



AGENDA
CITY OF TAYLOR, TEXAS
COMPREHENSIVE PLAN AND DEVELOPMENT
CODE ADVISORY COMMITTEE
TAYLOR PUBLIC LIBRARY, LIBRARY MEETING ROOM, 801
VANCE STREET
AUGUST 5, 2026, 6:00 PM

CALL TO ORDER AND DECLARE A QUORUM

CITIZENS COMMUNICATION

(The Committee welcomes public comments on items not listed on the agenda. However, the Committee cannot respond until the item is posted on a future meeting agenda. Public comments are limited to 3 minutes.)

ACTION /DISCUSSION ITEMS

1. Introduction and Welcome of new members
2. Steering Committee Role
3. Summary of Public Feedback to-date on draft amendments
4. Overview of Phase 1B Code Amendments
5. Detailed discussion and recommendation by the Steering Committee
6. Next Steps (focused on Phase 1B)

ADJOURN

The Committee may vote and/or act upon each of the items listed in this Agenda. As authorized by Section 551.071(2) of the Texas Government Code, the meeting may be convened into Closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

I certify that the notice of meeting was posted in the Taylor City Hall Lobby before 5:00 p.m. on July 30, 2026, and remained posted for at least three business days before the scheduled date of said meeting.

In compliance with the ADA, the Public Library is wheelchair accessible. Reasonable accommodations will be provided for persons attending the meetings in need of special assistance. Please contact the City Clerk at least 24 hours prior to the meeting for special assistance.

Posted by: Beverley Ashton, Planning Technician Date: July 30, 2026

City of Taylor

**Taylor Comprehensive Plan and
Land Development Code**

Online Community Feedback Summary

July 30, 2026

Prepared by:



Overview

This summary consolidates online feedback submitted through the Taylor Comprehensive Plan and Land Development Code project website between July 9 and July 27, 2026. The feedback included responses to the Phase 1 draft planning documents, Phase 1B priority amendments, the Digital Infrastructure Draft Ordinance, general comments and questions for the project team, and an online visioning prompt asking participants what Taylor's future should look like.

Participation snapshot: 55 entries were received across five online engagement tools. Of these, 52 contained substantive feedback and were approved by moderators.

Online Form	Feedback Period	Submissions	Primary Focus
Phase 1 Draft Planning Documents	Jul. 9-24	5	Overall direction; data centers; ADUs; parkland
Phase 1B Priority Amendments	Jul. 10-27	5	STRs; data centers; parkland; document access
Digital Infrastructure Draft Ordinance	Jul. 13-24	19	Setbacks; noise; water; enforcement; process
Comments and Questions for the Team	Jul. 9-27	9	Project access; STRs; data centers; parks; roads
Community Visioning Prompt	Jul. 9-18	17 entries (15 approved)	Future vision; parks; mobility; growth; data centers; roads

Important note: Submission totals represent entries, not unique participants. Several commenters submitted related feedback through more than one tool, and some participants posted more than one vision statement. Duplicate exports of the Phase 1 and Comments and Questions forms were provided and were not counted twice. One obvious test response in the Digital Infrastructure form was excluded from the substantive total, and two Community Visioning Prompt posts marked as rejected in the export were not included in the thematic analysis.

Overall Feedback

The online feedback reflected a mix of support for the City’s effort to address growth and strong concern about how new development, particularly data centers, accessory dwelling units (ADUs), and short-term rentals (STRs)—could affect existing neighborhoods and Taylor’s small-town character. The visioning statements further emphasized people-centered growth, parks and recreation, walkability, stronger tree canopy, road improvements, and meaningful community involvement.

Digital infrastructure dominated the feedback: Most substantive comments on the Digital Infrastructure Draft Ordinance opposed data centers in Taylor or stated that the proposed standards did not provide enough protection for nearby residents. Two comments expressed support for data centers or the draft provisions, primarily citing tax revenue and future investment.

Neighborhood protection was a recurring priority: Comments emphasized larger separation distances, lower noise limits, water conservation, protection of property values, visual screening, drainage controls, and restrictions on generators and other equipment near homes.

