District. Limitations or Special Use Permits required of any of the primary uses shall be met. In the event of a conflict between such limitations, the stricter provision shall apply.

D. **Specific Use Names.**

   The names of the specific uses listed in each Use Table are defined in Chapter 16 of this Code and have no other meaning than that given by the definition. A specific use or classification of such a use is not determined based on how a user or prospective user may refer to the use, but rather what the definitions determine the use to be. For example, someone may refer to the dwelling that he or she owns as a "townhouse" when in fact it may be defined by this Code as an "attached single-family" dwelling.
E. **Accessory Uses.**

1. Accessory uses are those activities that are incidental and subordinate to a primary use, but are customarily associated with the particular primary use. The following are two examples of primary uses and some of their possible accessory uses:

   a. A high school may typically include, but may not be limited to, accessory uses such as a cafeteria, library, maintenance facility, meeting rooms, auditorium, laboratories, indoor recreation courts, outdoor recreational fields, and concession stands.

   b. A large office building may include, but may not be limited to, a restaurant, copy shop, helicopter landing facility, kitchen or food preparation area, meeting facilities, technical libraries or amenities for employees like a day care center, health facility, cafeteria or a small retail operation.

2. An accessory use may be determined to be an allowed accessory use to a primary use if:

   a. It is listed as an accessory use to the primary use in the definition of such primary use in Chapter 16 of this Code; or

   b. It is determined to be customarily associated with the primary use. The Director shall have the authority to determine if an accessory use is customarily associated with a primary use following the criteria in Subsection 5.01.030.B.

3. An allowed accessory use shall be consistent with the following:

   a. The accessory use shall be subordinate to and serve a primary use;

   b. The accessory use shall be subordinate in area, extent, and purpose to the primary use;

   c. The accessory use shall be subject to the same regulations as the primary use;

   d. The accessory use shall have to be a permitted use within the same zoning district as the primary use. In addition, if an accessory use is subject to limitations as a primary use then those same limitations shall apply to the accessory use; and

   e. The accessory use shall not be a commercial venture, except as allowed as a home occupation, per Subsection 5.02.020.E.
Sec. 5.01.030. - Determination of Unlisted Uses.

A. Determination of the appropriate district for a use not listed in the Use Tables shall be made by the Director in accordance with the provisions of Subsection B. below. When considering appropriate Districts for a use not listed in the Use Tables, the District Purpose Statements in Section 4.04, the descriptive characteristics of each use category, and definitions of similar uses shall be taken into consideration. The Director may make a determination, based on these considerations, that such a use be allowed by right; be required to meet specific limitations and additional standards; be required to receive a Special Use Permit from the City Council; or not be allowed in a particular District, therefore requiring approval of a Text Amendment to this Code for any allowance.

B. The following criteria shall be used to determine 1) the appropriate use for an activity not specifically listed in the Use Tables, and 2) whether a use is considered primary or accessory.

1. The definitions of similar primary uses;
2. The definitions of the use categories that include similar uses;
3. The actual or projected characteristics of the activity in relationship to the stated characteristics;
4. The relative amount of site area or floor space and equipment devoted to the activity;
5. Relative amounts of sales from each activity;
6. The type of customer for each activity;
7. The relative number of employees in each activity;
8. Hours of operation;
9. Building and site arrangement;
10. Vehicles used and their parking requirements;
11. The relative number of vehicle trips generated;
12. Typical number of daily deliveries;
13. Noise levels generated;
14. Lighting required for the activity;
15. The likely impact on surrounding properties; and

16. Whether the activity is likely to be found independent of the other activities on the site.

C. The Director’s determination shall be made public on the City’s website for 30 days following the decision and shall be considered final if no appeal is filed during that timeframe.

D. Appeal of Unlisted Use Determination. The Zoning Board of Adjustment may hear and decide an appeal that alleges error in a determination made by the Director in the enforcement of Section 5.01.030.A. of this Code. In exercising its authority under this subsection, the Board may reverse or affirm, in whole or in part or modify the Director’s determination and make the correct determination, and for that purpose the Board has the same authority as the Director. The appeal will be pursuant to Section 3.14 of this Code.

SECTION 5.02. - RESIDENTIAL USES

The residential use section contains uses for residential dwellings and related accessory uses. These uses include Single-family and Multi-family residential structures and also accommodate groups of people that may exceed the definition of household.

Sec. 5.02.010. - Residential Uses Allowed by District.

The following use table presents the residential uses that are allowed in each zoning district, in accordance with the standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.02.020. The ‘Notes’ column of the table contains direction on the specific limitation of the particular use.

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See Section 4.09
### Specific Use

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### Group Living

| Group Home (6 residents or less)               | P  | P  | P  | P  | P  | -  | -   | -   | -  | -  | -  | -  | -  | -  | -  | P    |      |       |
| Group Home (7 to 15 residents)                | -  | -  | -  | -  | -  | P  | P   | -   | P  | P  | -  | -  | -  | -  | S  | -    |       |       |
| Group Home (16 residents or more)             | -  | -  | -  | -  | -  | S  | S   | -   | P  | P  | -  | -  | -  | S  | -  | -    |       |       |
| Assisted Living                               | -  | -  | -  | -  | -  | S  | P   | -   | P  | P  | P  | -  | -  | S  | -  |       |       |
| Nursing or Convalescent Home                  | -  | -  | -  | -  | -  | S  | P   | -   | P  | P  | P  | P  | -  | -  | -  |       |       |
| Hospice Facility                              | S  | S  | S  | S  | S  | S  | P   | P   | P  | P  | P  | -  | -  | S  | -  |       |       |
| Orphanage                                     | P  | -  | -  | -  | -  | S  | P   | -   | -  | -  | -  | -  | -  | S  | -  |       |       |
| Student Housing                               | -  | -  | -  | -  | -  | S  | S   | -   | S  | -  | -  | -  | -  | -  | -  |       |       |
| Rooming or Boarding House                     | -  | -  | S  | -  | -  | P  | P   | -   | P  | P  | -  | -  | -  | S  | -  |       |       |
| Halfway House                                 | S  | S  | S  | S  | S  | S  | S   | S   | S  | S  | S  | -  | -  | -  | -  | -    |       |       |
Sec. 5.02.020. - Residential Use Limitations.

All residential uses shall meet any applicable provisions of the City of Georgetown Code of Ordinances, in addition to the following limitations:

A. **Single-Family, Attached.**

An Attached Single-family dwelling is permitted in accordance with Table 5.02.010 and subject to the following standards and limitations:

1. Both dwelling units shall be situated on separate legally platted lots.

2. Attached single-family dwellings are not allowed in the Old Town Overlay District (established in Section 4.08).

B. **Accessory Dwelling Unit.**

An accessory dwelling unit is permitted in accordance with Table 5.02.010 and subject to the following standards and limitations:

1. An accessory dwelling unit is permitted as a subordinate use, provided that it is limited to 25 percent (25%) of the primary dwelling unit.

2. An accessory dwelling unit is permitted in the AG, Agriculture, RE, Residential Estate, RL, Residential Low Density, RS, Residential Single-family, and MU-DT, Mixed-Use Downtown Districts with the approval of a Special Use Permit pursuant to Section 3.07.

3. A minimum of three parking spaces shall be available on-site providing the minimum two spaces required for the primary residence with one additional parking space provided for the accessory dwelling unit.

4. The accessory dwelling unit must remain on the same electric and water meters as the primary residence.

5. Rental of an accessory dwelling unit should be limited to owner occupied properties.

6. An accessory dwelling unit may be permitted by right as part of a Housing Diversity Development, as detailed in Section 6.08.020.

7. Accessory structures that do not contain a kitchen, such as guest houses or pool houses, are permitted without a Special Use Permit.
C. **Second Dwelling Unit.**

Within the AG, Agriculture District, in accordance with Table 5.02.010, one additional primary dwelling unit may be constructed upon a lot or parcel for every 30 acres or portion thereof (i.e., one dwelling unit allowed for 30 acres or less, two dwelling units allowed for 31 acres or more, three dwelling units allowed for 61 acres or more, etc.). The additional dwelling unit(s) is limited to use by an agricultural employee, a caretaker, family members, or guests of the property owner and must comply with all setback and design standards of the AG District.

D. **Upper-Story Residential.**

Upper-story residential dwellings are permitted in accordance with Table 5.02.010 and subject to the following standards and limitations:

1. The first floor shall not include the living space of any residential dwelling.

2. Separate designated parking spaces for the residential dwellings are required pursuant to Section 9.02.

3. Upper-story residential dwellings in the CN, OF, and BP Districts shall meet the following provisions in addition to Subsections 1. and 2., above:

   a. The residential dwelling shall be secondary to the primary use.

   b. The gross floor area of the entire building shall not include more than 50 percent (50%) residential uses.

E. **Multifamily, Attached Dwelling Units.**

1. Attached multifamily dwelling units are permitted in accordance with Table 5.02.010.

2. A Special Use Permit, pursuant to Section 3.07, is required for attached multifamily dwelling units as designated in Table 5.02.010 and is subject to the following conditions:

   a. The location and context of the attached multifamily development shall be secondary and supportive to established surrounding commercial uses, helping to facilitate an active, pedestrian friendly environment where the mixture of uses enables people to live, work, play, and shop.
b. Impervious coverage for attached multifamily developments in a C-1, C-3 or BP district shall be limited to fifty percent (50%).

c. Front setbacks shall be in conformance with the front setback of the district in which the attached multifamily development is proposed. Side and rear setbacks for attached multifamily developments in a C-1, C-3 or BP district shall be 15 feet, except where located adjacent to a residential zoning district the side and rear setbacks shall increase to 30 feet.

d. Building height shall be in conformance with the building height of the district in which the attached multifamily development is proposed.

e. A minimum building separation of 15 feet shall be provided between all buildings on the site.

f. Attached multifamily development in all districts must also meet the building design standards of Section 7.03, the lighting design standards of Section 7.04, and the non-residential landscape requirements of Section 8.04.

g. Attached multifamily development in all districts must also meet the common amenity area requirements of Section 6.06.020 and the parkland dedication requirements of Section 13.08.

h. Multifamily development existing prior to May 27, 2014, or depicted on a Site Plan approved prior to May 27, 2014, shall be exempt from the requirements of the limitations of this Section, except that any expansion to that development shall require Special Use Permit approval in accordance with this Section.

3. In addition to the requirements of Section 5.02.020.E.2, when reviewing the conceptual site layout required per Section 3.07, the City Council may consider and add conditions provided the requirements of the zoning district are not exceeded, to the Special Use Permit, including but not limited to the following:

a. Location of the development;

b. Amount of lot frontage along a commercial corridor;

c. Dwelling units per acre (maximum 24);

d. Maximum building heights;

e. Dwelling units per structure;
f. Type and number of amenities;

g. Accessory structures;

h. Ingress and egress locations; and

i. Landscape buffers.

F. **Home-Based Business.**

Home-Based Businesses are permitted in accordance with Table 5.02.010 and subject to the standards and limitations:

1. **General.**

   a. A Home-Based Business is that accessory use of a premise that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling.

   b. The home-based business shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or neighborhood or adversely affect the uses permitted in the District of which it is a part.

   c. Land uses that are addressed individually in the use chart of this chapter are not considered a home-based business for purposes of this section. Examples of those uses are: Group Homes, Family Day Cares, Bed and Breakfast, and Garage Sales.

