

ORDINANCE NO. 2650

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE, DULY ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO REVISE, PART 3; NONRESIDENTIAL DISTRICT REGULATIONS BY THE READOPTION OF A REVISED PART 3; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, through administration and experience, the Planning and Zoning Commission has determined that it is necessary to revise certain regulations so that the intended purposes of the Zoning Ordinance are best served; and

WHEREAS, the Planning and Zoning Commission did give public notice and did hold public hearings regarding proposed revisions and has recommended amendment of the ordinance; and

WHEREAS, the City Council did give public notice and did hold public hearings regarding the proposed amendments;

NOW, THEREFORE, BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance, duly adopted on September 4, 1973, and recodified on November 21, 1988, be amended by deleting the existing PART 3; NONRESIDENTIAL DISTRICT REGULATIONS in its entirety and adopting a revised PART 3 as set out in the attached Exhibit "A".

SECTION 2. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part of provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, on the 18th day of December, 1989.

*George A. Vener, Sr.*  
George A. Vener, Sr.  
Mayor

ATTEST:

*Lynn Prugel*  
Lynn Prugel  
City Secretary

APPROVED:  
*B. J. Smith*  
B. J. Smith  
City Attorney

00002

## PART 3:

## NONRESIDENTIAL DISTRICTS

## 3-100 DISTRICTS ESTABLISHED

101 Districts Established and Purpose

## 3-200 USE REGULATIONS

201 General Use Regulations

202 General Conditions

203 Schedule of Permitted Uses

## 3-300 DEVELOPMENT STANDARDS

301 Lot, Setback, and Height Regulations

302 Exterior Fire Resistant Construction Requirements

303 District Screening Requirements

304 Landscaping Requirements

305 Permitted Modification of Standards

## 3-400 OFF-STREET PARKING AND LOADING

401 General Parking Regulations

402 Parking Layout and Construction Standards

403 Special Exceptions

404 Number of Parking Spaces Required

405 Table of Parking Standards

406 Off-Street Loading Requirements

3-500 SUPPLEMENTARY USE REGULATIONS -  
NONRESIDENTIAL DISTRICTS

501 Deleted

502 Miniwarehousing

503 Commercial Occupancy of  
Frame Buildings-CB District

504 Gasoline Sales

## 3-600 OUTDOOR SALES, DISPLAY AND STORAGE REGULATIONS

601 Incidental Outdoor Display

602 Outdoor Display Lot

603 Outdoor Storage

## 3-700 ACCESSORY STRUCTURE REGULATIONS

701 General Provisions

702 Permitted Modifications - Specific Structures

703 Special Exceptions

PART 3: NONRESIDENTIAL DISTRICTS  
3-100 DISTRICTS ESTABLISHED

3-100 DISTRICTS ESTABLISHED

3-101 DISTRICTS ESTABLISHED AND PURPOSE

For the purpose of this Ordinance, the following nonresidential districts are established.

A. O - OFFICE

The O district is established to accommodate professional, management, research, and other similar offices.

service and public activities and uses commonly found in a central business area. The community shall have only one contiguous CB district and any extension of the district should be bounded at least on one side by an existing CB district boundary.

B. GR - GENERAL RETAIL

The GR district is established to accommodate the sale of convenience goods and personal services primarily for persons residing in the surrounding neighborhoods.

F. SS - SERVICE STATION

The SS district is established exclusively to provide for service stations, both full-service and self-service, for the convenience of persons nearby or travelling through the City.

C. LC - LIGHT COMMERCIAL

The LC district is established to accommodate business activities of moderate intensity in community business areas and to provide for restricted commercial development in proximity to the freeways.

G. C - COMMERCIAL

The C district is established to accommodate a wide variety of commercial uses and to have general application as a highway service district.

D. MU - MIXED USE

The MU district is established to allow central area redevelopment which is orderly and responsive to adjacent land uses.

H. I - INDUSTRIAL

The I district is established to accommodate manufacturing uses which are free of objectionable influences in operation and appearance or which can readily control any features which may otherwise be objectionable by the installation of appropriate abatement devices.

E. CB - CENTRAL BUSINESS

The CB district is established to accommodate the commercial, business,

## 3-200 USE REGULATIONS

3-201 GENERAL USE REGULATIONS

No land shall hereafter be used and no structure shall hereafter be erected, altered, or converted in a nonresidential district which is arranged, designed or used for any use other than a use specified in 3-203 as permitted in the district in which it is located, except as otherwise permitted herein.

## A. P - PERMITTED USES

Principal or accessory uses indicated as "P" (Permitted Use) in 3-203 are permitted in the districts specified, subject to compliance with all conditions and requirements of this ordinance and other applicable provisions of the City Code.

## B. C - CONDITIONAL USES

Principal or accessory uses indicated as "C" (Conditional Use) in 3-203 may be permitted in the districts specified if expressly authorized in accordance with the procedures set out in 5-300.

## C. S - SPECIAL EXCEPTIONS

Principal or accessory uses indicated as "S" (Special Exception) in 3-203 may be permitted in the districts specified if expressly authorized by the Board of Adjustment in accordance with the procedures set out in 5-200

## D. PROHIBITED USES

Principal or accessory uses not indicated in a district as "P", "C" or "S" in 3-203 shall be prohibited in that district. Refer to 2-203 for uses permitted in the residential districts.

## E. SPECIAL CONDITIONS

Special requirements for specific uses are noted in 3-203 under "Special

Conditions". The designated use is permitted only when in compliance with the special conditions listed. When a use is authorized as a Conditional Use or as a Special Exception, the authorizing body may approve modification of the special conditions by specifying the allowed modification in its approval, provided that proposed modifications must be identified in the required notices as part of the request. Modifications may be approved if it is determined that the use can be accommodated under modified conditions without creating adverse impact on adjacent properties and that it will be compatible with the neighborhood.

## F. SIC CLASSIFIED USES

Nonresidential uses listed in 3-203 include an SIC code number which references the use's classification as contained in the Standard Industrial Classification Manual (1987). The SIC Manual shall be incorporated herein as a reference for the description and definition of those uses referenced by an SIC code number, except as otherwise modified herein.

## G. PARKING STANDARDS

Parking requirements for specific uses are indicated by the applicable parking standard group in the "PKNG STND" (Parking Standards) column on Table 3-203. The parking required for the respective parking standard groups are listed on Table 3-405.

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

H. PLANNED DEVELOPMENT DISTRICT USES

The PD district is not included on the Schedule of Permitted Uses. Uses are permitted in a PD district if the specific PD ordinance references a standard district in which the use is permitted or if the ordinance specifically lists the use as permitted in the PD district. If a use is listed as "C" or "S" in a district referenced by a PD ordinance, it shall be permitted in the PD district only when specifically authorized in accordance

with 3-201B or 3-201C, unless such use is specifically listed as permitted in the PD ordinance.

I. ADDITIONS AND REVISIONS

The addition or removal of uses; the change of a "P", "C" or "S" designation; the revision of Special Conditions or Parking Standards; or any other revision of the Schedule of Permitted Uses (3-203) are ordinance amendments requiring compliance with the procedures set out in 5-300.

3-202 GENERAL CONDITIONS

A. SITE PLAN

A site plan, including all easements, property lines, physical features, fire lanes and hydrants, buildings, utilities, parking and drives, adjacent streets with medians, and locations of refuse collection shall be attached to all applications for building permits and may be required with applications for Certificates of Occupancy if necessary to determine compliance with requirements. The Development Review Committee shall review and approve site plans which are in compliance with all regulations of this ordinance, the Subdivision Ordinance, and all other requirements of the City Code.

permitted unless otherwise allowed in the district.

C. SERVICE STATION DISTRICT

The Service Station district is an exclusive district permitting only service stations, i.e. the sale of gasoline, minor automotive repair, and other expressly stated uses. No building, structure, or land in the Service Station district shall be used for other than a service station use.

B. OFFICE USES

Office activities for any use classification may be located in any nonresidential district, except SS, regardless of the districts designated for the use on Table 3-203, provided that activities are limited to general office functions such as accounting, telephone, typing, filing and consultation and that no on-site storage or display of vehicles, equipment, or goods for sale is

D. BUSINESS IN ENCLOSED BUILDING

All business, activities, operations, services, processing, display and storage shall be conducted wholly within a totally enclosed building, unless otherwise specifically authorized in the district. See 3-600.

E. NEW MERCHANDISE

Goods and merchandise for sale in all districts shall consist primarily of new merchandise, unless the use is classified as SIC 593: Used Merchandise Stores and complies with the district and/or Conditional Use permit requirements set out for that use.

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

"Primarily new merchandise" shall mean at least 70% of the goods sold are new.

F. LIMITED ASSEMBLY, PRODUCTION

Uses in Division D (SIC Groups 20 -39), which require a Conditional Use permit to location in the C district, may locate in the C district without a Conditional Use permit, if the use complies with the following

limitations: 1) The activity involves only the assembly/processing of premanufactured parts into finished products and does not involve processing of raw materials; 2) The activity is conducted entirely in an enclosed building with no outdoor storage or activity; and 3) The maximum gross floor area occupied by the activity is 5000 square feet or less.

00007

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PKNG STND	SPECIAL CONDITIONS
	O	GR	LC	RD	CB	SS	C	I		

A. AGRICULTURE, FORESTRY, FISHING

01 CROP PRODUCTION	P	P	P	P	P	P	P	P	28	Requires minimum 2 acre tract.	
02 LIVESTOCK PRODUCTION	S	S	S	S	S	S	S	S	28	The keeping of horses and livestock may be classified as an accessory use if in accordance with the conditions set out in 2-2030.9 and 2-2030.10.	
07 AGRICULTURAL SERVICES (except)									28	See Table 2-203.	
074 Veterinary Services/Animal Hospital											
0741 Livestock							C	C	3	include horses as livestock: Requires compliance with special conditions for boarding as set out below.	
0742 Household Pets			P	P	P		P	P	3		
075 Other Animal Services											
0751 Livestock							C	C	28		
0752 Animal Specialty Services (except)							C	C	28		
a. Grooming - Household Pets			P	P	P	P		P	P	3	Prohibits location in multi-use building adjacent to any use involved in sale or preparation of food items.
b. Horse Boarding/Training							C	C	28		
c. Breeding/Training - Household Pets							C	C	3		
d. Indoor Boarding			C	P	P	P		P	P	3	Requires location in sound-proof, freestanding building with 10 foot separation from any other building and at least 100 feet from any residential district: See City Code for kennel requirements.
e. Outdoor Kennels/Boarding								P	P	3	Requires location at least 200 feet from any residential district: Requires outdoor runs, pens, and enclosures to be at least 100 feet from any property line and to be enclosed by a solid fence at least 6 feet high: Fencing shall be wood masonry, or chain-link with slat inserts: See City Code for kennel requirements.

P = Permitted (3-201A)  
C = Conditional Use (3-201B)  
S = Special Exception (3-201C)  
NEC = Not Elsewhere Classified

00009

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM STED	SPECIAL CONDITIONS
	O	GR	LC	MD	CB	SS	C	I			
076 Farm Labor Management Services									P	28	
078 Landscape/Horticulture Services (except)			P	P	P			P	P	4	
0781 Landscape Counseling and Planning	P	P	P	P	P			P	P	3	
08 FORESTRY										28	See Table 2-203.
09 FISHING, HUNTING, TRAPPING										28	See Table 2-203.