ADU and STR comments focused on practical implementation: Participants requested off-street parking requirements for ADUs, clearer standards for historic neighborhoods, a clear definition of the length of stay that constitutes an STR, and a fair permitting approach for existing compliant STR operators.

Parks and public facilities remain important: Several comments asked the City to preserve land believed to have been intended for park use and requested additional recreation amenities, including a Southside recreation center.

Access to information needs improvement: Participants reported difficulty locating the Digital Infrastructure and STR documents, noted a broken or incorrect STR link, and asked for a way to submit supporting photographs and PDF documents.

Community Vision Statements

The visioning prompt asked participants, “What should the future of Taylor look like?” Fifteen approved statements were included in the analysis. Although the comments were brief, they reinforced several themes also found in the longer-form feedback.

- Participants emphasized meaningful public input, family-oriented growth, parks, local businesses, and protection of Taylor’s small-town character.
- Parks and recreation: Multiple statements requested more parkland, a Southside park, a public pool capable of supporting lap swimming and swim meets, and investment in Taylor’s natural environment.
- Walkability, biking, and green infrastructure: Participants envisioned a more walkable and bikeable Taylor with a stronger tree canopy and connected green spaces.
- Data centers and industrial development: Most vision statements addressing this topic opposed data centers, requested a moratorium, or asked the City to prioritize parks, environmental protection, and small-town character. One statement emphasized the need for clear infrastructure to support growth.
- Roads and basic infrastructure: One statement specifically prioritized road repairs while another called for clear infrastructure planning as Taylor grows.

Key Themes by Topic

Form	Total Submissions	Ratings Provided	Average Rating	Range
Phase 1 Draft Documents	5	4	2.0	0-4
Phase 1B Priority Amendments	5	3	3.0	0-5

1. Digital Infrastructure and Data Centers

Digital infrastructure generated the largest volume of detailed feedback. The comments ranged from requests for a complete ban or a temporary moratorium to highly technical recommendations to strengthen the ordinance. The following themes appeared repeatedly:

- Increase setbacks from existing residences, residentially designated land, schools, parks, and other sensitive uses. Suggested minimum distances ranged from approximately 1,000 feet to one mile, with several comments specifically requesting 1,300 to 1,500 feet or more.
- Lower allowable daytime and nighttime noise levels and address low-frequency or tonal noise. Commenters requested dBC standards, independent acoustic studies, post-construction monitoring, complaint procedures, and enforceable penalties.
- Create stronger limits and reporting requirements for potable and total water use, wastewater discharge, cooling systems, and drought-period operations.
- Restrict generator yards, fuel storage, battery systems, substations, and on-site power generation, particularly near residential areas.
- Require permanent landscaping, berms, masonry screening, native vegetation, and replacement of failed plant material. Several comments also requested limits on building height and visual impacts.
- Add clearer stormwater, drainage, spill prevention, hazardous-material, emergency response, and decommissioning requirements.
- Require independent third-party verification, public reporting, inspection authority, correction deadlines, fines, permit suspension, and other consequences for noncompliance.
- Increase transparency around development agreements, tax incentives, utility impacts, and the public benefits associated with proposed facilities.
- Provide additional opportunities for community collaboration before adoption, including requests for a moratorium or extended review period.

Supportive perspectives: A small number of comments supported data centers or the draft ordinance, citing potential tax revenue, investment, and funding for future schools, hospitals, and infrastructure. One supportive comment described the ordinance as a good start but still called for stronger independent verification and ongoing enforcement.

2. Accessory Dwelling Units (ADUs)

- Require on-site or off-street parking when an ADU is added, with some commenters suggesting parking requirements tied to occupancy or bedroom count.

- Consider additional design and placement standards in historic neighborhoods to protect neighborhood character and the existing streetscape.
- Clarify the community need for broad ADU allowances and balance added housing options with concerns about density, parking, and neighborhood change.