2. **Home-Based Business Types.**

   Home-Based Businesses are permitted subject to the business meeting the following provisions. These provisions are applicable to on-site activities related to the Home-Based Business.

   a. The Home-Based Business shall be conducted entirely within a dwelling or accessory structure or integral part thereof, and have no outside storage of any kind related to the business;

   b. The Home-Based Business shall be clearly incidental and secondary to the primary use of the premise;
c. The Home-Based Business shall be conducted only by persons residing on the premises (nonresident employees are not permitted);

d. The Home-Based Business shall not affect the residential character of the dwelling or accessory structure nor cause the dwelling or accessory structure to be extended;

e. No signage shall be allowed in connection with the Home-Based Business;

f. Deliveries by commercial vehicle are limited to the hours of 8:00 a.m. to 6:00 p.m.; however, deliveries by a regular carrier such as USPS, UPS, and FedEx may be delivered during their typical hours;

g. The Home-Based Business shall create no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic, or parking problem;

h. On-street parking utilized by the business shall only be allowed along the property line of the Home-Based Business residence and as allowed by current City Code. Off-street parking is limited to existing paved areas and the business shall not result in the increase of on-site parking areas;

i. The Home-Based Business shall involve no on-site services. However, if the activity is kept at a small scale (meaning generally one or two people conducting the business or meeting with clients) and the business remains compliant with the limitations of this chapter, the following shall not be considered services:

i. Individual academic, music, dance, photography, art, hobby, or similar instruction or studio;

ii. Seamstress or tailor;

iii. Barber or beauty salon (one chair);

iv. Financial/investment counseling, accounting, bookkeeping, real estate office or similar office;

v. Individual massage, natural therapy, or similar services;

vi. Counseling in an office setting; and

vii. Other similar low impact uses as determined by the Director.
j. The Home-Based Business shall not have a retail store-front. Retail sales are limited to:
   i. Incidental sales of merchandise related to a service provided by the Home-Based Business;
   ii. Direct sales product distribution (Amway, Tupperware, Avon, etc.);
   iii. Sales via phone, internet, or mail; and
   iv. Custom products created by the business.

k. The business shall be conducted by appointment or prearrangement only with no drop-in customers of any kind allowed; and

l. There shall be a clearly visible street address posted or displayed on the premises.

3. **Home-Based Business Enforcement.**

   If Code Enforcement receives a complaint regarding a Home-Based Business, it shall be the responsibility of the operator of the business to demonstrate compliance with the above stated limitations and this Code.

G. **Multifamily, Detached Dwelling Units.**

   1. Detached multifamily dwelling units are permitted in accordance with Table 5.02.010.

   2. A Special Use Permit, pursuant to Section 3.07, is required for detached multifamily dwelling units as designated in Table 5.02.010 and is subject to the following conditions:
      a. The location and context of the detached multifamily development shall be secondary and supportive to established surrounding commercial uses, helping to facilitate an active, pedestrian friendly environment where the mixture of uses enables people to live, work, play, and shop.
      b. Setbacks shall be in conformance with the setbacks of the district in which the detached multifamily development is proposed.
      c. Building height shall be in conformance with the building height of the district in which the detached multifamily development is proposed.
d. Detached multifamily development in all districts shall also meet the building design standards of Section 7.03, the lighting design standards of Section 7.04, and the non-residential landscape requirements of Section 8.04.

e. Detached multifamily development in all districts must also meet the common amenity area requirements of Section 6.06.020 and the parkland dedication requirements of Section 13.08.

3. In addition to the requirements of Section 5.02.020.G.2, when reviewing the conceptual site layout required per Section 3.07, the City Council may consider and add conditions provided the requirements of the zoning district are not exceeded, to the Special Use Permit, including but not limited to the following:

a. Location of the development;

b. Amount of lot frontage along a commercial corridor;

c. Dwelling units per acre (maximum 24);

d. Maximum building heights;

e. Dwelling units per structure;

f. Type and number of amenities;

g. Accessory structures;

h. Ingress and egress locations; and

i. Landscape buffers.

Sec. 5.02.030. - Accessory Uses.

A. Examples of Residential Accessory Uses.

1. Uses in this list that are identified with a corresponding number (below) may be subject to additional standards detailed in Subsection 5.02.030.B.

2. Examples of residential accessory uses include gardening, hobbies, raising of pets, recreational activities, home occupations (1), family home day care (2), garage sales (3), and motor vehicle sales (4).
B. Supplementary Standards for Residential Accessory Uses.

1. Home-Based Business (standards found in Section 5.02.020.E.).

2. Family Home Day Care (standards found in Section 5.03.020.B.).

3. Garage Sales.
   a. The number of garage sales on a property shall not exceed 12 per calendar year.
   b. No garage sale shall extend for any period of time exceeding three consecutive days.
   c. The owner or tenant of the property where the garage sale is held must be the legal owner of the merchandise for sale at the time of such sale or must have the right to dispose of the property.
   d. Items for sale shall be confined to the garage, carport, porch, patio, driveway or yard on the premises of the seller’s dwelling.
   e. No merchandise acquired solely for the purpose of resale shall be sold.


   On a single-family residential lot, the parking of a motor vehicle that bears a sign advertising the vehicle for sale may be permitted, provided that:
   a. The vehicle is owned by or registered to an owner or occupant of the property;
   b. The vehicle is parked on an improved parking surface;
   c. The vehicle is not being sold in connection with an automobile sales business;
   d. No more than one vehicle is parked on the lot for purposes of display and sale at any one time; and
   e. No more than two vehicles are parked on the lot for purposes of display and sale within a 12-month period.

SECTION 5.03. - CIVIC USES

The Civic Uses Section addresses institutions that provide community services to or for the general public. Civic uses are typically found in non-residential zoning districts but may be allowed in residential districts, often with limitations or Special Use Permits. These uses are
generally public or non-profit but also include for-profit entities that provide a service to the general public. Civic uses include, but are not limited to, facilities for education, day care, government, social services, institutions, places of worship, and parks and open spaces.

**Sec. 5.03.010. - Civic Uses Allowed by District.**

The following Use Table presents the civic uses that are allowed in each zoning district, in accordance with the standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.03.020. The 'Notes' column of the use table contains direction on the specific limitation of the particular use.

**Table 5.03.010: Civic Uses**

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**Medical and Institutional Facilities**

| Hospital                     |    |    |    |    |    |    |     |     | P  | P  |    |    |    |    |    |    |      | S  | P    | S  |
| Hospital, Psychiatric        |    |    |    |    |    |    |     |     |    |    |    |    |    |    |    |    | S    | S  | S    | S  |
| Substance Abuse Treatment Facility |    |    |    |    |    |    |     |     |    |    |    |    |    |    |    |    | S    | S  | S    |   |
| Blood or Plasma Center       |    |    |    |    |    |    |     |     |    |    |    |    |    |    |    |    | P    |    |    | S   |

**Places of Worship**

| Religious Assembly Facilities | L  | L  | L  | L  | L  | L  | L  | L  | L  | L  | L  |    |    |    |    |    | A    |    |       |
| Religious Assembly Facilities with Columbaria | L  | L  | L  | L  | L  | L  | L  | L  | L  | L  | L  |    |    |    |    |    | A,  | D    |    |       |

**Parks and Open Spaces**

| Nature Preserve or Community Garden | P  | L  | L  | L  | L  | L  | L  | L  | L  | P  | P  | P  | P  | P  | P  | P  | A    |    |       |
Sec. 5.03.020. - Civic Use Limitations.

All civic uses shall meet any applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

A. All Civic Uses.

All Civic Uses, except Day Care, shall meet the following provisions, where applicable per Table 5.03.010. Uses that require a Special Use Permit, in accordance with Table 5.03.010, shall meet the following criteria in addition to securing said permit.

1. Any outdoor recreational playing field shall be set back 50 feet from any property line.

2. The principal vehicular entrance and exit shall be located on a collector-level street or higher, except as otherwise approved by the Development Engineer.

B. Day Care.

Day care facilities are permitted in accordance with Table 5.03.010 and subject to the following standards and limitations:

1. All day care facilities shall be licensed by the State and meet the minimum requirements for such facilities.
2. Outdoor play or instruction areas, playground equipment, and pools shall be located in the side or rear yards and screened from adjacent property by an opaque fence no less than six feet in height.

3. Day care facilities in residential zoning districts may only operate between the hours of 6:00 a.m. and 7:00 p.m. Day care facilities in CN and OF zoning districts may only operate between the hours of 6:00 a.m. and 10:00 p.m. Hours of operation are not limited for day care facilities in other Non-Residential Zoning Districts.

4. A family home day care shall employ only residents of the premises, including all paid and unpaid care providers.

5. A family home day care is allowed only one non-illuminated identification sign, provided the sign is mounted on the exterior wall of the dwelling and has an area no greater than two square feet.

C. Animal Shelter.

An animal shelter is permitted in accordance with Table 5.03.010 and limited to a required separation of at least 300 feet from the shelter to a residential structure that is located on any property in separate ownership.

D. Religious Assembly Facilities with Columbaria.

A columbaria, consistent with the definition of Texas Health and Safety Code § 711.008(b)(2), is permitted in accordance with Use Table in 5.03.010 as an accessory use, subordinate and incidental to, a Religious Assembly Facility, subject to the following standards and limitations.

1. A columbaria located within a separate structure that provides adequate screening from adjacent properties shall be subject to the development standards of the zoning district.

2. A columbaria located outdoors shall be subject to the following standards:
   a. The columbaria shall be set back a minimum of 25 feet from the property line.
   b. The columbaria shall not exceed eight feet in height.
   c. Landscaping shall be provided at a ratio of two square feet of landscaping for each square foot of columbaria area, in addition to the minimum requirements of Chapter 8 of this Code. Said landscaping shall be incorporated into the overall design and placement of the columbaria.
3. The establishment of a columbaria shall be subject to Site Plan review pursuant to Section 3.09 of this Code.

4. The name, address, and telephone number of the individual, owner, board of trustees, or designated caretaker responsible for the maintenance of the columbaria shall be kept on record in the office of the Religious Assembly Facility.

5. Upon discontinuance of the Religious Assembly Facility, the columbaria shall be relocated in compliance with all applicable State laws.

SECTION 5.04. - COMMERCIAL USES

The Commercial Uses Section outlines commercial and retail businesses that facilitate the buying and selling of manufactured goods or provide consumer and professional sales and services. These uses include, but are not limited to, overnight accommodations, establishments for food and beverage preparation and consumption, entertainment or recreation-oriented activities, outpatient or home-care health and medical services, and professional and business offices. The category also encompasses retail sales and service uses for personal improvement; self-storage; heavy commercial and wholesale sales and services; and automobile sales, repair, and service.

Sec. 5.04.010. - Commercial Uses Allowed by District.

The following use table presents the commercial uses that are allowed in each zoning district, in accordance with all standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.04.020. The ‘Notes’ column of the use table contains direction on the specific limitation of the particular use.

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### Chapter 5 – Zoning Use Regulations
Adopted March 11, 2003 | Effective March 26, 2003 | Last Amended May 14, 2019

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#### Food and Beverage Establishments

| Restaurant, General                   |    |    |    |    |    |    | L   | L   | P  | L  | L  | S  | L  | P  |    |    | E, A  |    |       |
| Restaurant, Drive-through             |    |    |    |    |    |    | S   | L   | P  | L  | S  |    | S  |    |    |    | E, A  |    |       |
| Bar, Tavern or Pub                    |    |    |    |    |    |    | S   | L   | L  |    |    |    |    | S  |    |    | F, A  |    |       |
| Micro Brewery, Micro Winery, or Micro Distillery |    |    |    |    |    |    | L   | L   | L  |    |    |    |    |    | L   |    | G, A  |    |       |
| Food Catering Services                |    |    |    |    |    |    | L   | L   | P  |    |    | P  |    | P  |    |    |      |    |       |
| Permanent Mobile or Outdoor Food Vendor |    |    |    |    |    |    | S   | S   | S  |    |    | S  |    | S  |    | S   | S     | Y   |

#### Entertainment and Recreation

| Live Music or Entertainment           |    |    |    |    |    |    | L   | L   |    |    |    |    |    |    |    |    | L     | H   |       |
| Dance Hall or Nightclub              |    |    |    |    |    |    | L   | L   |    |    |    |    |    |    | S   |    | F, A  |    |       |
| Theater, Movie or Live               |    |    |    |    |    |    | L   | P   |    |    |    |    |    |    | S   |    | I     |    |       |
| Membership Club or Lodge             |    |    |    |    |    |    | L   | P   |    |    |    |    |    |    | S   |    | A     |    |       |
| Sexually Oriented Business           |    |    |    |    |    |    |     |     |    |    |    |    |    |    | S   |    |       |    |       |
| Major Event Entertainment             | S  |    |    |    |    |    |     |     |    |    |    |    |    | S   | S  | S   |       |    |       |