B. MINING, EXTRACTION

10 - 14 ALL MINING, EXTRACTION								C	C	8	Requires compliance with 1-500.
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C. CONSTRUCTION

15 BUILDING CONTRACTORS								P	P	4	Requires compliance with 3-600 for outdoor storage.
16 HEAVY CONSTRUCTION CONTRACTORS								P	P	4	
17 SPECIAL TRADE CONTRACTORS											
171 Plumbing, Heating, Air Conditioning			P	P	P			P	P	4	
172 Painting, Paper Hanging, Decorating			P	P	P			P	P	4	
173 Electrical			P	P	P			P	P	4	
174 Masonry, Tile Setting, Plastering								P	P	4	
175 Carpentering, Flooring (Interior)			P	P	P			P	P	4	
176 Roofing, Sheet Metal Work								P	P	4	
177 Concrete Work								P	P	4	
178 Water Well Drilling								P	P	4	
179 Miscellaneous Special Trade Contractors											
1791 Structural Steel Erection								P	P	4	
1793 Glass, Glazing Work				P	P			P	P	4	
1794 Excavation, Foundation Work								P	P	4	
1795 Wrecking, Demolition Work								P	P	4	
1796 Installation of Equipment, NEC								P	P	4	

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERG STD	SPECIAL CONDITIONS
	O	GR	LC	MU	CH	SS	C	I			

B. MANUFACTURING

20	FOOD, KINDRED PRODUCTS													Requires all primary buildings and yard activities, except employee parking to be located at least 100 feet from any residential district; Requires loading or outdoor storage areas where loading/unloading of heavy load vehicles is involved to be located at least 200 feet from any residential district; Requires compliance with 3-600 for outdoor storage; See 3-1047 regarding high risk uses.
201	Meat Products								C	P	S			
202	Dairy Products								C	P	S			
203	Canned, Preserved Fruits & Vegetables								C	P	S			
204	Grain Mill Products									P	S			
205	Bakery Products								C	P	S			
206	Sugar, Confectionery Products									P	S			
207	Fats, Oils								C	S				
208	Beverages (except)									P	S			
	2083 Malt									C	S			
	2085 Distilled, Rectified, Blended Liquor									C	S			
209	Miscellaneous Food Preparation & Products								C	C	S			
21	TOBACCO PRODUCTS									C	S			
22	TEXTILE MILL PRODUCTS									C	S			
23	APPAREL, OTHER FABRIC PRODUCTS									P	P	S		
24	LUMBER, WOOD PRODUCTS EXCEPT FURNITURE									C	S			
25	FURNITURE, FIXTURES									C	P	S		
26	PAPER & ALLIED PRODUCTS										P	S		
27	PRINTING, PUBLISHING & ALLIED INDUSTRIES			C	C	P				P	P	S		
28	CHEMICALS, ALLIED PRODUCTS													
	281 Industrial Inorganic Chemicals										S	S		
	282 Plastics, Synthetic Fibers										C	S		
	283 Drugs										S	S		
	284 Detergents, Cosmetics, Toilet Preparations										S	S		
	285 Paints, Lacquers, Allied Products										S	S		
	286 Industrial Organic Chemicals										C	S		
	287 Agricultural Chemicals										S	S		
	289 Miscellaneous Chemical Products										C	S		

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00010

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PKNG ST80	SPECIAL CONDITIONS
	O	GR	LC	NU	CB	SS	C	I		
29 PETROLEUM REFINING, RELATED INDUSTRIES								C	5	Requires all primary buildings and yard activities, except employee parking to be located at least 100 feet from any residential district; Requires loading or outdoor storage areas where loading/unloading of heavy load vehicles is involved to be located at least 200 feet from any residential district; Requires compliance with 3-600 for outdoor storage; See 3-104P regarding high risk uses.
30 RUBBER, MISCELLANEOUS PLASTIC PRODUCTS								C	5	
31 LEATHER, LEATHER PRODUCTS (except)								P	5	
311 Leather tanning, Finishing								C	5	
32 STONE, CLAY, CONCRETE (except)								C	5	
a. Concrete Batch Plants								C	5	
33 PRIMARY METAL INDUSTRIES								C	5	
34 FABRICATED METAL PRODUCTS (except)								P	5	
348 Ordnance, Accessories								C	5	
35 INDUSTRIAL, COMMERCIAL MACHINERY (except)								P	5	
357 Computer, Office Equipment							C	P	5	
36 ELECTRICAL, ELECTRONIC EQUIPMENT, EXCEPT COMPUTER							C	P	5	
37 TRANSPORTATION EQUIPMENT								P	5	
38 INSTRUMENTS								C	P	
381 Detection, Guidance Instruments							C	P	5	
382 Measuring, Controlling Instruments							C	P	5	
384 Medical & Dental Instruments			C	C	C		C	P	5	
385 Ophthalmic Goods			C	C	C		C	P	5	
386 Photographic Equipment, Supplies			C	C	C		C	P	5	
387 Watches, Clocks			C	C	C		C	P	5	

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM STND	SPECIAL CONDITIONS
	O	GR	LC	HU	CB	SS	C	I			
39 MISCELLANEOUS MANUFACTURING											Requires all primary buildings and yard activities, except employee parking, to be located at least 100 feet from any residential district; Requires loading or outdoor storage areas where loading/unloading of heavy load vehicles is involved to be located at least 200 feet from any residential district; Requires compliance with 3-500 for outdoor storage; See 1-104F regarding high risk uses.
391 Jewelry, Plated Ware			C	C	C		P	S			
393 Musical Instruments			C	C	C		C	P	S		
394 Toys, Sporting Goods			C	C	C		C	P	S		
395 Pencils, Artist's Materials			C	C	C		P	S			
396 Costume Jewelry, Notions			C	C	C		C	P	S		
399 Miscellaneous Manufacturing Industries											
3991 Brooms, Brushes							C	P	S		
3993 Signs, Advertising Displays							C	P	S		
3995 Burial Caskets							C	P	S		
3996 Linoleum, Hard Surface Flooring, NEC							C	P	S		
3999 Manufacturing Industries, NEC (except)							C	P	S		
a. Flammable, Explosive Products							C	P	S		

B. TRANSPORTATION, UTILITIES

40 RAILROAD TRANSPORTATION (except)	S	S	S	S	S		S	S	38	
a. Railroad Passenger Terminal	S	S	S	S	P		P	P	26	
41 LOCAL TRANSIT, HIGHWAY TRANSPORTATION (except)	S	S	S	S	S		C	S	28	
a. Transit or Bus Terminal	S	S	S	S	P		P	P	26	
b. Bus Stop/Shelter	P	P	P	P	P		P	P	28	
42 MOTOR FREIGHT TRANSPORTATION, WAREHOUSING (except)							P	P	S	Requires all primary buildings and yard activities, except employee parking, to be located at least 100 feet from any residential district; Requires any loading or outdoor storage areas where loading/unloading or storage of heavy load vehicles is involved to be located at least 200 feet from any residential district; Requires compliance with 3-500 for outdoor storage; See 1-104F regarding high risk uses.
a. Miniwarehousing, Self-storage					C		C	P		Requires compliance with 3-501.

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00012

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM. STD.	SPECIAL CONDITIONS
	O	GR	LC	HU	CB	SS	C	I			
43 U.S. POSTAL SERVICE	P	P	P	P	P		P	P		28	
44 WATER TRANSPORTATION							C	C		28	
45 AIR TRANSPORTATION (except: a. Helicopter Landing Pad							C	C		28	Requires compliance with FAA regulations.
46 PIPELINES	S	S	S	S	S	S	S	S	S	28	Include natural gas transmission pipelines.
47 TRANSPORTATION SERVICES (except) 472 Arrangement of Passenger Transportation (Travel Agents, Ticket Offices)	P	P	P	P	P		P	P		1	
48 COMMUNICATIONS (except) a. Utility Facilities b. Business Office c. Towers, Antennae 75 feet or less in height d. Towers, Antennae over 75 feet in height	P	P	P	P	P	P	P	P	P	28	Requires structures to be set back from property lines the minimum setback for accessory structures or one foot for each foot in height above 30 feet, whichever is greater; Permits no portion of the structure or supports (guys, anchor points, etc.) to extend into any required front or exterior side yard; Requires compliance with Airport Hazard Zoning Ordinance.
49 ELECTRIC, GAS, SANITARY SEWER (except) a. Generating, Manufacturing, Treatment Plants b. Sanitary Landfill c. Utility Facilities d. Business Office 497 Irrigation Systems							P	P		28	

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PKNG SYMB	SPECIAL CONDITIONS
	O	GR	LC	HO	CB	SS	C	I			

P. WHOLESALE TRADE

SIC CODE	Description	O	GR	LC	HO	CB	SS	C	I	PKNG SYMB	SPECIAL CONDITIONS	
50	WHOLESALE TRADE - DURABLE GOODS											
501	Motor Vehicles, Auto Parts (except)							C	P	S	Requires all primary buildings and yard activities, except employee parking to be located at least 100 feet from any residential district; Requires any loading or outdoor storage areas where loading/unloading or storage of heavy load vehicles is involved to be located at least 200 feet from any residential district; Requires compliance with 3-600 for outdoor storage; See 1-104P regarding high risk uses.	
	5015 Motor Vehicle Parts, Used							C	P	S		
502	Furniture, Home Furnishings							C	P	S		
503	Lumber, Other Construction Materials							C	P	S		
504	Professional, Commercial Equipment							C	P	S		
505	Metals, Minerals, except Petroleum							C	P	S		
506	Electrical Goods							C	P	S		
507	Hardware, Plumbing, Heating Equipment							C	P	S		
508	Machinery, Equipment							C	P	S		
509	Miscellaneous Durable Goods							C	P	S		
	5091 Sporting, Recreation Goods							C	P	S		
	5092 Toys, Hobby Goods							C	P	S		
	5093 Scrap, Waste Material (except)							C	P	S		
	5094 Jewelry, Watches, Precious Stones							C	P	S		
	5099 Durable Goods, NEC							C	P	S		
51	WHOLESALE TRADE - NONDURABLE GOODS											
511	Paper, Paper Products							C	P	S		
512	Drugs, Drug Proprietaries, Sundries							C	P	S		
513	Apparel, Piece Goods, Notions							C	P	S		
514	Groceries, Related Products							C	P	S		
515	Farm Product Raw Materials							C	P	S		
516	Chemicals, Allied Products							C	P	S		
517	Petroleum, Petroleum Products							C	P	S		
518	Beer, Wine, Distilled Alcoholic Beverages							C	P	S		
519	Miscellaneous Nondurable Goods							C	P	S		
	5191 Farm Supplies							C	P	S		
	5192 Books, Periodicals, Newspapers							C	P	S		
	5193 Flowers, Nursery Stock, Florist Supplies							C	P	S		
	5194 Tobacco, Tobacco Products							C	P	S		
	5198 Paint, Varnishes and Supplies							C	P	S		
	5199 Nondurable Goods, NEC							C	P	S		

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3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PKNG SYND	SPECIAL CONDITIONS
	O	GR	LC	MU	CB	SS	C	I		
<b>C. RETAIL TRADE</b>										
52	<b>BUILDING MATERIALS, HARDWARE, GARDEN SUPPLY</b>									Requires compliance with 3-600 for outdoor display or storage.
521	Lumber, Other Building Materials								P P P P P P 1	
523	Paint, Glass, Wallpaper Stores								P P P P P P 1	
525	Hardware Stores								P P P P P P 1	
526	Retail Nurseries, Garden Supply								P P P P P P 1	
527	Mobile Home Dealers								C C 8	
53	<b>GENERAL MERCHANDISE STORES</b>									
531	Department Stores								P P P P P P 1	
533	Variety Stores								P P P P P P 1	
539	Miscellaneous General Merchandise Stores								P P P P P P 1	
54	<b>FOOD STORES</b>									Permit in SS district only in conjunction with self-service gasoline sales. Requires compliance with 3-600.
541	Grocery Stores								P P P P P P 1	
542	Meat, Fish Markets								P P P P P P 1	
543	Fruit, Vegetable Markets								P P P P P P 1	
544	Candy, Nut, Confectionery Stores								P P P P P P 1	
545	Dairy Products Stores								P P P P P P 1	
546	Retail Bakeries								P P P P P P 1	
549	Miscellaneous Food Stores (except)								P P P P P P 1	
a.	Convenience Stores								P P P P P P 1	
b.	Outdoor Farmers Market								C C C 7	
55	<b>AUTOMOBILE DEALERS, SERVICE STATIONS</b>									Requires compliance with 3-600; Permit without Conditional use permit if all sales, display, and storage is within an enclosed building. Requires compliance with 3-504.
551	Motor Vehicle Dealers (New & Used)								C C C C 8	
552	Motor Vehicle Dealers (Used Only)								C C C 8	
553	Auto & Home Supply Stores								P P P P P P 1	
554	Gasoline Service Stations (except)								P 20	
a.	Limited Gasoline Sales								P P P P P P P 1	
b.	Truck Stop/Heavy Load Vehicle Facility								C 28	