3. Short-Term Rentals (STRs)

- Define the length of stay that constitutes a short-term rental; one comment suggested using a period of fewer than 30 consecutive days.
- Clarify where STRs would be allowed, including whether they would be permitted in P3 neighborhood zones.
- Correct the project webpage link and make the STR document easier to locate.
- Focus on enforcement of existing Hotel Occupancy Tax requirements and distinguish between established compliant operators and new applicants.
- Consider an expedited permit process or reduced fee tier for operators with a documented history of compliance, while maintaining appropriate neighborhood protection.

4. Parks, Recreation, and Community Character

- Preserve or rezone land that commenters believe was originally intended or donated for park use.
- Develop additional recreation facilities on the Southside, including a full recreation center and aquatic center that could support lap swimming and a swim team.
- Protect Taylor's small-town character, historic buildings, established neighborhoods, and quality of life as growth occurs.

5. Transportation and Infrastructure

- Address deteriorating road conditions and communicate how road repair priorities are established.
- Consider the cumulative traffic, utility, and infrastructure impacts of major development proposals.
- Ensure that new housing and development provide adequate on-site parking to avoid added pressure on neighborhood streets.

6. Communication and Engagement Process

- Make draft documents and feedback links easier to find from the project homepage.
- Ensure summaries and full draft documents are consistent, particularly regarding setbacks, water-use thresholds, and available exceptions.
- Provide a clear method for submitting attachments, photographs, and formal written statements.
- Post upcoming Advisory Committee meeting dates prominently and provide clear information about how comments will be reviewed and addressed.
- Continue opportunities for public review before recommendations advance to the Advisory Committee and City Council.

Potential Follow-Up Items for the Project Team

Based on the feedback received, the project team may consider the following actions as the draft documents are refined:

- Confirm that all website links are correct and place the Digital Infrastructure and STR materials prominently on the project homepage.

- Prepare a plain-language response matrix that identifies each major comment theme, the project team's response, and any resulting draft revisions.
- Review whether the Digital Infrastructure ordinance clearly addresses setbacks, noise, low-frequency sound, water use, wastewater, generators, screening, drainage, reporting, enforcement, and decommissioning.
- Clarify ADU parking requirements and whether additional standards are appropriate for historic or context-sensitive neighborhoods.
- Clarify the STR definition, permitted locations, application process, enforcement approach, and treatment of existing compliant operators.
- Provide a method for submitting supporting attachments and formally route submitted questions to the appropriate City staff or decision-making body.
- Distinguish comments related to the comprehensive plan and code amendments from comments related to specific development agreements or active projects.

Methodology and Limitations

The summary was developed through a qualitative review of the exported Social Pinpoint responses from five online engagement tools. Similar comments were grouped into recurring themes while retaining minority and supportive viewpoints. Visioner posts marked as rejected were excluded from the thematic analysis. The summary is intended to document the feedback received and does not independently verify factual claims made by participants.

The online engagement tools were open for varying periods and gathered self-selected public input. Responses may reflect multiple submissions from the same individual, and some comments addressed topics beyond the scope of the planning documents. Results should therefore be understood as a summary of participant feedback rather than a statistically representative measure of community opinion.

Social Media Feedback

Comments received through the City's social media platforms reflected a predominantly critical and concerned tone. Discussion focused heavily on the proposed digital infrastructure standards, and many commenters expressed frustration about whether the proposed amendments would adequately address community concerns or meaningfully influence projects already under consideration. Key themes included:

- Concern that the proposed 500-foot setback from residential properties is insufficient to protect nearby neighborhoods.
- Questions about potential noise impacts and whether the proposed noise limits would provide adequate protection.
- Concern about the amount of water and energy that data centers may consume, particularly during drought or water shortages.
- Questions about whether previously proposed or approved data center projects would be subject to the new standards or grandfathered under existing regulations.
- Requests for greater transparency regarding approvals, permitting, upcoming meetings, and responses to previously submitted questions.

- Concern about parking impacts associated with accessory dwelling units and residential infill development.
- Questions about affordable housing, multifamily housing, missing-middle housing, and existing barriers to additional housing options.
- Concerns about whether existing development and property maintenance regulations are being consistently enforced.
- Limited supportive feedback describing the proposed amendments as a positive starting point.