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### Health Services

| Home Health Care Services    | —  | —  | —  | —  | —  | —  | L   | L   | P  | P  | P  | —  | —  | P  | K  | A   |    |      |
| Medical or Dental Office     | —  | —  | —  | —  | —  | —  | L   | L   | P  | P  | P  | —  | P  | P  | K  | A   |    |      |
| Medical or Dental Clinic     | —  | —  | —  | —  | —  | —  | L   | P   | P  | P  | —  | S  | K  | A |    |    |      |
| Urgent Care Facility         | —  | —  | —  | —  | —  | —  | L   | P   | —  | —  | —  | S  | K  | A |    |    |      |

### Professional and Business Offices

| General Office               | —  | —  | S  | —  | —  | —  | L   | L   | P  | P  | P  | P  | —  | L  | K  | A   |    |      |
| Integrated Office Center     | —  | —  | —  | —  | —  | —  | L   | P   | S  | P  | P  | —  | L  | K  | A |    |    |      |
| Data Center                  | —  | —  | —  | —  | —  | —  | L   | L   | P  | P  | —  | —  | L  |    |    |    |    |      |

### Consumer Retail Sales and Services

| General Retail               | —  | —  | —  | —  | —  | —  | L   | L   | P  | —  | L  | —  | L  | M  | A   |    |      |
| Agricultural Sales           | P  | —  | —  | —  | —  | —  | L   | P   | —  | —  | —  | —  | A  |    |    | A   |    |      |
| Landscape Supply Sales/Garden Center | P  | —  | —  | —  | —  | —  | L   | P   | —  | —  | —  | —  | A  |    |    |    |    |      |
| Farmer’s Market              | P  | —  | —  | —  | —  | —  | L   | L   | P  | —  | —  | —  | P  | A  |    |    |    |      |
| Flea Market                  | S  | —  | —  | —  | —  | —  | —   | —   | S  | —  | —  | —  | —  | —  | A  |    |    |      |
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### Commercial Sales and Services

| Commercial Document Storage                      |    |    |    |    |    |    |     |     |    |    |    |    |    |    |    |    |     | P   | P   |

Added language is [underlined](#)

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## Chapter 5 – Zoning Use Regulations
Adopted March 11, 2003 | Effective March 26, 2003 | Last Amended May 14, 2019

### Specific Use

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### Automotive Sales and Services

| Automotive Sales, Rental or Leasing Facility      |    |    |    |    |    |    | S   |    |    |    |    |    |    |    |    |    |      |    | S     |
| Commercial Vehicle Sales, Rental or Leasing Facility |    |    |    |    |    |    | S   |    |    |    |    |    |    |    |    |    |      |    | X     |
| Automobile Parts and Accessories Sales, Indoor    |    |    |    |    |    |    | S   | P   |    |    |    |    |    |    |    |    |      |    | A     |
| Automobile Parts and Accessories Sales, Outdoor   |    |    |    |    |    |    | S   | P   |    |    |    |    |    |    |    |    |      |    |       |
| Automobile Repair and Service, Limited            |    |    |    |    |    |    | P   | P   |    |    |    |    |    |    |    |    |      |    |       |
Sec. 5.04.020. - Commercial Use Limitations.

All commercial uses shall meet any applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

A. Building Size Limitation.

Commercial, retail, service, and office buildings are limited to the following maximum building size:

1. In the CN District, the floor-to-area ratio shall not exceed 0.3. The maximum building size of each building on an individual lot or parcel shall be 7,500 square feet.

2. In the C-1 District, the floor-to-area ratio shall not exceed 0.5.

B. Bed and Breakfast.

A Bed and Breakfast establishment is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. All Districts.
a. No more than eight guestrooms per property shall be allowed, and if more than one building is located on a Bed and Breakfast property, no more than six guestrooms shall be allowed in any one building.

b. No food preparation, except beverages, is allowed within individual guestrooms. No stove, range, hot plate, toaster oven, or microwave shall be allowed in any guestrooms; however, a small microwave is permitted in outbuilding guest rooms.

c. Preparation and service of food shall conform to all applicable regulations of the State of Texas and Williamson County.

d. The owner shall keep a current guest register including names, contact information, and dates of occupancy for all guests.

e. On-site parking (except driveways) shall not be located in the front yard and shall be screened from the view of adjacent residences to a height of six feet by a solid screening fence or dense shrubs and vegetation. Temporary fences shall not be permitted.

f. Guestroom rentals shall not be allowed for more than 15 consecutive days.

2. Residential Districts.

Bed and Breakfast Establishments in any residential district shall be subject to all of the standards and limitations of Subsection B.1. above. In addition, a Special Use Permit, pursuant to Section 3.07, is required for a Bed and Breakfast establishment in any designated residential district and is subject to the following conditions:

a. The operator of the Bed and Breakfast must be a full-time resident of the main dwelling on the property in which the Bed and Breakfast establishment is located.

b. Signage shall be restricted to one sign attached to the wall of the main dwelling that is a maximum of 12 square feet and one monument sign no larger than six square feet. However, the total signage on the site shall not exceed 15 square feet. No additional advertising of any kind is allowed on site.

c. Carriage houses, garage apartments, secondary free-standing houses, or similar dwellings that contain a full service kitchen and are proposed to be used for Bed and Breakfast operations shall remove the food preparation facilities prior to commencement of operation as a Bed and Breakfast.

C. Bed and Breakfast with Events.
A Bed and Breakfast with events is permitted in accordance with the Use Table in Section 5.04.010 and subject to the standards and limitations noted below. A Bed and Breakfast with Events applies only to properties on which a Bed and Breakfast is located and events (such as parties, receptions, fund raisers, and other similar functions) are held. The event shall be a subordinate use to a Bed and Breakfast and shall not include an event center, meeting facility, or other form of entertainment operation.

1. **All Districts.**

   a. All provisions of Subsection B., above, shall also apply to Bed and Breakfasts with Events.

   b. The following additional conditions and limitations shall apply to Bed and Breakfasts with Events in all permitted Districts:
      
      i. The Bed and Breakfast owner shall attend all events held on the property.

      ii. The event hours, including set up and take down, shall be limited to the following:
          
          • Sunday through Thursday, 9:00 a.m. to 9:00 p.m.
          • Friday and Saturday (and Sunday if it is a holiday weekend), 9:00 a.m. to 11:00 p.m.

      iii. Outdoor event areas shall not be located in the front yard and shall be screened from the view of adjacent properties to a height of six feet by a solid screening fence or dense shrubs and vegetation. Temporary fencing is not permitted.

2. **Residential Districts.**

   Special Use Permit for Bed and Breakfast with Events shall be required in all residential districts pursuant to Section 3.07, subject to Subsections B. and C.1., above, in addition to the following standards and limitations:

   a. The Special Use Permit application for a Bed and Breakfast with Events shall include a description of the proposed operation; the maximum number of events per year, month, and week; the approximate number of attendees per event; hours of events and duration; location of the events (indoor or outdoor); parking plans; security measures; traffic control plans; and sanitation provisions.
b. The City Council may add other conditions or limitations to the permit as it deems necessary in order to manage the scale and scope of the proposed events, minimize the negative impacts of the event(s) on the neighboring property owners, and protect the public health, safety, and welfare.

D. **Hotel, Full Service, Limited Service and Extended Stay.**

Full Service and Extended Stay Hotel establishments are permitted in accordance with Table 5.04.010, provided that the hotels are located in a business park that is 50 acres or greater.

E. **Restaurant.**

A restaurant is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. Restaurants in the CN District are subject to the following:
   a. The gross floor area shall not exceed 2,500 square feet.
   b. A drive-thru restaurant shall require approval of a Special Use Permit.

2. Restaurants permitted in the OF and BP Districts are subject to the following:
   a. The gross floor area shall not exceed 2,500 square feet.
   b. The eating establishment shall clearly be secondary and supportive to the primary use.
   c. The eating establishment shall not be located in a building which contains no other uses; however, in the BP District, a Special Use Permit may be considered if it is determined that a free standing restaurant would be beneficial to a planned business park development.
   d. A drive-thru restaurant is permitted in the BP District, subject to the limitations in Subsections a. through c. above.

F. **Bar, Tavern or Pub, Dance Hall or Nightclub.**

A bar, tavern, pub, dancehall, or nightclub is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:
1. The establishment shall be located no less than 300 feet from a church, public or private school or public hospital, subject to the measurements of the City Code of Ordinances.

2. Reserved.

3. The establishment is subject to the provisions of Chapter 6.40, Alcoholic Beverages, of the City Code of Ordinances.

G. **Micro Brewery, Micro Winery or Micro Distillery.**

A micro brewery, micro winery or micro distillery is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. A micro brewery, micro winery, or micro distillery shall be located no less than 300 feet from a church, public or private school or public hospital subject to the measurements of the City Code of Ordinances.

2. A micro brewery, micro winery, or micro distillery is subject to the provisions of Chapter 6.40, Alcoholic Beverages, of the City Code of Ordinances.

H. **Live Music or Entertainment.**

Live music or entertainment is permitted in accordance with the Use Table in 5.04.010 and subject to the following standards and limitations:

1. The entertainment use must be secondary to the primary use in the C-1 and MU-DT Districts.

2. Any outdoor entertainment area shall be clearly shown on a Site Plan and shall be set back a minimum of 50 feet from the property line of residentially-zoned property.

3. Live music or entertainment uses are subject to the provisions of Chapter 8.16, Noise, of the Georgetown Municipal Code.

I. **Theater, Movie or Live.**

A movie theater or live theater is permitted in accordance with Table 5.04.010 provided that the theater may not have more than eight screens.

J. **Athletic Facilities, Commercial Recreation and Driving Ranges.**
Athletic facilities, commercial recreation facilities, and driving ranges are permitted in accordance with Table 5.04.010 provided that any outdoor playing fields or associated structures shall be set back 50 feet from the property line of a residentially-zoned property.

K. General Office, Integrated Office Center, and Health Services.

1. General Office, Integrated Office Center, and Health Services in the MU-DT District.

A general office, integrated office center, or any health service use is permitted in the MU-DT District in accordance with Table 5.04.010, subject to the following standards and limitations:

a. Each building is limited to a maximum of 40,000 square feet.

b. Parking for a building over 20,000 square feet in Area 1 of the Downtown Overlay District shall meet a parking ratio of one to 1,500 square feet of gross floor area (GFA).

2. General Office in the RS District.

A general office use is permitted in the RS District in accordance with Table 5.04.010 and is subject to the following standards and limitations, which allow for an orderly transition of land use from residential to small scale office while maintaining residential appearance and building scale:

a. Only a house meeting the following criteria is eligible to apply for a Special Use Permit, pursuant to Section 3.07, for an office use in the RS District:

i. The house is located in the RS District;

ii. The house existed on or before February 26, 2008 (the date adopting the ordinance); and

iii. The house has a side lot line immediately adjacent to property zoned as C-1, C-3 or IN District that is used for commercial or industrial uses and developed without a bufferyard.

iv. A residential side lot line of less than 30 percent (30%) shall not qualify as a side lot line for the above adjacency requirement.

v. Any question of applicability of this section shall be determined by the Director.
b. In addition to the requirements for Special Use Permits set forth in Section 3.07, an applicant for a Special Use Permit under this section shall also submit a Site Plan pursuant to the requirements of Section 3.09. Further, an interior layout of the building shall be submitted with the Special Use Permit application.

c. Off-street parking shall be provided at one and one-half spaces per habitable room. For the purposes of this section, a habitable room includes foyers and lofts if used for reception areas, work stations, offices, conference rooms, etc, but excludes restrooms, kitchens, porches (enclosed or open), and utility rooms. This parking requirement is in place of the parking requirement in Table 9.02.030. All parking shall be paved and approaches shall be concrete.

d. Parking shall not be permitted in the front yard. An exception to this provision may be considered with the Special Use Permit related to preserving Protected and Heritage Trees or to recognize existing garages or parking areas. Parking shall be screened from view of the right-of-way in accordance with the requirements set forth in Chapter 8.