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 NEC - Not Elsewhere Classified

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PKNG STND	SPECIAL CONDITIONS	
	O	GR	LC	HU	CB	SS	C	I			
555 Boat Dealers							C	C	8	Requires compliance with 3-600; Permit without Conditional use permit if all sales, display, and storage is within an enclosed building.	
556 Recreational Vehicles, Utility Trailers							C	C	8		
557 Motorcycle Dealers							C	C	8		
559 Automotive Dealers, NEC							C	C	8		
56 APPAREL, ACCESSORY STORES		P	P	P	P			P	P	1	
57 FURNITURE, HOME FURNISHINGS											
571 Furniture, Furnishings, except Appliances											
5712 Furniture Stores		P	P	P	P			P	P	2	
5713 Floor Covering Stores		P	P	P	P			P	P	1	
5714 Drapery, Upholstery Stores		P	P	P	P			P	P	1	
5719 Miscellaneous Home Furnishings		P	P	P	P			P	P	1	
572 Household Appliance Stores		P	P	P	P			P	P	2	
573 Radio, TV, Electronics, Music Stores		P	P	P	P			P	P	1	
58 EATING, DRINKING PLACES											
5812 Eating Places (except)		P	P	P	P			P	P	17	
a. Drive-in Restaurants								P	P	17	
b. Restaurant with Private Club				C	C			C	C	18	Permits private club operated by fraternal or veterans organizations certified by the State under Alcoholic Beverage Control regulations without approval of a Conditional Use permit in the districts designated - See 864. See also Part 4.
5813 Drinking Place with Private Club				C	C			C	C	18	
59 MISCELLANEOUS RETAIL											
591 Drug, Proprietary Stores		P	P	P	P			P	P	1	
592 Liquor Stores											Prohibit in all districts (Dry Area).
593 Used Merchandise Stores/Pawn Shops/ Antique Stores		C	C	C	P			C	C	1	

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C3316

PART 3: NONRESIDENTIAL DISTRICTS  
 3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PERG STUD	SPECIAL CONDITIONS	
	O	GR	LC	MU	CD	SS	C	I			
594 Miscellaneous Shopping Goods Stores											
5941 Sporting Goods, Bicycle Shops		P	P	P	P			P	P	1	
5942 Book Stores		P	P	P	P			P	P	1	
5943 Stationery Stores		P	P	P	P			P	P	1	
5944 Jewelry Stores		P	P	P	P			P	P	1	
5945 Hobby, Toy, Game Shops		P	P	P	P			P	P	1	
5946 Camera, Photo Supply Shops		P	P	P	P			P	P	1	
5947 Gift, Novelty, Souvenir Shops		P	P	P	P			P	P	1	
5948 Luggage, Leather Goods Stores		P	P	P	P			P	P	1	
5949 Sewing, Needlework, Piece Goods Stores		P	P	P	P			P	P	1	
596 Non-Store Retailers											
5961 Catalog, Mail Order Houses			P	P	P			P	P	4	
5962 Automatic Machine Operators			P	P	P			P	P	4	
5963 Direct Selling Establishments			P	P	P			P	P	3	Includes retail sales offices only; See City Code for permitted door-to-door sales and sales from trucks or wagons; Requires licensing.
598 Fuel, Ice Dealers											
5981 Fuel, Oil Dealers								C		1	
5984 Liquefied Petroleum Gas Dealers								C		1	
5989 Fuel Dealers, NEC											
599 Retail Stores, NEC											
5992 Florists		P	P	P	P			P	P	1	
5993 Tobacco Stores		P	P	P	P			P	P	1	
5994 News Dealers/Newsstands		P	P	P	P			P	P	1	
5995 Optical Goods Stores		P	P	P	P			P	P	1	
5999 Miscellaneous Retail, NEC (except)		P	P	P	P			P	P	1	
a. Auction Rooms			P	P	P			P	P	11	
b. Fireworks											Prohibit in all districts; Not allowed in City.
c. Gravestones, Monuments								C	C	4	Requires compliance with 3-600: Permit without Conditional Use permit if all sales, display, and storage is within an enclosed building; Classify uses involving any work on stones other than lettering, finishing or shaping to custom order as 3281.

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM. STND	SPECIAL CONDITIONS
	O	GR	LC	HU	CH	SS	C	I			
d. Pet Shops		P	P	P	P			P	P	1	Prohibits location in a multiuse building adjacent to any use involved in the sale or preparation of food items; Permits only boarding of animals for sale unless classified as 0752.
e. Sales Bars, Flea Markets						C		C	C	1	Prohibits outdoor activity unless specifically approved on the Conditional Use permit.
f. Swimming Pool, Spa Sales								C	C	9	Requires compliance with 3-600; Permit without Conditional Use permit if all sales, display, and storage is within an enclosed building.

8. FINANCE, INSURANCE, REAL ESTATE

60 DEPOSITORY INSTITUTIONS (Banks, Savings, Credit Unions)	P	P	P	P	P			P	P	3	
61 NONDEPOSITORY INSTITUTIONS	P	P	P	P	P			P	P	3	
62 SECURITY, COMMODITY SERVICES	P	P	P	P	P			P	P	3	
63 INSURANCE CARRIERS	P	P	P	P	P			P	P	3	
64 INSURANCE AGENTS, BROKERS	P	P	P	P	P			P	P	3	
65 REAL ESTATE (except) 6553 Cemetery Development/Operation	P	P	P	P	P			P	P	3	
	C	C	C	C	C			C	C	28	
67 HOLDING & OTHER INVESTMENT COMPANIES	P	P	P	P	P			P	P	3	

1. SERVICES

70 HOTELS, CAMPS, OTHER LODGING PLACES											
701 Hotels, Motels, Tourist Courts			P	P	P			P	C	27	
702 Rooming, Boarding Houses										27	See Table 2-203
703 Camps, Trailering Parks								C	C	28	
704 Hotel, Lodging (Membership)										27	See Table 2-203

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3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PKNG STD	SPECIAL CONDITIONS
	O	GR	LC	RU	CB	SS	C	I			
72 PERSONAL SERVICES											
721 Laundry, Cleaning, Garment Services											
7211 Power Laundries, Family & Commercial							P	P		1	
7212 Garment Pressing & Laundry Agents							P	P		1	
7213 Linen Supply							P	P		4	
7215 Coin Operated Laundries/Dry Cleaning	P	P	P	P			P	P		1	
7216 Dry Cleaning Plants, except Rug Cleaning							P	P		4	
7217 Carpet, Upholstery Cleaning							P	P		4	
7218 Industrial Launderers							P	P		4	
7219 Laundry, Garment Services, NEC		P	P	P	P		P	P		1	Include laundry pick-up stations.
722 Photographic, Portrait Studios	C	P	P	P	P		P	P		3	
723 Beauty Shops		P	P	P	P		P	P		1	
724 Barber Shops		P	P	P	P		P	P		1	
725 Shoe Shine & Repair, Hat Cleaning Shops		P	P	P	P		P	P		1	
726 Funeral Service, Crematories (except)	P	P	P	P	P		P	P		16	
a. Crematories							C	C		28	
729 Miscellaneous Personal Services											
7291 Tax Preparation Services	P	P	P	P	P		P	P		3	
7299 Miscellaneous Personal Services NEC (except)		P	P	P	P		P	P		1	
a. Massage Parlors, Turkish & Steam Baths							C	C		1	See City Code for additional requirements: Requires licensing.
73 BUSINESS SERVICES											
731 Advertising											
7311 Advertising Agencies	P	P	P	P	P		P	P		3	
7312 Outdoor Advertising Services					P		P	P		4	
7313 Media Advertising Representatives	P	P	P	P	P		P	P		3	
7319 Advertising, NEC			P	P	P		P	P		4	
732 Credit Reporting, Collection	P	P	P	P	P		P	P		3	
733 Reproduction, Stenographic Services											
7331 Direct Mail Advertising Services	P	P	P	P	P		P	P		3	
7334 Photocopying, Duplicating Services		P	P	P	P		P	P		1	
7335 Commercial Photography			P	P	P		P	P		3	
7336 Commercial Art, Graphics Design			P	P	P		P	P		1	
7338 Secretarial, Court Reporting Services	P	P	P	P	P		P	P		3	

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60019

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM STND	SPECIAL CONDITIONS	
	O	GR	LC	MD	CH	SS	C	I				
734 Services to Buildings												
7342 Disinfecting, Exterminating Services			P	P	P		P	P			*	
7349 Building Maintenance Services, NEC			P	P	P		P	P			*	
735 Miscellaneous Equipment Rental, Leasing												
7352 Medical Equipment Rental			P	P	P		P	P			*	
7353 Heavy Construction Equipment Rental							C	C			*	Requires compliance with 3-600; Permit without Conditional Use permit if all display and storage is within an enclosed building.
7354 Equipment Rental, NEC												
a. Household Equipment Only		P	P	P	P		P	P			*	See definition of household equipment;
b. Equipment, Other than Household							C	C			*	Requires compliance with 3-600; Permit without Conditional Use permit if all display and storage is within an enclosed building.
736 Personnel Supply Services	P	P	P	P	P		P	P			*	Permit labor pools where temporary employees meet on site for transportation in the I district only.
737 Computer, Data Processing Services (except)	P	P	P	P	P		P	P			*	
a. Computer Equipment Repair		P	P	P	P		P	P			*	
b. Computer Sales/Rental		P	P	P	P		P	P			*	
738 Miscellaneous Business Services												
7381 Detective, Guard, Armored Car Services			P	P	P		P	P			*	
7382 Security Systems Services			P	P	P		P	P			*	
7383 News Syndicates			P	P	P		P	P			*	
7384 Photofinishing Laboratories			P	P	P		P	P			*	
7389 Business Services NEC (except)			C	P	P		P	P			*	Includes recycling centers.
a. Trading Stamp Services		P	P	P	P		P	P			*	
b. Post Office Contract Station	P	P	P	P	P		P	P			*	
75 AUTOMOTIVE REPAIR, SERVICES												
751 Automotive Rental, Leasing												
7513 Truck Rental, Leasing					C	C	C	C			*	Requires parking/storage for rental vehicles to be in addition to spaces required by 3-400;
7514 Passenger Car Rental		P	P	P	P		P	P			*	Permit 7513 and 7515 without Conditional Use permit if all display and storage is within an enclosed building.
7515 Passenger Car Leasing		P	P	P	P		P	P			*	
7519 Trailer, RV Rental, Leasing					C	C	C	C			*	