Because participation on social media was self-selected and the discussion was strongly influenced by the ongoing data center controversy, these comments represent qualitative social media feedback and should not be interpreted as statistically representative of the broader Taylor community.

TO: Taylor Comprehensive Plan and LDC Steering Committee

FROM: Freese and Nichols, Inc.

SUBJECT: Phase 1b Land Development Code Amendment Sets - Summary of Proposed Changes

DATE: July 30, 2026

PROJECT: Taylor Comprehensive Plan and Land Development Code Update

Purpose

This memo summarizes the proposed changes contained in the three sets of Land Development Code amendments submitted to the Steering Committee. This memo summarizes the major changes of each of the eight amendments.

Overall Context

The Phase 1b amendments update key LDC standards. The amendments were reviewed with City Staff and are forwarded to the Committee for additional discussion. The amendments are:

1. Digital Infrastructure
2. Neighborhood Plan and Infill Neighborhood Plan Thresholds
3. Home-Based Businesses
4. Compatibility and Height Regulations
5. Accessory Dwelling Units (ADUs) and Short-Term Rentals (STRs)
6. Parking Requirements
7. Nonconforming Uses and Buildings
8. Employment Center Clarification and Definitions

The proposed amendments are intended to reduce procedural burdens for small projects. They also add clear rules for new and changing uses. Additionally, the Phase 1b amendments set new standards for residential compatibility, home-based businesses, and accessory uses, create new standards for large-scale digital infrastructure uses, and clarify rules for nonconforming lots, sites, structures, and uses.

1. Digital Infrastructure

Purpose: This new LDC section, Section 4.4, creates a regulatory framework for data centers, cryptocurrency mining, and other utility-intensive digital uses.

- **Use Definition:** A use qualifies as a Digital Infrastructure Use if it draws at least 500,000 gallons of water per day, relies on cooling systems for data processing or high-density computing, or if it meets the definition of a Data Center, Digital Infrastructure use, or Energy Production and Storage Facility.
- **Process:** All Digital Infrastructure Uses require a special approval process. No data center can be built anywhere in the city without an approved 'Employment Center Plan,' plus a signed agreement with the City and a detailed management plan. The "Employment Center Plan" term will be revisited in Phase 2 of the Comprehensive Plan & LDC Update process.
 - The application must include a Use Agreement and a Management Plan.
 - Operators must keep annual reports on water, energy, and emissions. The City may audit.

- **Water Standards:** Closed-loop or equivalent cooling systems are needed.
 - Potable water may not be used for ongoing cooling.
 - Evaporative cooling needs City Council approval and must use reclaimed or non-potable water.
- **Power Standards:** On-site backup power for at least 24 hours is needed.
 - Generators are for emergency use only and cannot be used for commercial power sales.
- **Design Standards:** The minimum site area is 50 acres.
 - The maximum height is 85 feet, with a 1:1 step-up ratio beyond the 500-foot residential setback.
 - The standard setback may decrease to 300 feet with an acoustic study and City approval.
 - Landscape screening, masonry walls near residential property, sound controls for generators, and photometric review are required.

2. Neighborhood Plan and Infill Neighborhood Plan Thresholds

Purpose: This amendment focuses Neighborhood Plan requirements on larger, higher-density, and more complex projects. It reduces process burden for smaller projects.

- **Key Changes:** The main threshold for a required Neighborhood Plan or Infill Neighborhood Plan increases from 2.5 acres to 10 acres.
- Plans are still needed below 10 acres for projects that propose density of 8 or more units per acre on lots over 2.5 acres, or for projects where shared infrastructure for more than four units is proposed.
- A plan is needed when a project changes zoning designation or street, lot, or block layout.

3. Home-Based Businesses

Purpose: This new LDC section allows low-impact home-based businesses. It aligns City rules with TLGC §229.902.