e. A solid screening wall or fence or dense shrubs and vegetation at least six feet in height shall be required along the side and rear property lines adjacent to property zoned RS, Residential. However, the wall or fence may be reduced in height if buildings on site reduce the impact of the office use, including parking, and as the fence approaches the right-of-way.
f. A Building Permit may be required prior to issuance of a Certificate of Occupancy.

g. The use of the property for medical offices providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by doctors or similar practitioners of medical and healing arts for humans, licensed for such practice by the state shall be considered on a case-by-case basis with the Special Use Permit. Dental offices, out-patient clinics, and outpatient emergency centers are not permitted uses.

h. The use of the property for counseling in an office setting by a psychologist or psychiatrist is a permitted office use.

i. The City Council may consider approval of a lesser office use that would occupy only a portion of a house. If only a portion of the structure is used, reduced standards may be applied, especially for a "live/work" use of a house.

j. A Special Use Permit issued under this section shall contain the following special conditions, at a minimum. The City Council may include other special conditions of the permit on a case-by-case basis.

i. The office use shall be conducted entirely within the main structure or integral part thereof and have no outdoor storage of any kind.

ii. Office uses are not permitted in any accessory building.

iii. Uses accessory to office uses are prohibited, except a conference room may be established for an on-site office.

iv. On-site sales are prohibited.

v. Outdoor storage is prohibited; however, the interior of any accessory structures may be used for storage related to the office uses.

vi. The number of workers shall be limited to the number of habitable rooms (excluding restrooms, kitchens, porches (enclosed or open), and utility rooms) within the house. Foyers and lofts shall be counted as habitable rooms if used for reception areas, work stations, conference rooms, etc.

vii. No exterior evidence of the office use shall be allowed, except for one non-internally illuminated sign attached to the principal structure that is no larger than two square feet. No additional advertising of any kind is allowed on site.
viii. Business hours and regular deliveries by commercial vehicle (excluding 18 wheeled vehicles, which are prohibited) shall be limited to 8:00 a.m. to 6:00 p.m.

ix. A Temporary Use Permit in accordance with Section 3.11 is required for any party, reception, event, or similar function that is anticipated to draw more than 15 total guests to the Office (including tenants). Parties, receptions, events or similar functions, subject to the Temporary Use Permit provision, shall be limited to a total of six such functions per calendar year. Such events shall be limited to the interior of the structure.

x. The Special Use Permit shall be null and void if the structure is damaged by natural or accidental causes to the extent of more than 50 percent (50%) of the value of the structure on the date of the damage and if it is not rebuilt in kind within 14 months or the use of the structure for Office uses has been discontinued for a period of 12 months or more. The 14-month period does not include the period of time necessary to conclude any litigation related to such calamity.

xi. Increased run-off resulting from conversion to office use shall be detained on-site or shall be diverted from adjacent property in conformance with the stormwater drainage requirements of this Code.

xii. The total impervious cover shall not exceed the requirements of the RS District.

L. Data Center.

A data center is permitted in accordance with Table 5.04.010 provided that the building size does not exceed 5,000 square feet.

M. General Retail.

General retail is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. In the BP District.

   a. The gross floor area shall not exceed 2,500 square feet.

   b. The retail use shall clearly be secondary and supportive to the primary use.
c. The retail use shall not be located in a building which contains no other uses; however, a Special Use Permit may be considered if it is determined that a free standing retail operation would be beneficial to a planned business park development.

2. **In the MU-DT District.**

   a. A Special Use Permit is required for any retail building exceeding 40,000 square feet.

   b. Parking for a building over 20,000 square feet in Area 1 of the Downtown shall meet a parking ratio of one to 1,500 square feet of gross floor area (GFA).

N. **Personal Services in the BP District.**

   Personal services, including all uses noted as limited in Table 5.04.010, are permitted subject to the following standards and limitations:

   1. The gross floor area shall not exceed 2,500 square feet.

   2. The establishment shall clearly be secondary and supportive to the primary use.

   3. The personal service use shall not be located in a building which contains no other uses; however, a Special Use Permit may be considered if it is determined that a free standing personal service operation would be beneficial to a planned business park development.

O. **Fitness Center.**

   A fitness center is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

   1. In the CN District, the hours of operation shall be limited from 6:00 a.m. — 10:00 p.m.

   2. In the BP District, a fitness center shall meet all of the provisions of Section 5.04.020.M.1.

P. **Kennel.**

   A kennel is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

   1. The kennel operation, including all structures, is required to be at least 100 feet from the property line of a residentially zoned property.
2. Outdoor kennels are prohibited in the C-3 District.

Q. **Self-Storage, Indoor and Outdoor.**

An indoor or outdoor self-storage establishment is permitted in accordance with Table 5.04.010 and the requirements of Section 5.09 and subject to the following standards and limitations:

1. Self-storage facilities shall be limited to the storage use only, with the exception of an accessory leasing office, accessory retail sales, and/or single living quarters for security purposes, and shall not be used for operating any other business. In no instance shall individual storage units be used as a business storefront or used as a residence or overnight accommodation.

2. Indoor self-storage facilities shall operate completely within a building or structure.

3. Indoor self-storage facilities located in a C-1 District shall be limited to climate controlled facilities accessed solely from shared interior hallways.

4. Storage bay doors shall not face a public right-of-way unless set back a minimum of 40 feet from the property line.

5. Chain-link fencing shall not be located in a front setback or street setback.

6. Each individual storage unit shall be directly accessible from an apron consisting of an approved paved surface.

7. Where gated, a minimum of 60 feet of driveway shall be provided between the public right-of-way and the front gate of the self-storage facility.

8. Outdoor storage shall not include the storage of wrecked or inoperable vehicles.

9. No outdoor self-storage shall be permitted within a required setback.

10. No outdoor self-storage shall be allowed in required off-street parking areas. Areas intended for outdoor self-storage shall be paved and painted to distinguish them from required off-street parking areas.

11. Outdoor self-storage shall be screened from any public right-of-way by an eight-foot tall screening wall constructed of brick, stone, reinforced concrete or other similar two-sided masonry materials as approved by the Director.
R. Pest Control or Janitorial Services.

A pest control or janitorial services facility is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. No mixing of chemicals or pesticides is allowed on-site.
2. Storage of chemicals or pesticides is limited to ten percent (10%) of the total square footage of the primary facility.
3. No overnight vehicle or outdoor storage is allowed.

S. Automobile Sales, Rental or Leasing Facility.

An automobile sales, rental or leasing facility is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. **Lighting.**

   Fixed lighting shall be shielded or have cut-off fixtures to prevent direct glare of beams onto any adjacent public or private property or street. Light poles shall be placed no closer than 45 feet apart.

2. **Auto Repair and Service.**

   Automobile Repair and Service, Limited and General, shall be an allowed accessory use with an Automobile Sales Facility. Automobile Repair and Service, General shall not be permitted on the premises of a Rental Vehicle Facility and any allowed limited repairs shall be performed only within the principal building.

3. **Screening from Residential.**

   Screening, meeting the guidelines of a High Level Bufferyard, shall be provided along all lot lines abutting or adjacent to a Residential District, to block any view of the use, its operations and stored or displayed vehicles, materials, and equipment from all points on such residential property when viewed from ground level.

4. **Outdoor Display and Storage.**

   a. Display and storage areas shall be clearly shown on the Site Plan and identified on the site.

   b. Outdoor display of vehicles shall be set back a minimum of 25 feet from all lot lines abutting residentially zoned or developed property.
c. Temporary overflow vehicle storage is allowed on paved surfaces only. This temporary storage shall not impede the traffic flow of the site or eliminate required parking spaces.

d. Permanent and temporary tent canopies may be erected over areas used for automobile sales display and shall not be considered buildings, but may not encroach into building setbacks, required parking spaces or drive aisles. All necessary building permits shall be required, but a revision to an existing Site Plan shall not be required if the tent canopy is located over an existing display area. All safety issues regarding fire and building codes shall be addressed.

5. **Signage for Automobile Sales Facilities.**

The following additional signage applies only to automobile sales facilities along the I.H. 35 northbound frontage road, from the southernmost boundary of the City up to, and including, the one lot north of Fox Drive.

a. High profile monument signs are encouraged for sites with multiple corporate tenants consistent with Section 10.06.030.G. Auto dealerships may have an increased height for a high profile monument sign located along the I.H. 35 frontage road of up to 35 feet. No more than one sign shall be permitted at the 35-foot height. No additional height shall be permitted. The structure of high profile monument signs shall be constructed of stone or brick materials and be colors compatible with those utilized on the primary building's facade.

b. Additional high profile monument signage shall be allowed for those sites with multiple corporate tenants. The maximum amount of additional signage shall be limited to an increase of ten percent (10%) of the total pole sign square footage permitted in Chapter 10. The maximum high profile monument sign height that utilizes the increased size shall be limited to 28 feet. The minimum road frontage of 600 feet for a high profile monument sign is reduced to 250 feet for this section and the spacing of 600 feet between high profile monument signs shall be reduced to 250 feet for this section.

c. A maximum of two high profile monument or pole signs per site are permitted for sites with multiple corporate tenants with the maximum sign height of 25 feet and a maximum of 100 square feet per sign.

d. For those sites with multiple corporate tenants the allowed wall signage may be increased ten percent (10%) to accommodate the additional tenant.
e. For the purposes of this section, entrance and interior directional signs shall not be counted toward the total allowed signage for the site; however, all other provisions of Chapter 10 shall apply to these signs. The business name shall be allowed to aid in direction in accordance with Section 10.03.020.C.

f. No signs, balloons, banners, etc. shall be located within the public right-of-way.

g. Balloons.

i. For the purposes of this section, balloons shall not be deemed as fluttering/undulating/moving signs pursuant to Section 10.04.

ii. Balloons shall be tethered, attached, or anchored so as not to create any safety hazards by blowing into signs, utility lines, lights, etc.

iii. Balloons and their tethering mechanism shall not exceed 35 feet in height.

iv. Balloons for vehicle sales facilities shall not exceed a total of 50 balloons per 100 feet of I.H. 35 road frontage.

h. Banners shall be permitted pursuant to Section 10.07.020.

T. Fuel Sales.

A fuel sales establishment is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. No more than four multi-fuel dispensers (eight fuel positions) shall be permitted except where one of the following conditions is met:

   a. The property is located on a corner of a major arterial roadway and a major collector or higher level roadway as classified in the Overall Transportation Plan (OTP); or

   b. The proposed fuel sales establishment is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more; or

   c. The property is adjacent to the SH 130 Toll or IH-35 roadways.

2. When one of the conditions outlined in Subsection (1) above is met, in no case shall a fuel sales establishment be permitted more than ten multi-fuel dispensers or 20 fuel positions.
3. When a fuel sales establishment in the Local Commercial (C-1) zoning district is designed for four multi-fuel dispensers (eight fuel positions), the canopy and arrangement of such multi-fuel dispensers shall be designed in a relatively square pattern as opposed to a linear distribution of the multi-fuel dispensers, as depicted below (where X = one multi-fuel dispenser = two fuel positions):

<table>
<thead>
<tr>
<th>Acceptable C-1 Pump Arrangement</th>
<th>Unacceptable C-1 Pump Arrangement</th>
</tr>
</thead>
<tbody>
<tr>
<td>X X</td>
<td>X X X X X X</td>
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<tr>
<td>X X</td>
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</tr>
</tbody>
</table>

4. No more than four multi-fuel dispensers (eight fuel positions) shall be located within 100 feet of a single-family residential zoned property.

5. An eight-foot masonry wall shall be required at the property line of residentially-zoned property, in addition to the required bufferyards in Chapter 8.

6. Fuel positions, vacuum, air, and water stations as well as other similar equipment are prohibited between the principal structure and the property line of a residentially-zoned property and shall comply with the building setbacks in all other circumstances.

7. The bottom of the canopy shall be a minimum of 13 feet six inches in height. The maximum height of the overall canopy shall not exceed 17 feet.

8. In addition to the requirements in Section 7.04, any freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.

9. No full-service or self-service car wash is allowed with the fuel sales use. Only an accessory one-bay automatic car wash is allowed.

U. Car Wash.

A car wash is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. A self-service car wash facility may contain a maximum of four self-service bays.