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00020

PART 3: NONRESIDENTIAL DISTRICTS  
 3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PERM. STD.	SPECIAL CONDITIONS	
	O	GE	LC	MU	CH	SS	C	I			
752 Automobile Parking (Lots and Structures)											
a. Automobiles, Trucks and Vans not exceeded 3/4 ton		P	P	P	P		P	P	28		See definitions: refers to parking as principal use.
b. Light Load Vehicles							P	P	28		
c. Heavy Load Vehicles							C	P	28		
753 Automobile Repair Shops											
a. Minor Automobile Repair		P	P	P	P	P	P	P	6		See definitions.
b. Major Automobile Repair					P	P	P	P	6		See definitions; Requires enclosed building located at least 50 feet from any residential district. Requires compliance with 3-600.
c. Collision Services					P	P	P	P	6		
754 Automotive Services, Except Repair											
7542 Car Washes, including Detail Shops		C	P	P	P	P	P	P	28		Requires location at least 100 feet from any residential district.
7549 Other Automotive Services (except)					P	P	P	P	6		
a. Diagnostic, Inspection Services		P	P	P	P	P	P	P	6		
b. Towing/Wrecker Services							P	P	6		Requires compliance with 3-600: Storage of vehicles on site is prohibited in SS district.
76 MISCELLANEOUS REPAIR SERVICES											
762 Electrical Repair Shops											
7622 Radio & Television Repair		P	P	P	P		P	P	4		
7623 Refrigeration, Air Conditioning Repair			P	P	P		P	P	4		
7629 Electrical, Electronic Repair, NEC			P	P	P		P	P	4		
763 Watch, Clock, Jewelry Repair		P	P	P	P		P	P	4		
764 Upholstery, Furniture Repair		C	P	P	P		P	P	4		
769 Miscellaneous Repair Shops											
7692 Welding Shops					P		P	P	4		Requires enclosed building located at least 100 feet from any residential district.
7694 Armature Rewinding shops					P		P	P	4		

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00021

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM STND	SPECIAL CONDITIONS
	O	GR	LC	HO	CB	SS	C	I			
7699 Repair Shops, Services, NEC (except)					P		P	P		4	
a. Camera Repair		P	P	P	P		P	P		4	
b. Key Duplicating, Locksmiths		P	P	P	P		P	P		4	
c. Musical Instrument Repair		P	P	P	P		P	P		4	
d. Office Equipment Typewriter Repair		P	P	P	P		P	P		4	
e. Metalsmiths							P	P		4	
f. Boiler, Tank, Cleaning & Repair							P	P		4	
g. Septic Tank Cleaning							P	P		4	
h. Farm Machinery Repair							C	P		4	Requires compliance with 3-600.
i. Heavy Equipment, Machinery Repair							C	P		4	Requires compliance with 3-600.
78 MOTION PICTURES											
781 Motion Picture Production			P	P	P		P	P		28	
782 Motion Picture Distribution			P	P	P		P	P		28	
783 Motion Picture Theaters											
7832 Motion Picture Theaters (except drive-in)		P	P	P	P		P	P		10	
7833 Drive-in Motion Picture Theaters							C	C		28	
784 Video Tape Rental		P	P	P	P		P	P		1	
79 AMUSEMENT & RECREATION SERVICES											
791 Dance Studios, Schools (except)		P	P	P	P		P	P		1	
a. Dancehalls, Ballrooms			C		C		C	C		11	Requires buildings to be located at least 500 feet from any residential district.
792 Theatrical Producers, Bands, Entertainers											
7922 Theatrical Producers (except)			P	P	P		P	P		28	
a. Ticket Agencies, Entertainment		P	P	P	P		P	P		3	
7929 Bands, Other Entertainment Groups			P	P	P		P	P		28	
793 Bowling Centers			C		C		C	C		19	Requires buildings to be located at least 100 feet from any residential district.
794 Commercial Sports							C	C		10	Prohibits outdoor activities within 500 feet of any residential district; Requires buildings for indoor sports to be located at least 100 feet from any residential district.

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3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS								PKNG STD	SPECIAL CONDITIONS	
	O	GR	LG	MU	CB	SS	C	I			
799 Miscellaneous Amusement, Recreation Services											
7991 Physical Fitness Facilities		P	P	P	P		P	P		1	
7992 Public Golf Course	P	P	P	P	P		P	P		14	
7993 Coin-operated Amusement Gameroom (More than 4 Machines)		C	C	C	C		S	C		11	Requires building to be located at least 100 feet from any church, school, or hospital and 100 feet from any residential district; Requires one customer restroom each for male and female; Requires licensing.
7996 Amusement Parks (Outdoor)							C	C		13	Prohibits outdoor activities within 100 feet of any residential district.
7997 Membership Recreation Clubs (except			C		C		C	C		12	
a. Indoor Sports, Athletic Clubs		P	P	P	P		P	P		1	
b. Country Clubs	C	P	P	P	P		P	P		14	
7999 Amusement, Recreation Service, NEC											
a. Outdoor Facilities, Activities (includes miniature golf, driving ranges, riding stables, go-cart tracks, skateboard parks, etc.)							C	C		13	Prohibits outdoor activities within 100 feet of any residential district.
b. Indoor Facilities, Activities (except) (includes billiard and bingo parlors, skating rinks, slot car racetracks, etc.)			C		C		C	C		12	Requires building to be located at least 100 feet from any residential district.
c. Commercial Art Galleries, Museums	P	P	P	P	P		P	P		15	
d. Sports Instruction (Indoor)		P	P	P	P		P	P		1	
e. Ticket Agencies, Sports/Recreation		P	P	P	P		P	P		1	
80 HEALTH SERVICES											
801 Offices of Doctors of Medicine	P	P	P	P	P		P	P		1	Requires Parking Standard #25 if providing non-emergency outpatient services on a first-come basis with no appointments.
802 Offices of Dentists	P	P	P	P	P		P	P		1	
803 Offices of Doctors of Osteopathy	P	P	P	P	P		P	P		1	
804 Offices of Other Health Practitioners	P	P	P	P	P		P	P		1	
805 Nursing & Personal Care Facilities	P	P	P	P	P		P	P		14	
806 Hospitals											
8062 General Medical, Surgical Hospitals	C	P	P	P	P		P	P		13	

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERG STD	SPECIAL CONDITIONS
	O	GR	LC	MU	CU	SS	C	I			
8063 Psychiatric Hospitals	C	P	P	P	P		P	P		35	Prohibits buildings housing psychiatric patients within 250 feet of any residential district.
8069 Specialty Hospitals, except Psychiatric	C	P	P	P	P		P	P		35	
807 Medical, Dental Laboratories	P	P	P	P	P		P	P		3	
808 Home Care Services	P	P	P	P	P		P	P		28	
809 Health, Allied Services, NEC											
8092 Kidney Dialysis Centers	P	P	P	P	P		P	P		3	
8093 Specialty Outpatient Facilities NEC	P	P	P	P	P		P	P		3	
8099 Health, Allied Services NEC	P	P	P	P	P		P	P		3	
81 LEGAL SERVICES	P	P	P	P	P		P	P		3	
82 EDUCATIONAL SERVICES											
821 Elementary, Secondary Schools	P	P	P	P	P		P	P		24	
822 Universities, Junior Colleges	P	P	P	P	P		P	P		22	
823 Libraries	P	P	P	P	P		P	P		16	
824 Vocational Schools (except)		P	P	P	P		P	P		23	
a. Truck Driving and Equipment Operating Schools							P	P		23	
829 Schools, Educational Services, NEC		P	P	P	P		P	P		23	
83 SOCIAL SERVICES											
832 Individual, Family Social Services	P	P	P	P	P		P	P		3	Includes senior citizen centers and day care for the elderly and handicapped.
833 Job Training, Vocational Rehabilitation			P	P	P		P	P		3	
835 Child Day Care Services (except)	P		P	P	P		P	P		10	Requires a circular or similar drive, covered at the building entrance, with loading/unloading space for 1 vehicle for each 500 square feet of gross floor area. Requires State licensing. See 2-203 and Definitions.
a. Home Day Care											
836 Residential Care (State Licensed Only)											
a. Family Home (less than 5 persons)										24	See 2-203 for Family and Group Homes; Classify halfway houses or correctional facilities for delinquents and offenders as 8223; Prohibits buildings housing psychiatric patients within 250 feet of any residential district.
b. Group Home (7-15 persons)										24	
c. Residential Care Institution (more than 15 persons)	P	P	P	P	P		P	P		24	
839 Social Services, NEC			P	P	P		P	P		3	

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C0024

PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERC SYND	SPECIAL CONDITIONS
	O	CR	LC	MU	CB	SS	C	I			
84 MUSEUMS, ART GALLERIES, ARBORETA, ZOOS											
841 Museums, Art Galleries	P	P	P	P	P		P	P	15		
842 Arboreta, Botanical Gardens (except)	P	P	P	P	P		P	P	28		
a. Zoological Gardens	C	C	C	C	C		C	C	28		
86 MEMBERSHIP ORGANIZATIONS											
861 Business Associations	P	P	P	P	P		P	P	3		
862 Professional Membership Organizations	P	P	P	P	P		P	P	3		
863 Labor Organizations	P	P	P	P	P		P	P	3		
864 Civic, Social, Fraternal Organizations (except)	P	P	P	P	P		P	P	12	Permits facilities which involve dancing or a private club (alcohol) only in the LC, CB, C or I districts.	
a. If including commercial amusement and recreation (SIC 79)			C		C		C	C	11		
865 Political Organizations	P	P	P	P	P		P	P	3		
866 Religious Organizations (Churches)	P	P	P	P	P		P	P	9	Use Parking Standard #3, if office use only; Permits parsonages.	
869 Membership Organizations, NEC	P	P	P	P	P		P	P	3		
87 ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT SERVICES											
871 Engineering, Architectural, Surveying	P	P	P	P	P		P	P	3		
872 Accounting, Auditing, Bookkeeping	P	P	P	P	P		P	P	3		
873 Research, Development, Testing	P	P	P	P	P		P	P	3		
894 Management, Public Relations	P	P	P	P	P		P	P	3	Classify prisons and correctional facilities as 9223.	
88 PRIVATE HOUSEHOLDS										See 2-203: Accessory Uses.	
89 MISCELLANEOUS SERVICES, NEC	P	P	P	P	P		P	P	3		
J. PUBLIC ADMINISTRATION (except)	P	P	P	P	P		P	P	28	Permits offices of governmental functions; Classify non-office functions according to the nature of the use and permit in districts allowing similar activities.	
9223 Correctional Institutions (except)			C	C	C		C	C	28	Includes privately operated and/or managed prisons, correctional facilities, and halfway houses.	
a. Halfway Houses (Maximum 15 persons)	C	C	C	C	C		C	C	28		

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	ZONING DISTRICTS									PERM SYND	SPECIAL CONDITIONS
	O	GR	LC	MU	CB	SS	C	I			
K. RESIDENTIAL USES				P	P						Permits housing types set out in R-3, D, and A-3 districts, when in compliance with all regulations and standards for housing type as set out in Part 2; Requires PD district for other types of housing.
L. ACCESSORY USES AND STRUCTURES											Requires compliance with 3-700.
1 DETACHED ACCESSORY BUILDINGS (Buildings, canopies, fences, signs, swimming pools, antennas, satellite dishes, flagpoles).	P	P	P	P	P	P	P	P			
2 PARKING	P	P	P	P	P	P	P	P			All parking areas shall comply with the standards set out in 3-400 and 3-600; Parking on unpaved surfaces shall be prohibited. See City code for regulation of heavy load vehicle parking.
3 OUTDOOR DISPLAY AND STORAGE											Requires compliance with 3-600.
4 PRODUCTION FOR RETAIL SALE		P	P	P	P		P	P			Requires products produced on premises to be sold for retail primarily on the premises, unless production is permitted use in the district.
5 LIMITED RETAIL	P										Permits retail/service uses which are allowed in the GR district to be located in the O district when entirely within an enclosed building with no exterior entrance to the retail/service use, no exterior on-site advertising or signs, and occupying no more than 10% of the total building area, provided such uses are secondary and complementary to the main office use and provide services primarily to office tenants and clients.