- **Key Changes:** This is a new section. No prior LDC provision existed.
- All home occupations must qualify as no-impact home-based businesses per TLGC §229.902.
- Criteria include no excess occupancy, no on-street parking or traffic impact, no street-visible activities, and no large noise increase.
- Home occupations are accessory uses. They are secondary to the residential use of the property.
- The Director determines if a proposed use meets State criteria.
- The amendment identifies prohibited uses. These include clinics, barber shops, restaurants, kennels, mechanic shops, and group homes.
- All home occupations must meet the LDC's existing performance standards.
- No signage, exterior storage, or parking for multi-axle vehicles is allowed.

4. Compatibility and Height Regulations

Purpose: This amendment sets height, massing, and setback standards for infill development near existing homes. It also adds buffer yard requirements.

- **Key Changes:** Neighborhood Compatibility standards apply to all infill development that does not need a Neighborhood Plan.
- Building disposition and front setbacks must match the surrounding block pattern within 25% of the median.
- Side and rear setbacks must also match the surrounding block.
- Height and mass standards apply when an infill building is taller than an adjacent dwelling, or is 50% or more larger.
- A 1:1 step-back ratio applies beyond a 20-foot minimum setback.

- Buffer yards with landscaping and fencing are required where infill shares a boundary with residential uses.
- All infill buildings are required to be architecturally integrated with the existing neighborhood.

5. Accessory Dwelling Units (ADUs) and Short-Term Rentals (STRs)

Purpose: This amendment defines ADU standards. It creates an STR permit process to promote compatibility and protect residential neighborhoods.

- **ADUs:** A lot may have a maximum of 1 ADU.
 - ADU size cannot be more than 50% of the gross floor area of the principal dwelling.
 - ADUs may be detached, attached, within the principal structure, above a garage, or integrated with a separate entrance.
 - ADUs cannot be subdivided or sold separately from the principal lot.
 - ADUs may have a separate address for emergency and utility purposes.
- **STRs:** Currently, an STR may occur with an SUP in any dwelling unit where lodging is permitted.
 - Maximum occupancy is 2 persons per bedroom plus 2 additional persons.
 - A local contact person must be available at all times.
 - The local contact person must respond within 1 hour and be present within 2 hours if needed.
 - All operators must get an STR permit through administrative approval.
 - The permit must be renewed every 3 years.
 - General commercial liability insurance of at least \$500,000 per occurrence is needed.
 - The Director may revoke a permit for violations, unpaid Hotel/Motel Tax, or three or more neighbor complaints in a 24-month period.
 - A property with a revoked permit is not eligible for a new permit for one year.

6. Parking Requirements

Purpose: This amendment sets minimum and maximum parking standards by building type. It gives flexibility for infill residential development.

- **Key Changes:** A new table sets minimum off-street parking by building type.
- Key standards include:
 - 2 spaces per unit for detached dwellings.
 - 1 space per unit for attached and small multi-unit residential.
 - 1.5 to 2 spaces per unit for larger apartment types.
 - 1 space per 1,000 square feet for small commercial.
- Minimum standards do not apply in the P5: Urban Center district south of West 12th Street.
- Infill residential development on lots under 1.5 acres needs only 50% of the minimum parking.
- Maximum parking cannot be more than 150% of the minimum needed.
- In P4 and P5 districts, maximum parking cannot be more than 2 times the building footprint.
- Commercial buildings along Regional Roads and Community Boulevards cannot place a parking area larger than the building footprint in the first lot layer. This standard cannot be waived.
- Shared off-street parking procedures are added.
- On-street parking in P3, P4, and P5 zones counts toward the minimum.

7. Nonconforming Uses and Buildings

Purpose: This amendment reorganizes and clarifies rules for lots, sites, structures, signs, and uses that do not meet current LDC standards.