2. A fuel sales use is not allowed with either a full-service or self-service car wash.
V. **Automobile Repair and Service, General.**

1. In the General Commercial (C-3) District, temporary outdoor storage of automobiles awaiting service or pick-up is permitted within the guidelines specified in Section 5.09.030. No other outdoor storage is allowed in the C-3 District.

2. In the Industrial (IN) District, all outdoor storage, except as limited in 5.09.030, is permitted.

W. **Event Facility.**

An Event Facility is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. A Special Use Permit is required in the C-3 and PF Districts for Event Facilities designed to host events with more than 300 attendees. A Special Use Permit is required in the AG, CN, C-1 and MU-DT districts for all Event Facilities.

2. Any outdoor live music or entertainment area shall be shown on a Site Plan and shall be set back a minimum of 50 feet from the property line of a residentially zoned property.

3. Any live music or entertainment in association with an event is subject to the provisions of Chapter 8.16 "Noise" of the Georgetown Municipal Code.

X. **Commercial Vehicle Sales, Rental or Leasing Facility.**

Commercial Vehicle sales, rental or leasing facility is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. **Lighting.**

   Fixed lighting shall be shielded or have cut-off fixtures to prevent direct glare of beams onto any adjacent public or private property or street. Light poles shall be placed no closer than 45 feet apart.

2. **Screening from Residential.**

   Screening, meeting the guidelines of a High Level Bufferyard, shall be provided along all lot lines abutting or adjacent to a Residential District, or when adjacent to an existing single-family home in the AG District, or when adjacent to an existing single-family home in the ETJ that is platted and planned for residential use on the Future Land Use Map.
3. **Outdoor Display and Storage.**

   a. Display and storage areas shall be clearly shown on the Site Plan and identified on the site.

   b. Outdoor display of commercial vehicles shall be set back a minimum of 25 feet from all lot lines abutting residentially zoned or developed property.

   c. Outdoor storage shall be located behind the front building façade of the primary structure.

   d. Permanent and temporary tent canopies may be erected over areas used for automobile sales display and shall not be considered buildings, but may not encroach into building setbacks, required parking spaces, drive aisles or bufferyards. All necessary building permits shall be required, but a revision to an existing Site Plan shall not be required if the tent canopy is located over an existing display area. All safety issues regarding fire and building codes shall be addressed.

4. **Accessory Uses.**

   Automobile Repair and Service, Limited and General, and Automobile Parts and Accessory Sales, Indoor, shall be allowed accessory uses with a Commercial Vehicle Sales Facility. Automobile Repair and Service, General shall not be permitted on the premises of a Rental Facility and any allowed limited repairs shall be performed only within the principal building.

Y. **Permanent Mobile or Outdoor Food Vendor.**

   Permanent Mobile or Outdoor Food Vendor is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. The Mobile or Outdoor Food Vendor(s) shall be a primary use on the property.

2. Each Mobile or Outdoor Food Vendor shall have a City approved connection to City approved electric, water and wastewater services.

3. A Mobile Food Park Manager shall be designated for the property.

   a. The Mobile Food Park Manager shall be available by phone while the vendor(s) is open for business. A telephone number and email address for the Mobile
Food Park Manager shall be posted on a sign no larger than one square foot. The sign shall be posted on a location visible to the patrons.

b. The Mobile Food Park Manager shall be responsible for the general management of the park, including but not limited to addressing inquiries, questions, and concerns, ensuring property maintenance, enforcing hours of operation, and other operational matters.

4. Parking shall be provided in accordance with Chapter 9 of this Code.

5. Toilet facilities and trash receptacles shall be provided on the property in compliance with all applicable City regulations.

6. Amenities including but not limited to tables, chairs and shade structures may be permitted on the property subject to compliance with this Code.

7. All vendors, amenities and other site improvements shall be identified on the Special Use Permit Concept Plan and Site Development Plan in accordance with this Code.

Z. Fuel Sales with more than ten multi-fuel dispensers.

A Special Use Permit for a fuel sales establishment with more than ten multi-fuel dispensers (20 fuel positions) shall be required in the General Commercial (C-3) zoning district pursuant to Section 3.07, and subject to the standards in subsections (T)(4) through (T)(9) above.

SECTION 5.05. - TRANSPORTATION AND UTILITY USES

Transportation and Utility Uses include uses for public or private utilities, transportation, parking, and large-scale communication transmission facilities. These uses may serve small or large-scale areas with various intensity and nuisance. Transportation uses include, but are not limited to, terminals, storage and dispatch facilities for public and private transportation. Utility uses typically contain light traffic and minimal personnel although some larger uses which serve the general community, may not be compatible in residential areas.

Sec. 5.05.010. - Transportation and Utility Uses Allowed by District.

The following Use Table presents the transportation and utility uses that are allowed in each Zoning District, in accordance with all standards and regulations of this Code.Certain uses are allowed with limitations detailed in Section 5.05.020. The ‘Notes’ column of the Use Table contains direction on the specific limitation of the particular use.
## Table 5.05.010: Transportation and Utility Uses

<table>
<thead>
<tr>
<th>Specific Use</th>
<th>AG</th>
<th>RE</th>
<th>RL</th>
<th>RS</th>
<th>TF</th>
<th>TH</th>
<th>MF1</th>
<th>MF2</th>
<th>MH</th>
<th>CN</th>
<th>C1</th>
<th>C3</th>
<th>OF</th>
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<th>Notes</th>
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<td>Parking Lot, Commercial</td>
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<td>Wireless Transmission Facility, 40' or less</td>
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<td>Wireless Transmission Facility, over 40'</td>
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</tbody>
</table>

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Page 52 of 84
Sec. 5.05.020. - Transportation and Utility Use Limitations.

All transportation and utility uses shall meet any applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

A. Heliports.

Heliports are permitted in accordance with [the] Use Table in Section 5.05.010 and subject to the following standards and limitations:

1. A heliport may be utilized without a Special Use Permit only as an accessory use to a hospital or government facility.

2. A heliport may be utilized with a Special Use Permit in the following situations:

   a. An accessory use to a full-service hotel, office building, or convention center if the structure is over 100 feet in height and the heliport landing pad is located on the rooftop of such a structure; or

   b. An accessory use to a business park that is a minimum of 40 total acres.

B. Utilities Services, Intermediate.

Intermediate Utility Services are permitted in accordance with Table 5.05.010 and subject to the following standards and limitations:

1. Any structure associated with the use shall be set back 25 feet from the property line of a residentially-zoned property.

2. An enclosed fence or wall at least six feet in height shall be constructed at the boundaries of any structure or apparatus associated with the use, consisting of:

   a. Brick, stone, reinforced concrete or other similar masonry materials;

   b. Redwood, cedar, preservative pressure treated wood or other similar materials; or

   c. An alternate material approved by the Director.

3. All fence posts shall be rust-protected metal, concrete based masonry, or concrete pillars.
4. The intermediate utility use shall be screened with large evergreen shrubs planted four feet on center and staggered 30 to 36 inches, located exterior to any required fencing.

5. The facility shall be secured.

SECTION 5.06. - INDUSTRIAL USES
The Industrial Uses Section describes industrial uses, ranging from light manufacturing and assembly, equipment servicing, storage/freight management to waste related services. Public traffic and onsite sales are very limited. Industrial uses and facilities are typically incompatible near residential districts.

Sec. 5.06.010. - Industrial Uses Allowed by District.

The following Use Table presents the industrial uses that are allowed in each Zoning District, in accordance with all standards and regulations of this Code.

Table 5.06.010: Industrial Uses

<table>
<thead>
<tr>
<th>Specific Use</th>
<th>AG</th>
<th>RE</th>
<th>RL</th>
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<th>Notes</th>
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<td>Contractor Services, Limited</td>
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<td>Office/Warehouse</td>
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<td>Research, Testing and Development Lab</td>
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</tbody>
</table>
Sec. 5.06.020. - Industrial Use Limitations.

All industrial uses shall meet any applicable provisions of the City Code of Ordinances. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

SECTION 5.07. - AGRICULTURAL USES

Agricultural Uses are intended primarily for the raising of animals and crops and secondary industries associated with agricultural production. Such uses are often found in large, open areas that are separated from, and incompatible with, urban development.

Sec. 5.07.010. - Agricultural Uses Allowed by District.

The following Use Table presents the agricultural uses that are allowed in each zoning district, in accordance with all standards and regulations of this Code.
### Table 5.07.010: Agricultural Uses

<table>
<thead>
<tr>
<th>Specific Use</th>
<th>AG</th>
<th>RE</th>
<th>RL</th>
<th>RS</th>
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<th>TH</th>
<th>MF1</th>
<th>MF2</th>
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**Sec. 5.07.020. - Agricultural Use Limitations.**

All agricultural uses shall meet any applicable provisions of the City Code of Ordinances. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

**SECTION 5.08. - TEMPORARY USES**

Temporary uses have characteristics that require certain restrictions in order to insure compatibility with other uses in the zoning district in which they are proposed. All temporary uses are required to obtain a Temporary Use Permit pursuant to the procedures of Section 3.11. Temporary uses are subject to the corresponding standards and limitations of this section. If the operation of the temporary use violates any other City Ordinances, the Permit shall be revoked unless satisfactory compliance is achieved. Renewal of a Temporary Use Permit, as allowed within this section, is subject to approval by the Building Official. It shall be the responsibility of the applicant to demonstrate that the conditions of the original approval still exist.
Sec. 5.08.010. - Temporary Uses by District.

The following Use Table presents the temporary uses that are allowed in each Zoning District, in accordance with all standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.08.020. The 'Notes' column of the Use Table contains direction on the specific limitation of the particular use.

Table 5.08.010: Temporary Uses

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<th>Specific Use</th>
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</table>
Sec. 5.08.020. - Temporary Use Limitations.

All temporary uses shall meet all applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

A. Seasonal Product Sales, Temporary Farmer’s Market, and Temporary Mobile or Outdoor Food Vendor.

1. Seasonal Product Sales, Temporary Farmer’s Markets, and Temporary Mobile or Outdoor Food Vendors shall meet the requirements and follow the procedures of Section 3.11 of this Code.

2. Temporary Mobile or Outdoor Food Vendor is permitted in accordance with Table 5.08.010 and subject to the following additional standards and limitations:

   a. The Mobile or Outdoor Food Vendor shall be secondary to an existing primary use on the property.

   b. No more than three Mobile or Outdoor Food Vendors shall be permitted on the property.

   c. Mobile or Outdoor Food Vendor(s) shall be in operation and opened to the public during the primary use’s hours of operation.

   d. Mobile or Outdoor Food Vendor(s) may connect to City approved electric. Connection to water or wastewater services shall not be permitted.

   e. Amenities including but not limited to restrooms, tables, chairs and shade structures may be permitted on the property subject to compliance with this Code.

   f. Parking shall be provided in accordance with Chapter 9 of this Code.
Chapter 5 – Zoning Use Regulations
Adopted March 11, 2003 | Effective March 26, 2003 | Last Amended May 14, 2019

Chapter 5

B. Business Offices, Temporary.

A temporary building for use as a business office is permitted on a 90-day basis. The applicant may request to renew such approval upon its expiration if the conditions of approval still exist. All temporary business offices shall be shown on the Site Plan for approval of the permanent facility. Any temporary parking associated with the temporary business office shall follow the standards and procedures of Section 5.08.020.F.

C. Concrete Products, Temporary.

A temporary facility for manufacturing concrete or concrete products may be located where it is directly associated with construction in the area, provided that such facilities are at least 1,000 feet from existing residential development. Retail sales of concrete products shall be prohibited in conjunction with temporary concrete plants. Hours of operation shall meet adopted Building Code requirements. The production site must be returned to its pre-construction state following completion of the associated project. All buildings, driveway access, curb and gutter, debris, and product must be removed and the area must be sodded, seeded, or hydromulched with grass within 45 days of removal.

D. Construction Field Offices.

A temporary building for use as a construction field office is permitted on a 12-month basis unless it is renewed by the respective business. An unlimited number of renewals may be applied for and considered. When the construction field office is associated with a residential subdivision, one temporary building is allowed for each builder in the residential subdivision in which that builder has the authority to construct structures. For commercial construction, one temporary building per site is allowed. All temporary offices allowed under this provision shall receive Site Plan, Stormwater Permit Construction Plan approval, as applicable, following the procedures outlined in Chapter 3 of this Code. Any temporary parking associated with the construction field office shall follow the standards and procedures of Section 5.08.020.F. below.
E. Construction Staging, Off-Site.