P = Permitted (3-201A)  
C = Conditional Use (3-201B)  
S = Special Exception (3-201C)  
NEC - Not Elsewhere Classified

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PART 3: NONRESIDENTIAL DISTRICTS  
3-200 USE REGULATIONS

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SIC CODE	ZONING DISTRICTS									PKNG STUB	SPECIAL CONDITIONS
	O	GR	LC	MU	CH	SS	C	I			
6 REPUSE CONTAINER	P	P	P	P	P	P	P	P	P		Prohibits location in a required front or exterior side yard; Requires screening from adjacent streets and residential districts on three sides by construction of a solid wood or masonry fence at least 6 feet in height, provided that no fence shall be required on any side(s) which are screened by the location of a building or other screening fence. An opening, a minimum of 12 feet in width, shall be provided on the fourth side for access by refuse collectors. Such opening shall be situated so that the container is not visible at an angle of greater than 45 degrees from adjacent streets. The Development Review Committee may approve a container location in a required front or exterior side yard or at a greater angle when no other reasonable location is available and may stipulate additional screening requirements in such circumstances.
7 COIN-OPERATED AMUSEMENT DEVICES	P	P	P	P	P	P	P	P	P		Permits a maximum of 4 machines; Requires licensing; Classify more than 4 machines as a primary use under 7993.
8 LANDSCAPE IRRIGATION SYSTEMS	P	P	P	P	P	P	P	P	P		
9 PONDS (Over 1 1/2 feet deep)	S	S	S	S	S	S	S	S	S		

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PART 3: NONRESIDENTIAL DISTRICTS  
3-300 DEVELOPMENT STANDARDS

3-300 DEVELOPMENT STANDARDS

The standards set out in the following sections shall be required for the uses in the districts as indicated, except as otherwise provided.

3-301 LOT, SETBACK, AND HEIGHT REGULATIONS

	O	GR	LC	MU	CB	SS	C	I
A. MAXIMUM LOT COVERAGE (%)	30	30	50	-	50	30	50	75
B. MINIMUM FRONT AND EXTERIOR SIDE YARDS (FEET)	25	25	25	5	See 3-305	40	25	25
C. MINIMUM INTERIOR SIDE AND REAR YARDS (FEET)								
1. Adjacent to Nonresidential District	0	0	0	0	0	0	0	0
2. Adjacent to A District	15	15	15	15	15	15	15	15
3. Adjacent to AG, R, or D District	25 feet or 3 times the height of the building above the grade at the nearest AG, R, or D district boundary, whichever is greater.							
D. MAXIMUM HEIGHT (FEET OR STORY)								
1. With Setbacks Specified Above (Feet)	75	35	75	1 Story	75	35	75	75
2. Increased Height Permitted With increased Setbacks (See 3-305)	Yes	No	Yes	Yes	Yes	No	Yes	Yes

3-302 EXTERIOR FIRE RESISTANT CONSTRUCTION REQUIREMENTS

All main buildings shall be of 100% exterior fire resistant construction, except as otherwise permitted below for the districts and uses indicated. Exterior fire resistant construction shall mean exterior walls constructed of brick, stone, concrete block, stucco, or other masonry, or materials of equal characteristics, unless otherwise noted.

Exterior nonmasonry materials shall be permitted for the purpose of decor. The maximum surface where nonmasonry decor is permissible shall not exceed 25% of any one wall and shall be limited to 35 feet in height.

Where buildings with metal exterior siding are permitted, the siding shall be a minimum of 26 gauge and shall have a permanent baked-on finish or an alternative finish of comparable durability, which is defined as that finish which has a low incidence of chipping, peeling, blistering, chalking, or fading.

**A. INDUSTRIAL DISTRICT - METAL BUILDINGS WITH MASONRY FRONT**

In the I district, buildings with metal exterior siding, such as Delta or Butler type steel buildings, are permitted, provided that a 100% masonry front is required on any side(s) of the building facing a public or private street.

**B. COMMERCIAL, CENTRAL BUSINESS, AND MIXED USE DISTRICTS - METAL BUILDINGS WITH MASONRY FRONTS/CONDITIONAL USE PERMIT REQUIRED**

In the C, CB, and MC districts, buildings with metal exterior siding, such as Delta or Butler type steel buildings, may be permitted subject to approval of a Conditional Use Permit in accordance with the procedures set out in 5-300, and provided that a 100% masonry front is required on any side(s) of the building facing a public or private street and that a masonry "wrap" is required to extend a minimum distance of 20 feet or 20% of the building length, whichever is greater,

along the sides of the building extending away from the public or private street. The Conditional Use Permit approval may require a "wrap" to extend a greater distance along the side(s) of the building if considered necessary or desirable due to the location of the building relative to adjacent buildings, the proximity of residential areas, architectural consistency, or similar factors.

**C. SERVICE STATION DISTRICT - METAL BUILDINGS**

In the SS district, buildings with metal exterior siding, using a prefinished metal panel of porcelain or baked enamel and having a minimum thickness of 20 gauge, are permitted.

**D. CENTRAL BUSINESS DISTRICT - WOOD EXTERIOR BUILDINGS**

The commercial occupancy of existing wood exterior residences may be permitted in the CB district, subject to compliance with 3-503.

**3-303 DISTRICT SCREENING REQUIREMENTS**

Screening to provide partial visual protection and to serve as a barrier between uses shall be required in the following circumstances in accordance with the following requirements. Provided however, that screening shall not be required to extend into a required front or exterior side yard and shall not be erected so as to obstruct traffic visibility at alley, street or drive intersections. The design and construction of screening shall accommodate natural and/or proposed drainage in the area and shall not otherwise create drainage problems.

**A. ADJACENT TO RESIDENTIAL DISTRICTS**

In the event that a nonresidential district backs or sides upon a residential district, a solid masonry screening wall not less than 6 feet in height shall be erected and maintained along the property line abutting such district. The following modifications

of the screening requirement shall be permitted, provided that prior to any modification, the City Council shall hold a public hearing. Written notification shall be sent at least 10 days prior to the hearing to each owner of real property which abuts the required screening, notifying such owner of the request for waiver,

deferment, or substitution and of the time and place of the public hearing.

1. Waiver: Where the City Council finds this screening requirement to be impractical or unnecessary, it may grant a permanent waiver of the requirement.

2. Deferment: Where the City Council finds this screening requirement to be impractical or unnecessary for immediate construction, it may grant a temporary deferment of the requirement.

3. Substitution: Where the City Council finds that the intent of this

screening requirement is better satisfied by an alternate method of screening, a substitution of such method may be approved.

#### B. WITHIN CENTRAL BUSINESS AND MIXED USE DISTRICTS

In the event that a lot in the CB or MU district which is to be occupied by a nonresidential use backs or sides on a lot which is in residential use, a solid wood or masonry fence no less than 6 feet in height shall be erected and maintained along the property line dividing the lots.

### 3-304 LANDSCAPING REQUIREMENTS

Landscaping shall hereafter be provided on all new nonresidential building sites in accordance with the following requirements.

#### A. LANDSCAPE PLAN REQUIRED

A landscape plan shall be submitted with the building plans showing the location, name, quantity and size of landscaping materials and other landscape features, as well as buildings, parking areas, drives, fences, including screening walls, alleys and adjacent streets. The landscaping plan shall be drawn to scale and shall be legible.

Landscape plans shall be reviewed and approved by the Development Review Committee. The Committee's decision may be appealed to the Planning and Zoning Commission.

#### B. MINIMUM STANDARDS

The following minimum standards shall apply.

1. Minimum Area/Location: Landscape areas equal in size to 5% of the

building site shall be required and a minimum of 50% of the required landscaping shall be provided between the main building and the front and exterior side property lines.

2. Right-of-Way/Visibility: The landscape area shall extend beyond the property line to the curb or paving line of all adjacent rights-of-way. To ensure that no traffic visibility problems occur, landscaping in an 11 foot setback from the curb line should not exceed three and one-half feet in height, unless specifically approved by the Traffic Engineer. Landscaping in the right-of-way shall not be calculated as part of the required landscape area.

3. Minimum Landscape Design Criteria: Landscape materials shall consist of permanent turf, ground cover, seasonal color, shrubs, and trees; artificial plants shall not be used.

a. One large tree or 3 small/ornamental trees shall be provided for each 500 square feet of required landscape area. Installation size shall be a minimum 3-inch caliper for large trees and a minimum 6 feet in height for small/ornamental trees.

b. No parking space shall be more than 100 feet from a tree on the site, provided however, that this requirement shall not apply to nonpublic parking areas of industrial and commercial uses which are not generally visible to the public. For example, no trees would be required within or on the rear perimeter of an employee parking area of an industrial firm when berms and/or landscaping screen the view of the parking area.

c. All landscape areas shall be irrigated. Irrigation shall be an automatic or manual underground irrigation system, or a hose attachment shall be available within 50 feet.

d. All landscape areas within and surrounding parking areas shall be protected by concrete curbs.

#### C. PRESERVATION OF EXISTING TREES

Preservation of existing trees shall be encouraged and credit toward the required landscape area shall be granted for the preservation of any tree, 3 inches or more in caliper, of a type and condition approved by the Parks Department, provided that the area directly below the dripline shall remain undisturbed and that no impervious material shall be installed

under the dripline. Where such trees are preserved, the developer shall receive credit toward the landscape requirement for 1.25 times the area directly below the dripline of the existing tree(s) to be preserved. For example, 500 square feet of area below the dripline shall receive 625 square feet of credit toward the landscape area requirements. The credit for tree preservation shall not exceed 50% of the landscape requirement.

#### D. MAINTENANCE

All landscaping shall be maintained in a neat and orderly manner at all times, including mowing, edging, pruning, fertilizing, watering, weeding, and other such activities. Landscaped areas shall be kept free of trash, litter, weeds and other such materials. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season. Plant material which dies shall be replaced with other plant material of similar size and variety in a timely manner.

#### E. INSTALLATION

All landscaping must be in place in accordance with the approved landscape plan prior to issuance of a Certificate of Occupancy. Deferment of the installation of landscaping may be granted by the Development Review Committee based on seasonal planting considerations or other justification provided the owner agrees in writing to a specific date after which landscaping will be required, generally no more than six months.

PART 3: NONRESIDENTIAL DISTRICTS  
3-300 DEVELOPMENT STANDARDS

3-305 PERMITTED MODIFICATION OF STANDARDS

**A. MINIMUM FRONT YARD SETBACK -  
CENTRAL BUSINESS DISTRICT**

No front or exterior side yards are required in the CB district, provided that all structures shall be a minimum of 11 feet behind the curb line of a public street and that no structure shall be erected so as to create a visibility obstruction.

**B. BUILDINGS OVER 75 FEET - O, LC, CB,  
AND I DISTRICTS**

Buildings exceeding 75 feet in height shall be permitted in the O, LC, C, CB, and I districts, provided that the setback from all street lines is increased one foot for each two feet in height above 75 feet. (See required rear and interior side setbacks if adjacent to a residential district.)

**C. BUILDINGS OVER ONE STORY - MU  
DISTRICT**

Buildings exceeding one story in height shall be permitted in the MU district, provided however that no building shall exceed 3 stories in height and that the setbacks from all street lines are increased two feet for each story over one story.

**D. OFFICE BUILDING HEIGHT IN GR**

In the GR district, the maximum height of office buildings shall be regulated by the height and setback regulations set out in the O district.