This section applies to the temporary use of property outside of the right-of-way for activities related to the construction of public improvements. Temporary facilities allowed in conjunction with a staging site may include a construction field office, portable restroom facilities, vehicle or equipment storage, layout yards, storage of construction materials or product, and other uses as determined by the Building Official, but the temporary manufacturing of concrete or concrete products is not included as part of this use and is subject to the restrictions of Section 5.08.020.C. Off-site construction staging facilities may be located in all zoning districts where they are directly associated with construction of public improvements in the area, subject to the following requirements and limitations:

1. Off-site construction staging facilities are permitted on a 12-month basis. The applicant may request to renew such approval upon its expiration if the conditions of approval still exist. An unlimited number of renewals may be applied for and considered.

2. Such facilities shall be located within 1,500 feet of the boundary of the construction project and shall not be located within 500 feet of existing residential development. Existing residential development shall be deemed any existing structure that is currently used as a residence and shall not include undeveloped property.

3. Notification of all property owners within 200 feet of the subject site shall be required 15 days prior to any action by the Building Official.

4. Stormwater and Driveway Permits must be obtained from the Development Engineer. It must be shown that steps will be taken to prevent the blowing of dust onto adjacent properties and the tracking of mud onto public rights-of-way.

5. Total impervious coverage shall be limited to 50 percent (50%) of the site.

6. An undisturbed natural buffer of 15 feet shall remain along lot lines adjacent to other properties.

7. Hours of operation shall meet adopted Building Code requirements.

8. Any temporary parking or construction field offices associated with the construction staging area shall follow the respective standards of both, as specified in this section.
9. Following completion of the associated project, the site must be returned to its pre-construction state. All buildings, driveway access, curb and gutter, debris, and product must be removed and the area must be sodded, seeded, or hydromulched with grass within 45 days of removal.

F. Parking Lot, Temporary.

A temporary parking lot may be approved, for a period not to exceed 12 months, when parking in excess of what was installed when a facility first opened is necessary to accommodate business or unanticipated patronage. A temporary parking lot required as part of another Temporary Use Permit may be approved in accordance with the period of time established for such temporary use. All temporary parking lots are subject to the following requirements and limitations:

1. Site Plan approval shall be obtained pursuant to Section 3.09.

2. Stormwater and Driveway Permits shall be obtained from the Development Engineer.

3. The surface material of the parking lot shall be approved by the Development Engineer;

4. Curbs, gutters, or other improvements may be required where necessary to comply with drainage regulations as approved by the Development Engineer;

5. Entrance to the lot from any public right-of-way shall be pursuant to the driveway separation requirements of Section 12.03.020;

6. When entrance is allowed to the lot from a public right-of-way, that portion of the entrance located in the right-of-way shall be paved with an all-weather surface as approved by the Development Engineer; and

7. It must be shown that steps will be taken to prevent the blowing of dust onto adjacent properties and the tracking of mud onto public rights-of-way.

8. At the end of the permit approval period, the area shall meet the following:

   a. The area shall no longer be used for the parking of vehicles, except as permitted below. All paving material, driveway access, and curb and gutter must be removed and the area must be sodded, seeded, or hydromulched with grass within ten days of removal.
b. A temporary parking lot approved for the purposes of accommodating unanticipated patronage may be retained if brought up to full compliance with all standards of this Code. If no Site Plan is approved within two months of the expiration of the temporary approval, the temporary parking lot shall be removed in accordance with the standards above.

G. Portable Classrooms.

Portable classrooms are permitted in accordance with Table 5.08.010, subject to the following standards and limitations and the requirements of Section 3.11.

1. Portable classrooms are allowed as part of a site-built public school facility.

2. A site-built school building and required site improvements must be in place prior to any placement of portable classrooms.

3. The square footage of portable classrooms shall not exceed 20 percent (20%) of the total square footage of the principle, site built school buildings.

4. The portable classrooms shall be shown on an approved Site Plan and may be added to an existing Site Plan as part of an amendment process.

5. Required parking for the entire school facility shall be maintained per Chapter 9 of this Code, including any increases needed to accommodate the portable classrooms.

H. Residential Sales Offices and Model Homes.

A temporary residential sales office or model home must be located within the legal subdivision for which lots are being sold. In addition, the following standards and limitations shall be met:

1. A Temporary Use Permit with a conditional Certificate of Occupancy to operate the model home will expire after 12 months unless it is renewed by the builder, upon which the burden shall fall to demonstrate to the Building Official that the conditions of approval still exist. An unlimited number of applications to renew the Temporary Use Permit may be applied for and considered.

2. The builder of a model home that has been constructed to market a phase of a phased development may request extension of the Temporary Use Permit in order to market new phases of the same development, but only if there is no increase in the total number of model homes within all of the phases.
3. A permitted model home in one legal subdivision where a builder is actively marketing lots may be used to market lots in another legal subdivision if the builder has no model home in the second subdivision and when such sales are clearly secondary, as demonstrated through signs and advertisements, to the marketing of lots within the subdivision in which the model is located.

4. The builder of a model home constructed to market one legal subdivision may be granted a Temporary Use Permit to market a new legal subdivision for the period during which a new model home is being constructed in the new legal subdivision. Such Permit shall be valid for a period not to exceed six months, with no renewal.

5. There is no restriction on the number of model homes permitted in each subdivision.

6. The design and construction of the model home must be consistent with the character of the subject neighborhood. A model home or temporary sales office may construct a monument sign no larger than 16 square feet and no taller than four feet in height, subject to the requirements of Chapter 10 of this Code.

7. The model home shall be constructed in such a manner that it can be converted, without structural changes, to a single-family or two-family residence (as allowed by the zoning district). Such conversion shall occur no later than after the issuance of certificates of occupancy to 80 percent (80%) of the associated residential units or when use as a sales office or model home has ceased.

8. A conditional Construction Permit for the model home may be issued once the streets to the subdivision have been constructed to sub-grade and water service and a fire hydrant are located within 500 feet of the lot on which the model home is located. The Building Official shall note on the permit that the property owner accepts all responsibility for commencing construction prior to completion of the public improvements and City acceptance of the subdivision. The conditional certificate of occupancy for the model home will not be issued until the subdivision and all public improvements have been accepted by the City, a Final Plat has been filed with the County, and all utilities are connected to the home.

9. A temporary building for use as a sales office is permitted on a six-month basis only if a model home has not been constructed. The temporary sales office is subject to the renewal policy outlined for model homes, but shall be removed once the model home has been constructed.

I. All Other Temporary Uses.

Other temporary uses deemed appropriate and compatible with the district and surrounding land uses may be permitted at the discretion of the Director.
J. Transient Mobile or Outdoor Food Vendor.

Transient Mobile or Outdoor Food Vendor is permitted in accordance with Table 5.08.010 without approval of a permit and subject to the following standards and limitations:

1. The Mobile or Outdoor Food Vendor shall be accessory to an existing primary use on the property, and may only be placed on the property Thursday through Sunday. No Mobile or Outdoor Food Vendor shall be permitted on the property Monday through Wednesday.

2. No more than two Mobile or Outdoor Food Vendors shall be permitted on the property.

3. Mobile or Outdoor Food Vendor(s) shall be in operation and opened to the public during the primary use's hours of operation.

4. Connection to electric, water and wastewater services shall be prohibited.

5. Amenities including but not limited to restrooms, tables, chairs and shade structures shall be prohibited.

6. Parking shall be provided in accordance with Chapter 9 of this Code.

7. No Mobile or Outdoor Food Vendor shall be located on a required parking space or loading area.

8. Mobile or Outdoor Food Vendor shall meet the lot and dimensional standards of the zoning district.

SECTION 5.09. - OUTDOOR DISPLAY AND STORAGE

Sec. 5.09.010. - General.
Outdoor display and storage shall be allowed in non-residential districts in accordance with this section. Any merchandise, material, or equipment situated outdoors in Non-Residential Districts shall be subject to the requirements of this section. For the purpose of this section, outdoor storage and display shall be classified into five categories.

Sec. 5.09.020. - Allowed Outdoor Storage.
The three types of storage shall be allowed in the Districts designated in the Table below.
Chapter 5 – Zoning Use Regulations
Adopted March 11, 2003 | Effective March 26, 2003 | Last Amended May 14, 2019

Table 5.09.020: Permitted Outdoor Display and Storage

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<th>Category</th>
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</table>

Sec. 5.09.030. - Outdoor Display and Storage Limitations.

A. Requirements for All Outdoor Display and Storage.

1. All outdoor display and storage areas shall be clearly shown on the Site Plan for the property or, where no Site Plan of record exists, all required information shall be shown on a scaled drawing or property survey.

2. All outdoor display and storage areas shall not be located in the following:

   a. A required setback;

   b. A required bufferyard; or

   c. Required off-street parking spaces or stacking areas.

3. All outdoor storage, notwithstanding Subsection 2. above, shall be set back at least 15 feet from the back edge of an adjacent curb or street pavement.

B. Outdoor Display, Limited.

1. Limited outdoor display of merchandise, goods or materials actively for sale or samples thereof are allowed only in association with the primary use of the site on which displayed.

2. Limited outdoor display is allowed only in a front yard or street yard, in addition to the following limitations:

   a. The display shall not extend a distance greater than five feet from the wall of the principal building;
b. The display shall not extend to a height above ten feet;
c. The display shall not occupy more than 30 percent (30%) of the linear distance along the wall; and
d. The display shall not be permitted to block windows, entrances or exits, nor impair the ability of pedestrians to use the building.

C. **Outdoor Display, General.**

1. General outdoor display of merchandise, goods or materials actively for sale or samples thereof are allowed only in association with the primary use of the site on which displayed.

2. General outdoor display shall not exceed 1,000 square feet or ten percent (10%) of the total site area (whichever is greater).

3. General outdoor display that is located adjacent to a wall of the principal building, in a front yard or street yard, shall comply with the following limitations:
   a. The display shall not extend a distance greater than five feet from the wall;
   b. The display shall not extend to a height above ten feet;
   c. The display shall not occupy more than 30 percent (30%) of the linear distance along the wall; and
   d. The display shall not be permitted to block windows, entrances or exits, nor impair the ability of pedestrians to use the building.

D. **Outdoor Display, Off-Site Vehicles.**

1. Off-site outdoor display of vehicles is allowed only if it is associated with an auto dealership whose principle establishment lies within the corporate limits of the City.

2. The vehicles displayed at the off-site property shall not be offered for sale.

3. A maximum of six vehicles may be displayed at the same time at an off-site property.

4. The vehicles display area shall be located on an approved paved surface, subject to approval by the Development Engineer.
5. The vehicle display area shall require the approval of the Director, which shall be noted on the Site Plan or, where no Site Plan of record exists, all required information shall be shown on a scaled drawing or property survey.

6. Vehicle window signage for display vehicles will be allowed in accordance with all other signage limitations for the district in which it is located.

E. **Outdoor Storage, Limited.**

1. Limited outdoor storage is the storage of merchandise, goods or materials that are not actively for sale, are in individual packaging, and are not located within storage containers. Examples of limited outdoor storage include materials organic or otherwise, stored on pallets or shelves.

2. Limited outdoor storage shall not be allowed in a front yard or street yard.

3. Limited outdoor storage shall not exceed 1,000 square feet or 20 percent (20%) of the total site area (whichever is greater).

4. Limited outdoor storage shall be completely screened from view by a solid opaque wall or fence at least six feet in height one foot above the height of the stored materials, whichever is greater. The wall or fence shall be constructed of materials that include, but are not limited to, brick, stone, reinforced concrete or other similar masonry materials; redwood, cedar or preservative pressure-treated wood; or other materials as approved by the Director.

5. Limited outdoor storage areas shall be paved and painted to distinguish them from required off-street parking areas.

F. **Outdoor Storage, General.**

1. General outdoor storage is the storage of merchandise, goods or materials that are not actively for sale that include all forms of outdoor storage, including limited outdoor storage. Examples of general outdoor storage include items stacked on pallets and shelves, stored in shipping containers or convexes, and semi-trailers not attached to a truck.

2. General outdoor storage shall not be allowed in a front yard or street yard.

3. General outdoor storage shall be completely screened from view by a solid opaque wall or fence at least eight feet in height or one foot above the height of the stored materials, whichever is greater. The wall or fence shall be constructed of materials that include, but are not limited to, brick, stone, reinforced concrete or other similar masonry materials;
redwood, cedar or preservative pressure-treated wood; or other materials as approved by the Director.

4. General outdoor storage areas shall be paved and painted to distinguish them from required off-street parking areas.

SECTION 5.10. - WIRELESS TRANSMISSION FACILITIES

A Wireless Transmission Facility (WTF) is permitted in accordance with the Use Table in Section 5.05 and subject to the following standards:

Sec. 5.10.010. - Locational Regulations.

A. In order to protect the City’s natural beauty and historic character no WTF tower shall be located in the following areas:

1. Within a one-half mile or 2,640-foot radius measured from the property line of the Williamson County Courthouse located at 710 Main Street at the center of Georgetown’s historic square.

2. Within a 500-foot radius of any District, structure or site designated Historic by any other lawfully authorized local, state or federal historic preservation agency or entity by law, including the City.

3. Within 500 feet of the centerline of the San Gabriel River.

4. Within 500 feet of the Interstate Highway 35 right-of-way. The restrictions of this section apply to all areas within the City limits except for properties and structures owned by the City. Location of a WTF on a municipally-owned property or facility is subject to approval by the City Council.

B. No newly-constructed WTF with or without a tower shall be located on existing structures designated as historic. Pre-existing wireless transmission facilities shall meet the requirements set forth in Section 5.10.030.

C. Wireless transmission facilities are allowed, without a Special Use Permit, on existing towers or tanks, utility, lighting standard, sign support, or other appropriate structures provided that the antennas or related equipment or structures do not exceed, by ten feet, the lesser of the height of the structure or the height limits of the highest permitted structure in the District in which it is located.

D. Wireless transmission facilities with towers are allowed within any electric substation, within any Zoning District, provided that the antennas or related equipment or structures
Sec. 5.10.020. - Mounting Standards.

A. Wireless transmission facilities may locate, without a Special Use Permit, on the roof of any Non-Residential and non-historic building, within any Zoning District, provided the WTF does not exceed, by ten feet, the lesser of the height of the building or structure or the height limits of the District in which it is located.

B. Wireless transmission facilities may mount, without a Special Use Permit, on the exterior of any Non-Residential and non-historic building, within any Zoning District, provided the antenna or antenna support structure or equipment:

1. Is mounted flush with the exterior of the building or that it projects no more than 24 inches from the surface of the building to which it is attached and does not exceed height restrictions established in this part of the Code and that said projection is at least 15 feet above grade; and

2. Is textured and colored so as to blend with the surrounding surface of the building.

C. Wireless transmission facilities, with or without towers, are allowed on municipally-owned properties and structures subject to approval of a lease by the City Council specifying WTF location, design, and other restrictions.

D. Wireless transmission facilities may locate in the areas set forth in Subsections A. and B. above, provided they comply with all other standards regarding height requirements; collocation; historic Districts, structures or sites; residential structures; residentially zoned property; setbacks and site development, and submittal requirements of this Code. To locate within or on an area related to Subsection C. above, the applicant must first receive approval from the City Council.

Sec. 5.10.030. - Collocation.

A. To minimize the number of WTFs to be sited, applicants should cooperate with other service providers in collocating additional antennas on existing towers and/or structures to the extent that collocation is reasonably economical and technically feasible. An applicant should exercise good faith in collocating with other providers and sharing the permitted site. Such good faith shall include sharing technical information to evaluate the feasibility of collocation.

B. Service providers should, to the maximum extent feasible, promote collocation of antennas by multiple providers through the use of nonexclusive agreements for antenna sites,
relocation and reconfiguration of antennas to accommodate additional users, utilization of current technology to maximize antenna separation and minimize antenna/tower height and obtrusiveness, and ensure building support structures are of sufficient strength.

C. The City encourages that each WTF tower be constructed in such a way that the structure can support additional antenna systems having the same or similar wind and weight loading characteristics of those that are proposed by applicant. Tower space on existing WTF towers should be provided on a reasonable, proportioned cost basis to other service providers who seek use of the structure, unless it would result in the creation of a level of radio frequency interference which would degrade applicant’s services.

Sec. 5.10.040. - Setback Requirements.

No permit for a Tower shall be approved or issued unless the proposed WTF is in compliance with the applicable provisions governing setback distance requirements, which are as follows:

A. Monopole Towers.

The distance between the base of a single monopole, and all Residential Districts or uses must not be less than:

1. The height of the WTF tower for towers under 60 feet;

2. One and one-half times the height of the WTF tower if the height of that tower is over 60 feet, but not over 90 feet;

3. Two times the height of the WTF tower if the height of that tower is over 90 feet, but not over 105 feet;

4. Two and one-half times the height of the WTF tower if the height of that tower is over 105 feet, but not over 120 feet; or

5. Three times the height of the WTF tower if the height of that WTF tower is over 120 feet.

B. All distance measurements referred to in this section shall be the distance of a straight horizontal line from the center of the base of the WTF to the center of the residential lot minus 50 feet or the closest residential property line, whichever results in the greatest distance from the WTF and the nearest outer wall of a residential structure or line.

C. Safety issues will be fully addressed by applicants for a WTF siting. Wireless Transmission Facilities should be located in such a manner that if the structure should fall along its longest dimension it will remain within the owned or leased property
boundaries of the service provider and will avoid structures, public streets, and utility lines. If a proposed WTF has a potential for affecting a nearby property or structure upon collapse or scattering of equipment debris, the situation must be addressed by applicant.

D. Property uses and distances referred to in this section shall be determined as of the date and time that the completed WTF permit application is filed.

E. Equipment enclosures shall be set back from the property line according to the applicable regulations.

Sec. 5.10.050. - Fencing Requirements.

A. The base of a WTF with a tower, including all mechanical equipment and accessory structures, must be completely enclosed by a fence, wall or barrier which limits climbing access to such WTF and any supporting systems, lines, wires, buildings or other structures. The base must be fully screened from view of residential structures, residentially zoned properties or public roadways by a substantially opaque screening fence designed and built to provide privacy.

B. The fence shall be a minimum height of eight feet and consistent in color and character to surrounding structures and properties.

C. The fencing shall have no openings, holes or gaps larger than four inches measured in any direction.

D. The fencing may contain gates or doors allowing access to the WTF and accessory structures for maintenance purposes; such gates or doors shall be kept completely closed and locked except for maintenance purposes and shall be located so that all gates and doors do not intrude into the public right-of-way.

E. The requirements of this section do not apply to:

1. Wireless Transmission Facilities located on buildings or structures that are not designed or built primarily to support WTFs, provided that the general public has no physical access to the WTFs and adequate safety measures are taken to prevent access by unauthorized people;

2. Legally existing WTFs having security fences at least six feet in height; and

3. WTFs with towers that are sufficiently camouflaged or disguised such that the City determines that a security fence is unnecessary and/or would cause the tower to be unnecessarily more obtrusive.
Sec. 5.10.060. - Maintenance and Inspection.

A. The owner or operator of a WTF shall be responsible for the maintenance of the WTF and shall maintain all buildings, structures, supporting structures, wires, fences or ground areas used in connection with a WTF in a safe condition and in good working order, as required by city building, fire or any other applicable codes, regulations or ordinances or to standards that may be imposed by the City at the time of the granting of a permit. Such maintenance shall include, but shall not be limited to, maintenance of the paint, landscaping, fencing, equipment enclosure, and structural integrity. If the City finds that the WTF is not being properly maintained, the city will notify the owner of the WTF of the problem. If the applicant fails to correct the problem within 30 days after being notified, the City may undertake maintenance at the expense of the applicant or revoke the permit, at its sole option.

B. By applying for a WTF permit under this article, the applicant specifically grants permission to the City, its duly authorized agents, officials, and employees, to enter upon the property for which a permit is sought, after first providing a reasonable attempt to notify a person designated by the applicant, except in the event of an emergency, for the purpose of making all inspections required or authorized to be made under this part of the Development Code. The City may require periodic inspections of WTFs to ensure structural integrity and other Code compliance. Based upon the result of an inspection, the City may require repair or removal of a WTF.

Sec. 5.10.070. - Radio Frequency Standards.

A. The applicant shall comply with federal standards for radio frequency emissions and must submit a signed statement that the proposed site fully complies with federal standards for radio frequency emissions. The City reserves the right to request that the applicant submit a sealed report from a registered radio frequency engineer which provides the estimated cumulative field measurements of radio frequency emissions of all antennas installed at the subject site and compares the results with established federal standards. Said report shall be subject to review and approval by the City for consistency with federal standards. If on review the City finds that the proposed or established WTF does not meet federal standards, the City may deny or revoke the permit, whichever is applicable at the time.

B. The applicant shall ensure that the WTF will not cause localized interference with the reception of area television or radio broadcasts or other legally existing WTFs. If on review the City finds that the WTF will interfere with such reception, it may deny the permit. If such interference occurs after the permit is issued and the problem is not corrected within 60 days, the City may revoke or modify the permit.

Sec. 5.10.080. - Specific Development Standards.

Wireless transmission facilities shall conform to the following site development standards:
A. All towers must be of monopole construction and be as least obtrusive as possible. At a minimum, antennas must be flush with the tower;

B. To minimize potential safety hazards, WTFs with towers shall be setback from residential structures or residentially zoned property lines as required in Section 5.10.040;

C. All lots on which WTFs are located must have access to a public right-of-way accepted by the appropriate governmental agency.

D. Wireless transmission facilities shall be designed and placed on the site in a manner that takes maximum advantage of existing trees, mature vegetation, and structures so as to:

1. Use existing site features to screen as much of the total WTF as possible from public view;

2. Use existing site features as a background so that the total WTF blends into the background with increased sight distances; and

3. To the degree technically feasible, locate on a portion of the site that is effectively isolated from view of residential areas by structures or terrain features unless the WTFs are integrated or act as an architectural element of the structure such as a flag pole or parking lot light or are effectively screened through installed landscaping or other acceptable screening.

E. Wireless transmission facilities having towers viewable from a residential structure, residentially zoned property or public roadway shall be landscaped along the perimeter of the WTF fencing. Further, the use of existing vegetation shall be preserved to the maximum extent practical and may be used as a substitute for or in supplement towards meeting landscaping requirements. The installed landscaping requirements include:

1. A row of shade trees a minimum of one-inch caliper shall be planted around the perimeter of the fence with a maximum spacing of ten feet;

2. A continuous hedge of one-gallon sized (minimal) evergreens shall be planted along the perimeter of the WTF; and

3. All landscaping shall be drought-resistant or irrigated and properly maintained to ensure good health and viability.

F. The City may waive landscaping requirements if the design of the WTF tower is such that landscaping would cause the tower to be more obtrusive, if the Tower is integrated
or acts as an architectural element of a structure such as a flag pole, parking lot light, bell tower or other similar structure and/or the City determines landscaping to be unnecessary.

G. Wireless transmission facilities with towers shall conform to the fence standards established in Section 5.10.050.

H. Equipment enclosures of a WTF that may be seen from a residential structure, residentially zoned property or public roadway, are encouraged to be located underground, if site conditions permit. If the equipment enclosure is not put underground, then it must be within the building in which the antenna is mounted or in a separate equipment enclosure which matches the existing building or surrounding structures in character and building materials.

I. All signs, flags, lights, and attachments other than those required for communications operations, structural stability or as required for flight visibility by the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) shall be prohibited on any WTF;

J. Applicant shall identify to the City any structures in the vicinity which the applicant investigated for possible use that have not been addressed otherwise in the application.

Sec. 5.10.090. - Submittal Requirements.