**E. ACCESSORY STRUCTURE REGULATIONS**

Accessory structures shall be regulated in accordance with 3-700.

3-400 OFF-STREET PARKING  
AND LOADING REGULATIONS3-401 GENERAL PARKING REGULATIONS**A. OFF-STREET PARKING REQUIRED**

Off-street parking spaces shall be provided in conformance with these regulations whenever a use is established or enlarged. Required spaces shall be on the building site of the use for which they are provided, unless otherwise permitted, and may be provided in either surface parking areas or garages.

Whenever there is a change in use, in floor area, or in any other unit of measurement used to determine the requirements for off-street parking spaces, additional spaces shall be provided on the basis of the increased requirement.

**B. USE OF REQUIRED SPACES**

Required off-street parking and loading spaces shall be used only for their respective purposes and shall not be used for storage or display of vehicles or trailers for sale or rent, the storage or display of other goods, materials or products, or the location of refuse storage containers. No required parking space may be placed in front of an overhead door or other point used for vehicular access.

**C. SUBMISSION OF PLANS**

Applications for building permits and certificates of occupancy shall include parking plans showing the design of off-street parking areas, including the layout of spaces, aisles, and the location of ingress and egress points.

Parking plans shall be approved by the Development Review Committee. Submission of a parking plan may be waived when it is not necessary to determine compliance with requirements.

**D. CALCULATIONS**

The following rules shall apply in computing the parking requirement.

1. Combination Uses: When a building site is used for a combination of uses, the parking requirement shall be the sum of the requirements for each type of use.

2. Floor Area: Floor area shall mean gross square footage, except in the case of office and retail type uses where areas used for nonpublic purposes, such as storage, incidental repair, processing or packaging, show windows, offices incidental to management or maintenance, restrooms, or utility rooms, may be discounted, but shall require one space per 750 square feet of such use.

3. Continuous Seating: When seating is provided on benches or pews, each 18 inches of such seating shall be counted as one seat for the purpose of calculating the parking requirement.

4. Fractions: When a calculation results in the requirement of a fractional space, a fraction of less than one-half shall be disregarded and a fraction of one-half or greater shall require one parking space.



**3-402 PARKING LAYOUT AND CONSTRUCTION STANDARDS**

Every parcel of land hereafter used as a public or private parking area, including commercial parking lots and vehicular display/storage areas, shall be developed and maintained in accordance with the following requirements.

**A. MINIMUM SIZE AND SETBACKS**

Each parking space shall be a minimum of 9 feet by 18 feet, exclusive of access drives and aisles. The 18 foot depth may include a 2 foot overhang over a paved, stoned, mulched, or grassy area which is free of obstructions, or over a sidewalk, provided that at least 3 feet of sidewalk remains unobstructed for pedestrian movement. No space shall overhang a property line, a right-of-way line, or a landscape area which is included as part of the minimum landscape requirement. Every space shall be at least 11 feet from the curb line of a public or private street.

1. Wheel Stops Required: In any parking space which faces toward a property line or a building, a wheel stop and/or a curb shall be provided which prevents a vehicle from extending across the property line or hitting the building.

2. Parallel Parking: The minimum paved dimension for a parallel parking space shall be 8 feet by 22 feet.

**B. ACCESS**

There shall be adequate provision for safe, efficient ingress and egress to all off-street parking spaces. Except for single family and duplex residential uses, no parking space may require the use of a public right-of-way or a private street for the maneuvering of a vehicle in entering or leaving the space.

1. Aisle Width: The standard parking aisle width shall be a minimum of 24

feet, provided that a reduced width may be approved by the Development Review Committee when the parking layout includes angled parking, one-way aisles, or other special features which comply with other applicable City standards and generally accepted practices of parking lot layout.

2. Fire Lanes: When a parking aisle is also serving as a fire lane, then the aisle must meet the minimum width, radius, and construction standards for a fire lane, if these are greater than the requirements for a parking aisle.

3. Residential Alleys: No access from a nonresidential use shall be permitted to an alley serving a residential district.

**C. DRIVE THROUGH FACILITIES**

Any facility offering drive-through service shall provide stacking lanes which are a minimum 8 feet in width and which provide direct forward access to each service window, station, or other point of service. Such stacking lane shall be marked and shall be separate from any other driveway, parking space, or aisle. Stacking lanes shall be measured from the point of service and shall provide 20 feet per vehicle. Common stacking lanes for several service points may be used for financial and restaurant uses, provided that separate stacking for at least 3 vehicles is provided for each point of service before stacking is merged into a common lane.

1. General: Unless otherwise specified below, each service point shall be provided with a stacking lane

PART 3: NONRESIDENTIAL DISTRICTS  
3-400 OFF-STREET PARKING AND LOADING REGULATIONS

for a minimum of 3 vehicles.

2. Financial: Each teller station at a drive-through financial institution shall be provided with a stacking lane for a minimum of 5 vehicles.

3. Restaurant: Each remote ordering station and each service window at a restaurant with drive-through service shall be provided with a stacking lane for a minimum of 5 vehicles.

#### D. SURFACING

All parking spaces and access drives shall be surfaced with asphalt or concrete pavements, except for single family and duplex residential drives and parking which must be surfaced with concrete. All pavement must be of sufficient strength to support the vehicular loads imposed on it and shall be so graded and drained to dispose all surface water in accordance with requirements of the City of Mesquite, and shall be marked to provide for orderly and safe loading, unloading, parking and storage of vehicles. All surfaces shall be maintained in good condition, generally free of potholes, cracks or broken pavement and allowing uninhibited access to all parking and loading spaces, or drives.

#### 3-403 SPECIAL EXCEPTIONS

The Board of Adjustment may authorize the following Special Exceptions, where it finds that the peculiar nature of the use, the shape or size of the property, or other exceptional conditions would justify such action and could be accommodated without adverse impacts on adjacent properties or the surrounding neighborhood.

##### A. OFF SITE PARKING

To allow required parking spaces to be provided on a building site other than that of the use for which the spaces are required. In general, such exception may be considered for employee

#### E. LIGHTING

All parking areas in a nonresidential district which are used after dark, shall be illuminated beginning one-half hour after sunset, continuing throughout the hours of use. If only a portion of the parking area is offered for use after dark and is clearly marked, then only that part is required to be illuminated in accordance with these standards. Lighting shall meet the following minimum standards.

1. Intensity: An average of at least one foot candle, initial measurement, and at least one-half foot candle on a maintained basis on the parking lot surface. A minimum at any point of at least 0.3 foot candle initial, and at least 0.2 foot candle maintained 1/3 of the average, whichever is greater.

2. Fixtures: Light sources shall be indirect, diffused or shielded type fixtures installed to deflect the light from adjoining properties in residential districts and from boundary streets. Bare bulbs above 15 watts are prohibited. Fixtures shall be mounted to buildings or on poles. Strings of lights are prohibited.

parking or for institutional type uses such as hospitals, churches, or other uses where longer term parking is common. A permanent and irrevocable easement of the parking facilities in favor of the premises to be benefitted thereby shall be dedicated and recorded

**PART 3: NONRESIDENTIAL DISTRICTS  
3-400 OFF-STREET PARKING AND LOADING REGULATIONS**

in Dallas County records as a condition of such use.

**B. JOINT USE PARKING**

To allow joint use or collective parking. Joint use parking shall mean that required spaces provided for one use may also be credited as required spaces for a complementary use. A permanent and irrevocable easement of the parking facilities in favor of the use to be benefited thereby shall be dedicated and recorded in Dallas county records as a condition of such use.

The following definitions and examples shall be used as guidelines in considering requests for joint use parking.

1. Complementary Uses: Complementary uses are uses which generally operate at different time periods, so that one use is inactive when the other is active.

2. Joint Use Percentage: The percentage or number of spaces which is allowed to be shared should be related to the proportion or number of spaces which will be available during the period of relative inactivity.

3. Examples: If an office parking lot is generally 90% vacant in the evenings and on weekends, then 90% of the spaces might be credited as also providing the parking for a church which operates primarily in the evenings and on weekends. Or, if a church parking lot is generally 50% vacant on weekdays, then 50% of the spaces might be credited as also providing the parking for an office which operates only on weekdays. Theaters and other evening/weekend entertainment uses may be another example of a use that might share parking with an office, bank, church, or other complementary use.

**C. PARKING REDUCTION FOR MANUFACTURING AND WAREHOUSING**

To allow a reduction in the parking requirement. Approval of a reduction in required parking shall primarily be considered for manufacturing and/or warehousing uses and shall be justified based on the amount of floor area per employee; the proportion of floor area occupied by machinery, equipment, and storage; and/or the maximum employment. The potential impact of conversion to a more employee-intense use in the future should be considered.

**3-404 NUMBER OF PARKING SPACES REQUIRED**

The following regulations shall apply in determining the number of parking spaces required for a specific use or combination of uses.

**A. LISTED USES**

Parking requirements for residential uses are specified in 2-400. For nonresidential uses, each category is assigned a "Parking Standard". The number of off-street parking spaces required for a specific nonresidential use shall be determined by reference to 3-203 and 3-405.

**B. USES NOT LISTED**

For any use not listed, or where the listed standard is not applicable in the judgment of the Development Review Committee, the parking requirements shall be established using the requirement of a similar use which is listed or an applicable standard from another source. Such determination by

PART 3: NONRESIDENTIAL DISTRICTS  
3-400 OFF-STREET PARKING AND LOADING REGULATIONS

the Development Review Committee may be appealed to the Board of Adjustment.

unloading. Two adjacent spaces may share a 4 foot loading aisle in common.

C. HANDICAPPED PARKING

Parking spaces for the handicapped and disabled shall be provided as part of the required parking. Such spaces shall generally be located in proximity to the ramps, walkways and entrances which provide barrier-free access to the building and shall be striped and designated by signs stating that such parking spaces are restricted to use by only the disabled. Handicapped spaces shall provide an additional 4 feet in width to facilitate loading and

<u>If Total Parking Spaces Is:</u>	<u>Then Number of Handicapped Required Is:</u>
Less than 10	0
20 - 24	1
25 - 74	2
75 - 124	3
125 - 174	4
175 - 224	5
225 - 274	6
275 - 324	7
325 - 374	8
375 - 424	9
More than 424	10

3-405 TABLE OF PARKING STANDARDS - NONRESIDENTIAL USES

<u>Parking Standard Group</u>	<u>Type of Use</u>	<u>Parking Spaces Required</u>
1	Retail/Personal Services - General	1 space for each 250 square feet of floor area for buildings less than 10,000 square feet; 40 spaces plus 1 space for each 200 square feet of floor area in excess of 10,000 square feet for buildings over 10,000 square feet. Additional spaces per #7 are required for any use with an approved outdoor sales/display area.
2	Retail - Large Items	1 space for each 400 square feet of floor area. (Furniture, major appliance, carpet or similar store which sells primarily items which are large and bulky.)
3	Offices/ Animal Clinics	1 space for each 300 square feet of floor area.
4	Commercial/Trades	1 space for each 300 square feet of office/display area plus 1 space for each 70 square feet of storage/plant area.
5	Manufacturing/ Warehousing	1 space for each 300 square feet of office/display area plus 1 space for each 1000 square feet of storage/plant area.

PART 3: NONRESIDENTIAL DISTRICTS  
3-400 OFF-STREET PARKING AND LOADING REGULATIONS

<u>Parking Standard Group</u>	<u>Type of Use</u>	<u>Parking Spaces Required</u>
6	Vehicle Services/ Repairs	1 space for each 500 square feet of floor area, but not less than 5 spaces minimum.
7	Outdoor Sales/ Display	1 space for each 2000 square feet of site area used for sales/display.
8	Outdoor Display Lots/ Outdoor Operations	1 space for each 10,000 square feet of site area. (Outdoor sales lot, mining, sand and gravel storage, tank farm, etc.) Spaces shall be in addition to display/storage areas.
9	Churches	1 space for each 5 seats in the sanctuary or auditorium.
10	Public Assembly with Fixed Seating	1 space for each 4 seats. (Theater, sports arena, spectator activity, etc.)
11	Public Assembly without Fixed Seating	1 space for each 50 square feet of assembly area. (Auction room, dance hall, indoor commercial recreation, etc.)
12	Indoor Sports Clubs/ Billiard Parlors, Lodge Halls	1 space for each 100 square feet of floor area.
13	Outdoor Recreation	1 space for each 600 square feet of site used for recreation. (Miniature golf course, amusement park, etc.)
14	Golf Courses/ Country Clubs	1 space for each 150 square feet of floor area plus 5 spaces per green.
15	Cultural	1 space for each 250 square feet of floor area. (Museum, library, art gallery, etc.)
16	Funeral Homes/ Mortuaries	1 space for each 300 square feet of floor area exclusive of chapel plus 1 space for each 4 seats in the chapel.
17	Restaurants without Private Clubs	1 space for each 3 seats or 1 space for each 100 square feet of floor area, whichever is greater.

**PART 3: NONRESIDENTIAL DISTRICTS**  
**3-400 OFF-STREET PARKING AND LOADING REGULATIONS**

<u>Parking Standard Group</u>	<u>Type of Use</u>	<u>Parking Spaces Required</u>
18	Restaurants with Private Clubs	1 space for each 2 1/2 seats or 1 space for each 75 square feet of floor area, whichever is greater.
19	Bowling Alleys	4 spaces for each lane.
20	Day Care Centers/ Service Stations	1 space for each 500 square feet of floor area.
21	Schools:	Elementary: 2 spaces for each classroom Middle School: 4 spaces for each classroom High School: 10 spaces for each classroom
22	Colleges/ Universities	1 space for each 2' students.
23	Trade/Business/ Vocational Schools	1 space for each fixed seat or 1 space for each 10 square feet of seating area.
24	Nursing Homes/ Residential Care	1 space for each 2 beds.
25	Hospitals	1 space for each bed, excluding bassinets
26	Medical Clinics/ Passenger Terminals	1 space for each 150 square feet of floor area. (See #3 for medical office).
27	Hotels/Motels/ Boarding Houses	1 space for each sleeping unit, plus specified requirements for restaurants, meeting rooms, and related facilities.
28	Miscellaneous	The parking requirement shall be established by the Development Review Committee using the standard of a similar use or an applicable standard from another source. The requirement established by the Development Review Committee may be appealed to the Board of Adjustment.

**3-406 OFF-STREET LOADING REQUIREMENTS**

In any district, in connection with any building or part thereof hereafter erected or altered which is to be occupied by uses requiring the receipt or distribution by truck of materials or merchandise, there shall be provided and maintained, on the same lot with such building, off-street loading space in accordance with the following schedule:

PART 3: NONRESIDENTIAL DISTRICTS  
 3-400 OFF-STREET PARKING AND LOADING REGULATIONS

Floor Area of Building in Square Feet	Total Number of Off-Street Loading Spaces
Less than 10,000	1
Over 10,000 to 20,000	1
Over 20,000 to 40,000	2
Over 40,000 to 60,000	3
Over 60,000 to 80,000	4
Over 80,000 to 100,000	5

Where the floor area of the building exceeds 100,000 square feet, the number of off-street loading spaces shall, in addition to the above, provide one space for each additional 100,000 square feet of floor space.

A. DIMENSIONS

Each loading space shall be not less than 10 feet in width, 25 feet in length, and 14 feet in height.

B. LOCATION

Such space may occupy all or any part of any required side or rear yard except the side yard along the side street in case of a corner lot. In no

event shall any part of a required front yard be occupied by such loading space.

C. DISTANCE

No such space shall be closer than 50 feet to any other lot located in any residential district, unless wholly within a completely enclosed building or unless enclosed on all sides by a masonry wall not less than six feet in height.

## 3-500 SUPPLEMENTARY USE REGULATIONS

3-501 OUTDOOR SALES LOTS

DELETED: SEE 3-602

3-502 MINIWAREHOUSING

Miniwarehousing shall mean those facilities designed for self-storage by patrons in individual, compartmentalized, controlled-access stalls or lockers. Miniwarehousing shall comply with the following standards.

## A. USE PROVISIONS

1. Dead Storage: Miniwarehousing shall be used for storage purposes only, and not for any other use, processing, services, or activities. Outdoor storage is prohibited in conjunction with this use.

2. Recreational Vehicle Storage: A miniwarehousing use may include recreational vehicle storage, provided that the storage area is enclosed by a solid wood or masonry fence at least 6 feet high. A minimum space of 10 feet by 30 feet is required for each vehicle with a minimum 24 foot fire lane provided between rows of parking.

3. Apartment: One apartment, located in the principal building, shall be permitted for use by an on-site manager/security guard.

## B. PARKING AND ACCESS

1. Paving: All drives, parking, loading and vehicular circulation areas shall be paved in accordance with Section 3-400.

2. Office Parking: One parking space shall be required in the office

area for each 50 storage units. Two additional spaces shall be provided if the use includes an apartment.

3. Fire Lanes: Continuous marked fire lane access is required around all buildings. Fire lanes shall be a minimum 22 feet in width with 30 foot interior radius and 50 foot exterior radius unless otherwise permitted by the Fire Code.

4. Loading Area: A continuous loading area, a minimum 8 feet in width, shall be provided for parking and loading in addition to the fire lane whenever there is access to the storage units.

## C. DESIGN STANDARDS

1. Separation: The minimum separation between buildings shall be 30 feet to accommodate the required loading areas and fire lanes.

2. Doors: No storage unit doors shall face any street frontage, unless screened from public view.

3. Building Height: Buildings shall be limited to one-story in height within 200 feet of any residential district.



**3-503 COMMERCIAL OCCUPANCY OF FRAME BUILDINGS - CB DISTRICT**

The conversion of existing frame residences for occupancy by office and retail uses shall be permitted in the CB district, subject to compliance with the following conditions.

**A. PERMITTED USES**

**1. Retail Uses:** Uses permitted in the GR district may be permitted to occupy frame residences.

**2. Accessory Buildings:** One detached accessory building (new or existing) may be permitted on the same lot behind the principal structure.

**3. Outside Storage:** No outside display, sales, or storage shall be permitted in conjunction with the occupancy of a frame residence.

**B. STANDARDS**

**1. Front Yard:** The existing front yard setback shall be maintained as open space and permanently landscaped.

**2. Parking:** An off-street parking lot, located behind the front building line, is required and shall meet the standards set out in 3-400.

**3. Signage:** One wall sign, not exceeding 18 square feet, and one identification sign in the front yard, not exceeding 4 square feet in area or 36 inches in height, may be permitted. The Mesquite Sign Ordinance shall apply in all other respects.

**4. Minimum Code Compliance:** The building shall meet minimum fire and electrical requirements for commercial occupancy and shall be structurally sound. Paint must be maintained in good condition so as to protect the wood.

**5. Additions:** Additions to any main building shall be of 100% exterior masonry materials.

**C. SITE PLAN APPROVAL**

A detailed site plan showing all existing and proposed features and improvements must be reviewed and approved by the City Council prior to the issuance of a certificate of occupancy. The Council shall consider compliance with the general requirements of the CB district and the criteria contained herein, as well as the use to which the property is to be subjected; the location, proximity, and nature of adjoining and surrounding property; and the enhancement or detriment to the revitalization of the downtown area.

In considering the site plan, the Council may add or waive restrictions and such variation, when embodied in the minutes and attached to the approved site plan, shall have the force of ordinance as same shall relate to the commercial occupancy of the frame residence on the subject property.

**D. CERTIFICATE OF OCCUPANCY REVIEW**

The certificate of occupancy shall be subject to review annually. The failure to continue to comply with the provisions of this section and the site plan approval shall constitute a basis to revoke the certificate of occupancy. See 5-101C.4.

**3-504 GASOLINE SALES**

Automobile service stations and other gasoline sales uses, except the sale of aviation fuel at an approved airport, shall comply with the following regulations.

**A. GENERAL REQUIREMENTS**

All properties on which gasoline is sold shall conform with the following requirements.

**1. Lot Requirements:** A minimum lot of 12,000 square feet with a minimum 120 foot width shall be required.

**2. Drive Approaches:** At least one drive approach to the property shall require a minimum 40 foot width.

**3. Pump Islands:** Pump islands shall be set back a minimum 25 feet from any street right-of-way line.

**4. Residential Separation:** Pump islands shall be located a minimum 100 feet from any residential district.

**5. Emergency Shut-Off:** All self-service facilities shall provide an emergency shut-off switch, located in the attendant's area, to completely eliminate the flow of gasoline from all pumps in an emergency situation.

**B. SERVICE STATIONS**

The following requirements shall apply to all properties where gasoline sales are conducted, except when limited gasoline sales are permitted.

**1. Use Regulations:** Service Station district zoning shall be required, except when limited gasoline sales are permitted. A property used as a

service station may include only the following activities in conjunction with the sale of gasoline: Minor automobile repair; sale of parts and accessories; car washing; sale of drinks, packaged foods, tobacco, maps, and other similar convenience goods; wrecker service, not including the storage of vehicles on site; and truck and/or trailer rental when approved as a Conditional Use Permit in accordance with 3-600. Uses specifically prohibited include major automobile repair, collision service, and the storage of vehicles on site.

**2. Convenience Stores:** The operation of a convenience store shall be permitted in conjunction with self-serve gasoline sales.

**3. Outdoor Storage:** No outdoor storage shall be permitted in conjunction with a service station.

**C. LIMITED GASOLINE SALES**

Limited gasoline sales are permitted in conjunction with the operation of a convenience store in all districts which permit convenience stores. Limited gasoline sales shall mean that only one gasoline service area, generally limited to servicing 4 cars at a time and visible from the attendant station, shall be permitted. One pump island with 3 pumps or two related pump islands with one pump each shall be deemed to be limited service areas.

PART 3: NONRESIDENTIAL DISTRICTS  
3-600 OUTDOOR SALES, DISPLAY, AND STORAGE REGULATIONS

3-600 OUTDOOR SALES, DISPLAY  
AND STORAGE REGULATIONS

No display, sales, or storage shall be conducted outside an enclosed building unless the use complies with the following provisions and limitations, except as may otherwise be permitted by this ordinance.

3-601 INCIDENTAL OUTDOOR DISPLAY

Incidental outdoor display shall be permitted in all nonresidential districts, except the O district, when the display is incidental to a principal use on the premises and is in compliance with the following limitations and conditions. Incidental outdoor display shall mean the limited exhibition, in an area not enclosed by the principal building, of goods, wares, merchandise, or equipment for retail sale, lease, or rental, for the purpose of attracting customers and/or allowing customers to view the goods.

A. LOCATION

Incidental display shall be permitted adjacent to the principal building and shall extend no more than 5 feet therefrom. Such display shall be located on a paved surface, with a walkway at least 5 feet in width remaining unobstructed if located on a sidewalk. No such display shall obstruct or eliminate any designated parking or loading space, access drive, or fire lane; or occupy any street right-of-way.

The above criteria shall not apply to the following outdoor display which shall be permitted as follows:

1. Pump Islands: The display of service station related merchandise on a gasoline pump island shall be permitted in conjunction with a service station use.

2. Tire Racks: The display of tires for sale on a tire rack shall be permitted in conjunction with a service

station or an automobile repair use, provided that no sight obstruction for traffic is created by the tire rack.