A. All service providers wishing to operate a WTF shall ensure and submit documentation demonstrating:

1. That the tower will be erected and operated in compliance with current FCC and FAA rules and regulations and other applicable federal, state, and local standards particularly as apply to the Georgetown Municipal Airport;

2. That all back haul providers are identified and have all the necessary approvals to operate as such, including holding necessary franchises, permits, and certificates;

3. A notarized statement signed by the WTF tower operator, the tower owner and the landowner that indicates:

   a. The extent to which all agree to allow collocation of additional WTF equipment by other service providers on the applicant's structure or within the same site location on a reasonable and non-discriminatory basis;

   b. An understanding of Section 5.10.060 relating to maintenance and inspections;
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Adopted March 11, 2003 | Effective March 26, 2003 | Last Amended May 14, 2019

c. An understanding that if the service provider fails to remove the WTF upon 60 days of its discontinued use, the responsibility for removal falls upon the landowner, and in the event the WTF is not removed within another 60 days, the City may remove the WTF and recover the costs associated with such removal from the landowner and place a lien on the property until such costs are paid.

4. Service providers shall submit updated notarized statements as required above whenever ownership or operators change.

5. A certification and sealed report from a registered professional engineer stating that all structural components of the WTF comply with all applicable codes and regulations. In the case of WTF towers, the report should further note the extent to which the tower is designed and/or built to accommodate co-location.

B. Service providers wishing to establish a WTF shall:

1. Secure all necessary approvals and permits needed to operate or construct a WTF within the City;

2. Fully and accurately complete a questionnaire supplied by the City;

3. Comply with all ordinances of the City;

4. Pay all related development and permit application fees;

5. Reimburse the City for actual costs incurred by the City for radio frequency evaluations, structural engineering reviews and/or any other services that the City may deem necessary to review and process the application; and

6. Provide the City with:

   a. A master antenna plan, including detailed maps:

      i. Showing the precise locations and characteristics of the proposed and all existing WFTFs in the City and in its extraterritorial jurisdiction (ETJ);

      ii. Indicating coverage areas of the proposed and existing sites within the City and its ETJ; and

      iii. Showing topography of proposed site.

   b. Updates of the above documents shall be filed with the City as they become available;
c. Photo simulations of the proposed WTF from varying points and distances, including affected residential properties and public rights-of-way. The photo simulation shall also include a diagram or map indicating points from where the photo simulations are taken; and

d. Site and landscaping plans indicating:

i. The specific placement of the WTF and all related structures on the site;

ii. The location of existing trees, and other significant site features;

iii. The type and location of landscaping proposed for screening;

iv. The color(s) for the WTF; and

v. Architectural and structural drawings for the proposed site.

Sec. 5.10.100. - Notice Requirements.

The notice requirements of this section apply only to applications for which a Public Hearing is required and if the proposed WTF Tower is within 200 [feet] or a distance equal to twice the height of the proposed WTF, whichever is greater, of a residential structure or residentially-zoned property.

A. Notice Sign Placement and Information.

1. The applicant for a WTF permit must post and use reasonable efforts to maintain a sign on the subject WTF site for a minimum of 30 calendar days beginning no later than the sixth calendar day following the date of the filing of the required completed application with the City. The sign shall be posted no less than 15 feet from the public right-of-way that is used as access to the WTF site. The sign shall face and be legible from the public right-of-way. The sign shall contain at a minimum the following items of information:

a. That this is the proposed site of a WTF;

b. The proposed maximum Height Above Grade of the proposed WTF;

c. The WTF permit application number assigned to this project by the City; and

d. The telephone number of the City of Georgetown where additional information concerning this proposed WTF may be obtained.
2. The applicant shall remove the sign from the subject WTF site after the permit is obtained or the appeals process is complete.

3. Written notice of the filing of each application for a WTF permit shall be given to the owners, as is indicated by the most recently approved tax rolls, of all property within a distance of 200 feet or a distance that is equal to twice the height of the proposed WTF, whichever is greater, from the proposed WTF site. The required written notice, which will be mailed out by the City, shall be in a form prescribed by the Director and shall be mailed by depositing the same in the United States Mail. The required notice shall be mailed no later than the tenth calendar day following the filing of the required fully-completed application.

4. Written notice shall be published by the City at least once in a local newspaper of general circulation within the City not later than the seventh calendar day following the date of filing of the required completed application. Such notice shall be published in the Section of such newspaper in which other legal notices are commonly published.

5. The "written notice" required in Subsection 3. above shall include, at a minimum, the following:
   a. The name, signature, address, and telephone number of the person or entity representative that will own the proposed WTF structure;
   b. The name, address, and telephone number of the applicant if different from the owner of the proposed WTF;
   c. The approximate proposed location of the WTF structure, including the street address (or nearest street intersection) and the name of the subdivision or survey if there is no recorded subdivision;
   d. The proposed use of the WTF structure and site;
   e. The proposed maximum height above grade of the proposed WTF structure; and
   f. That additional information may be obtained by writing or telephoning the office of the Director, including the telephone number.

Sec. 5.10.110. - Permitted Hours for Construction.
Construction, placement, removal or alterations to a WTF shall not be performed except between the hours of 7:00 a.m. and 9:00 p.m. of any day, except in a bona fide emergency.

**Sec. 5.10.120. - Permit Limitations.**

A. Any City permit, including the Special Use Permit, shall become null, void and non-renewable if the permitted WTF is not constructed within one year of the date of issuance, provided that the Special Use Permit may be extended one time for six months if construction has commenced before expiration of the initial year.

B. The applicant/permittee of a WTF shall expressly indemnify, protect, and hold the City harmless to the maximum extent allowed by law. No exceptions to this requirement shall be allowed.

C. Any City permit, including a Special Use Permit, for a WTF shall expire and the applicant must remove the WTF if it is not put into use within 120 days after construction or if use is discontinued for a period in excess of 120 days. If the WTF is not so removed, the City may cause the WTF to be removed and all expenses of removal shall be paid by the owner of the land where the WTF is located.

D. The applicant shall notify the Director of all changes in ownership or operation of the WTF Tower within 30 days of actual knowledge of the change.

**Sec. 5.10.130. - Effective Date and Effect on Pre-Existing and Permitted WTFs.**

A. The requirements of this part of the Code apply to all new WTFs after the date of adoption and the expansion and/or alteration of any existing WTFs; provided that an in-kind or smaller replacement of transmission equipment will require only a written notification to the City.

B. A WTF which was in existence on the date of final passage of this part of the Development Code shall not be required to be removed or relocated in order to meet the minimum distance requirements of this Code due to subsequent platting of a residential lot nearer to the WTF than the distance requirements of this section. However, any alteration to existing WTFs shall require compliance with the applicable provisions of this Code.
Chapter 5 - ZONING USE REGULATIONS

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SECTION 5.04. - COMMERCIAL USES

***

Sec. 5.04.010. - Commercial Uses Allowed by District.

The following use table presents the commercial uses that are allowed in each zoning district, in accordance with all standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.04.020. The ‘Notes’ column of the use table contains direction on the specific limitation of the particular use.

Table 5.04.010: Commercial Uses

<table>
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<th>Specific Use</th>
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Sec. 5.04.020. - Commercial Use Limitations.

All commercial uses shall meet any applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

***

AA. Office/Showroom.

An Office/Showroom is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. Warehousing facilities shall be incidental to the primary use and shall not exceed 50 percent (50%) of the total floor area.
2. Outdoor storage may be permitted in accordance with Section 5.09 of this Code.

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SECTION 5.06. - INDUSTRIAL USES

***

Sec. 5.06.010. - Industrial Uses Allowed by District.

The following Use Table presents the industrial uses that are allowed in each Zoning District, in accordance with all standards and regulations of this Code.

Table 5.06.010: Industrial Uses

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Sec. 5.06.020. - Industrial Use Limitations.

All industrial uses shall meet any applicable provisions of the City Code of Ordinances. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

A. Contractor Services, Limited.

Contractor Services, Limited is permitted in accordance with Table 5.06.010 and subject to the following standards and limitations:

1. Parking spaces shall be provided for fleet vehicles in addition to the minimum number of parking spaces required per Chapter 9 of this Code.
2. Parking of fleet vehicles shall comply with the Outdoor Storage, Limited requirements of Section 5.09 of this Code.

3. When the outdoor storage area is gated, a minimum of two vehicle tacking spaces from the key code box shall be provided. Vehicle stacking spaces shall comply with Section 9.04.020 of this Code.

B. Contractor Services, General.

Contractor Services, General is permitted in accordance with Table 5.06.010 and subject to the following standards and limitations:

1. Outdoor storage shall be incidental to the primary use and may be permitted in accordance with Section 5.09 of this Code.

2. Outdoor storage may be increased to 50% of the total site area provided the outdoor storage area is not located adjacent to a public street, residential zoned property or public park.

3. When outdoor storage is proposed to be located adjacent to a public street, residential zoned property, an existing single-family home in the ETJ that is platted or planned for residential use on the Future Land Use Map, or a public park, articulation shall be provided for the screening wall or fence by one of the following:

   a. Masonry columns or similar column effect as approved by the Director, using different materials than the wall, spaced no more than 125 feet apart; or

   b. Variations in depth achieved either through offsets of at least five feet deep, plant material groupings, breaks in walls, or other variations as approved by the Director, occurring every 80 feet

4. Fleet vehicles shall be parked in the same area as the designated outdoor storage to be screened from the public.

5. When the outdoor storage area is gated, a minimum of two vehicle tacking spaces from the key code box shall be provided. Vehicle stacking spaces shall comply with Section 9.04.020 of this Code.

C. Office/Warehouse.
Office/Warehouse is permitted in accordance with Table 5.06.010 and subject to the following standards and limitations:

1. The primary entrance shall be located in the office portion of the building.

2. The warehouse portion may not exceed more than 50% of the front building façade.

D. Storage Yard.

Storage Yard is permitted in accordance with Table 5.06.010 and subject to the following standards and limitations:

1. All equipment, material and any other outdoor storage shall be located on an approved paved surface.

2. All equipment, material and any other outdoor storage shall comply with the setback requirements of the district, and the landscape standards of Section 8.04 of this Code.

   a. For purposes of this subsection, street yard trees shall be provided between the screen wall and the street lot line.

3. When outdoor storage is proposed to be located adjacent to a public street, residential zoned property, an existing single-family home in the ETJ that is platted or planned for residential use on the Future Land Use Map, or a public park, articulation shall be provided for the screening wall or fence by one of the following:

   a. Masonry columns or similar column effect as approved by the Director, using different materials than the wall, spaced no more than 125 feet apart; or

   b. Variations in depth achieved either through offsets of at least five feet deep, plant material groupings, breaks in walls, or other variations as approved by the Director, occurring every 80 feet

4. When outdoor storage areas are gated, a minimum of two vehicle tacking spaces from the key code box shall be provided. Vehicle stacking spaces shall comply with Section 9.04.020 of this Code.

5. Outdoor storage shall comply with the requirements of Section 5.09 of this Code.
Chapter 16 - DEFINITIONS

SECTION 16.01. - GENERAL

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SECTION 16.02. - DEFINITIONS

The following definitions describe terms found in this Code.

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Contractor Services, Limited. An establishment primarily engaged in construction or related activities off-premises. This use is limited to the offices associated with the business and the indoor incidental storage of supplies, and excludes the on-site maintenance or storage, temporary or otherwise, of equipment, or machinery, or vehicles. No outdoor storage is allowed.

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Office/Showroom. An establishment with both a business office and associated showroom for display of sample goods or services to be delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services is permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50 percent (50%) of the total floor area. This designation does not include contractor’s shop or storage yard.

Office/Warehouse. A business office with an associated small scale warehouse typically located at the rear of the space for the purposes of storing materials needed to supply service off-site. This use can accommodate trades such as plumbers or electricians, as long as there is no processing, manufacturing, fabrication or outside storage of materials on site.

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Stone, Mulch or Dirt Sales Yard. A typically outdoor facility that stores and conducts retail sales of dirt, mulch, stone, or other material commonly sold to an individual or contractor.

Storage Yard. A facility used almost exclusively for outdoor storage of equipment and materials. Outdoor storage of material in a Storage Yard may exceed 20 percent (20%) of the total site area.

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Added language is underlined
Deleted language is strikethrough