3. Plant Nurseries: The display/storage of bedding plants and shrubs shall be permitted at plant nurseries, including garden centers associated with home improvement and general merchandise stores, provided that the storage/display area is designated and approved on the site plan for the use. Paving within a plant display area shall be required only for pedestrian walkways. Such display shall be prohibited in any part of a required front or exterior side yard and no such display shall obstruct or eliminate any designated parking or loading space, access drive, or fire lane. The display of lawn and garden supplies, grass pallets, and other bulk items shall be permitted in conjunction with the primary display of bedding plants and shrubs, but shall otherwise constitute outdoor storage requiring compliance with 3-603.

PART 3: NONRESIDENTIAL DISTRICTS  
3-800 OUTDOOR SALES, DISPLAY, AND STORAGE REGULATIONS

B. DURATION/TYPE MATERIALS

Such display shall be placed outdoors for no more than one business day, provided that a display may again be placed on the next business day. Incidental display of seasonal items, such as plants and lawn/garden supplies, firewood, Christmas trees, and similar goods may be conducted for periods longer than one business day

during the season in which the product is used.

C. HEIGHT

Displays of stacked materials shall not exceed 5 feet in height. Individual items of greater height may be displayed, but shall not exceed one-half the height of the principal building.

3-602 OUTDOOR DISPLAY LOT

Outdoor display lot shall mean such display, whether for sale or rental, which constitutes a principal use of the premises, which primarily involves the display of any of the following items or vehicles, or which otherwise exceeds the limitations of incidental outdoor display as set out above. Outdoor display lots shall include, but not be limited to, any premises where the following are displayed outside an enclosed building: new and/or used cars, recreational vehicles, mobile homes, modular homes, camper tops, trailers, boats, trucks, farm implements and equipment, heavy machinery, portable buildings, swimming pools/spas, or similar items. Farmers markets shall be outdoor display lots for the purposes of this ordinance.

A. CONDITIONAL USE PERMIT REQUIRED

Outdoor display lots shall require approval as a Conditional Use permit and may be requested in the following districts only as specified:

- 1. LC District: New car dealerships.
- 2. SS District: Truck/trailer rental uses.
- 3. C, CB and I Districts: Any outdoor display lot. Each Conditional Use permit for an outdoor display lot shall specify which items may be displayed outdoors on the premises and approval shall be limited to the specified uses.

B. SITE PLAN

A site plan showing the proposed display and storage area, including parking, dumpster location, existing

and proposed buildings, ingress and egress points, landscape areas, and fence and barrier locations shall be filed with the application for a Conditional Use Permit.

C. REQUIRED CONDITIONS

- 1. Minimum Area: A minimum lot area of 12,000 square feet is required.
- 2. Permanent Building: A principal building of permanent construction is required.
- 3. Front Yard: Parking and display shall be permitted in the front yard setback for vehicles only and subject to parking layout standards set out in 3-400. For security of vehicle sales lots, a six foot high fence which will not obstruct vision may be placed in the front yard setback to protect and enclose the display/ storage area.

PART 3: NONRESIDENTIAL DISTRICTS  
3-600 OUTDOOR SALES, DISPLAY, AND STORAGE REGULATIONS

Display areas for buildings and non-vehicular items must maintain a minimum front yard setback of 25 feet.

D. PARKING AND ACCESS

1. Paving: Paving is required for all parking, display and storage areas in accordance with City standards, except that paving shall not be required for the display of residential buildings, e.g. mobile or modular homes, if the following conditions are met.

a. Units are anchored according to the manufacturer's specifications required for occupancy.

b. The space between the ground and the floor level is completely enclosed, i.e. skirted.

c. Access sidewalks are provided.

d. Unpaved areas are landscaped and regularly maintained in accordance with a landscape plan approved by the Development Review Committee.

2. Customer/Employee Parking: Parking for customers/employees shall be provided in accordance with 3-405, and shall be in addition to the parking in the display/ storage area.

3. Fire Lanes: Minimum fire lanes

must be marked and maintained throughout the display/storage area in accordance with the requirements of the Fire Code. Buildings in a display/sales area shall be separated by a minimum distance of 10 feet.

E. VEHICLE SALES

1. Minor Repairs: Vehicle sales lots may include minor repair and maintenance if conducted totally within an enclosed building. Major repairs and collision services are permitted only in conjunction with new car dealerships.

2. Operational Vehicles: Outdoor display shall consist only of operational vehicles with current inspection stickers; with hoods, trunks, and doors closed when not open for inspection; and with tires properly inflated. The appearance of the lot shall be sightly and orderly.

3. Barriers: Barriers shall be provided on all vehicular sales lots to retain vehicles completely within the property and prohibit ingress and egress except at approved drive approaches.

4. Arrangement: Display areas shall be arranged in an orderly manner with items generally parallel to each other.

3-603 OUTDOOR STORAGE

Outdoor storage shall mean the keeping of any goods, materials, merchandise, or equipment outside of an enclosed building for more than 24 hours. Any such goods kept outside which are not within the definition and/or limitations for incidental outdoor display or outdoor display lots shall be regarded as outdoor storage. Outdoor storage shall include the parking/storage of vehicles to be serviced at a collision service or towing/wrecker service use and all parking/storage of vehicular equipment, such as farm or construction machinery or equipment. The placement of storage vaults or shipping containers shall be regarded as outside storage, except as may be otherwise permitted herein.

## A. PERMITTED OUTDOOR STORAGE

1. Accessory Outdoor Storage Area:

Accessory outdoor storage shall be permitted in the MU, CB, C and I districts. Accessory outdoor storage shall mean storage which is accessory to a lawful business in a permanent building on the premises, which is conducted in accordance with the limitations and conditions set out below, and which covers a maximum of 50% of a premises. All other outdoor storage shall be classified as a primary outdoor storage yard.

2. Primary Outdoor Storage Yard:

Primary outdoor storage yards shall be permitted in the I district and may be approved as a Conditional Use permit in the C district. A primary outdoor storage yard shall mean such storage which constitutes a principal use on the premises or is conducted without a permanent building on the premises, which utilizes more than 50% of the premises, or which otherwise exceeds the limitation of an accessory storage area. Modification of the conditions set out below may be specified as part of the approval of a Conditional Use permit, if noted on the application and required notification, when it is determined that the storage can be accommodated in a modified manner without adverse impacts on adjacent properties and that such storage will still meet the general intent of the limitations.

## B. REQUIRED CONDITIONS

All outdoor storage shall comply with the following conditions.

1. Type Materials: Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements.

2. Location: Outdoor storage shall not be located in any required front or exterior side yard; shall not obstruct or eliminate any required parking or loading space, access drive, or fire lane; or occupy any street right-of-way.

3. Height: Storage of stacked materials shall not exceed the height of the screening fence or 8 feet, whichever is less. Individual items of greater height may be stored, but may not exceed one-half the height of the principal building.

4. Screening: All outdoor storage shall be screened by a permanently maintained solid fence at least 6 feet in height along any side facing a front or exterior side property line, any side facing a rear or interior side property line which is adjacent to a district which does not allow outdoor storage as a permitted use, or any other side generally open to public view. Fencing for this purpose shall be of wood or masonry, provided that chain link with slat inserts may be used if all openings are blocked by slats having a width which is no less than 1/4-inch smaller than the width of the opening.

4. Surfacing: Storage areas shall be surfaced as follows:

a. Storage of goods and materials shall be conducted only on a paved surface or an approved all-weather surface of crushed rock which is maintained in a dust-free condition.

b. The storage of vehicles, trailers, and equipment which is normally intended to be mobile, whether self-propelled or towed, shall be conducted only on an approved asphalt or concrete surface which is provided in accordance with the requirements for parking areas.

PART 3: NONRESIDENTIAL DISTRICTS  
3-700 ACCESSORY STRUCTURE REGULATIONS

3-700 ACCESSORY STRUCTURE  
REGULATIONS

3-701 GENERAL PROVISIONS

Accessory structures, used only for permitted accessory uses, shall be permitted in the nonresidential districts in compliance with the following requirements.

A. MAIN BUILDING REQUIRED

No accessory structure, except fences, shall be permitted on any tract where no principal building has been established.

B. PERMITTED USE

An accessory structure shall be used for permitted accessory uses only, such as storage and security, and shall not be used as an integral part of the conduct of the principal use. Kiosks on a shopping center site shall not be classified as accessory structures.

C. EXTERIOR CONSTRUCTION

Accessory buildings shall not require exterior masonry construction when in compliance with the regulations set out herein. Any structures which complies with the requirements for exterior fire resistant construction may be classified as principal buildings.

D. MAXIMUM SIZE AND HEIGHT

The maximum size for an accessory

structure in a nonresidential district shall be 500 square feet with a maximum height of 15 feet, one story, or the height of the principal building, whichever is greater. In no case may an accessory structure exceed the height which would be permitted for a principal structure at the same location on the site. (See 3-301C).

E. SETBACKS

Accessory structures shall require the following minimum setbacks from property lines. No separation from other structures shall be required, except as may be required by the Building Code.

1. Front and Exterior Side Yard Setbacks: Same as setback required for the principal structure, provided however, that in no case may an accessory structure be placed nearer to a street right-of-way line than the principal building.

2. Interior Side and Rear Yard Setbacks: Same as setbacks required for the principal structure.

3-702 PERMITTED MODIFICATIONS - SPECIFIC STRUCTURES

A. CANOPIES

An unenclosed, drive-through canopy for a service station, day care center, hospital, or business with similar

operating characteristics may be placed with a minimum 12 foot setback from any street right-of-way line and may exceed the maximum height limits set out above.

**PART 3: NONRESIDENTIAL DISTRICTS  
3-700 ACCESSORY STRUCTURE REGULATIONS**

**B. GUARD HOUSES**

A guard house with a maximum size of 120 square feet and located at a controlled access drive for security purposes, may be placed nearer the street than the principal structure, but shall maintain a minimum 25 foot setback from any street right-of-way line.

**C. FENCES, SIGNS, SWIMMING POOLS**

Fences, signs, and swimming pools shall comply with the respective requirements and regulations set out in the City Code.

**D. ANTENNA, AERIALS, FLAGPOLES**

Antenna, aerials and associated masts and flagpoles shall comply with all requirements of 3-701, except as otherwise permitted herein, provided however, that a total maximum height of 75 feet shall be permitted. When an antenna or flagpole is taller than 30

feet, the required setbacks from the side and rear property lines shall be increased by one foot for each foot in height over 30 feet. No portion of any structure or support (guys, anchor points, etc.) shall extend into any required front or exterior side yard.

Antenna, aerials, or flagpoles over 75 feet in height shall require approval as a Special Exception.

**E. SATELLITE DISHES**

Satellite dishes shall comply with all height and setback requirements set out in 3-701, provided however, that the height limits set out above shall not apply to dishes mounted on a roof.

**F. PARKING PADS AND DRIVES**

All parking pads and drives, whether required or excess parking, shall comply with the requirements set out in 3-400.

**3-703 SPECIAL EXCEPTIONS**

The Board of Adjustment may authorize the following Special Exceptions where it determines that the exception can be accommodated without creating adverse impact on adjacent properties and that it will be compatible with the general character of development in the area.

**A. OVERSIZE ACCESSORY BUILDINGS**

To allow an oversize accessory building, which shall be an accessory structure which exceeds the height and/or size limits set out in 3-701. This provision shall apply only to structures which are clearly accessory and shall not be used to exclude a principal structure from the requirements for exterior fire resistant construction.

**B. OVERSIZE ANTENNA, FLAGPOLES**

To allow an antenna, aerial, or flagpole which exceeds 75 feet in height.

**G. REVERSE VENDING MACHINES**

To allow placement of reverse vending machines which are totally enclosed and self-contained when operated for recycling purposes.