- **General Provisions:** The full section is reorganized.
 - Illegal nonconformities are formally defined. These provisions do not cover them.
 - The property owner must prove nonconforming status.
- **Legalization Thresholds:** The Director approves deviations under 5%.
 - The DRC approves Warrants for 5% to less than 10%.
 - The ZBA hears Variances for 10% or more.
- **Nonconforming Sites:** Sites must be brought into conformance before a vacant property is reoccupied if it was vacant for 24 or more months and uses were stopped for 12 or more months.
 - Sites must also conform when subject to a zoning or planning action.
 - Historic properties are exempt.
- **Nonconforming Structures:** Reconstruction of less than 50% of square footage is allowed without full conformance.
 - Involuntary damage may be rebuilt on the same footprint within 24 months.
 - Structures vacant for 18 months lose nonconforming status.
- **Nonconforming Uses:** Uses abandoned where all legal nonconforming uses are ceased with removal of equipment and furnishing peculiar to the nonconforming use for 12 months cannot resume.
 - The Director may allow replacement with a different nonconforming use of lower impact.
 - Expansion is allowed only within the existing structure, with Director approval.

8. Employment Center Clarification / Definitions

Purpose: This amendment clarifies key definitions. It supports the Phase 1b amendments and keeps terms consistent throughout the LDC.

- **Key Changes:** Employment Center is defined as an area for job creation, industrial development, or functions that cannot conform to other zoning districts. Currently, industrial building types can only be approved through an Employment Center Plan.
- Employment Center Plans are defined as Neighborhood Plans with flexible design standards for major employment and industrial development.
- The following definitions are added or revised: Accessory Dwelling, Data Center, Day, Digital Infrastructure, Employment Center, Employment Center Plan, Energy Production and Storage Facility, Home Occupation, Homeowners' Association (HOA), Intensive Manufacturing, Manufactured Home, Minor Plat, Mobile Home, Native Plants, Short-Term Rental (STR), and Soil Cell.



Comprehensive Plan & Land Development Code

Steering Committee Meeting #2

August 5, 2026

TEAM



Chance Sparks, FAICP
Principal-in-Charge



David Jones, AICP, ENV SP
Project Manager



Evan Olszewski, AICP
Project Planner
Codes



Lahari Peluri, AICP
Assistant Project Manager
Comprehensive Plan



Erica Craycraft, AICP, LEED
Green Associate
Code Lead



Dan Sefko, FAICP
Senior Advisor

Plan and Code Update | Planning Process Overview





AGENDA

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Public Engagement Summary

2

**Phase 1b Priority Amendments
Overview**

3

**Phase 1b Priority Amendments
Discussion**

4

Wrap Up

Public Engagement Summary

- **52 online entries** were received through five project engagement tools between July 9 and July 27, 2026.
- Feedback reflected a mix of support for the City's planning efforts and concern about how new development may affect neighborhoods, infrastructure, and Taylor's small-town character.
- **Digital infrastructure and data centers** generated the most discussion, particularly regarding:
 - Residential setbacks and noise impacts.
 - Water and energy use.
 - Screening, drainage, enforcement, and transparency.
- **ADU and STR feedback** focused on:
 - Off-street parking requirements.
 - Neighborhood and historic-area compatibility.
 - Clear STR definitions, permitted locations, and enforcement.
- **Social media comments** reflected similar concerns, especially regarding data center setbacks, water use, noise and project approvals.
- **Additional priorities** included parks and recreation, road conditions, walkability, housing options, and easier access to project information.



Phase 1b Priority Amendments

- Consists of **8 targeted priority amendments** to the LDC
- Identified by the public, City Staff, and FNI during the Phase 1 **Diagnostic Report** effort
- Phase 1b introduces standards and clarifications on a handful of priority topics that cannot wait for Phase 2 to be complete
- **Phase 2's LDC rewrite will include an opportunity for detailed public feedback and edits on the content of Phase 1b**
- Introducing these standards now allows the City to get regulations on the books, then refine them during Phase 2

Digital Infrastructure

Establish a framework for utility-intensive uses while protecting resources.



REVIEW

Require additional City review before development.

Employment Center Plan

Detailed City review of proposal

Use Agreement

Establishes commitments for the project

Management Plan

Outlines operations and mitigation measures



OPERATIONS

Manage long-term operational impacts and ensure accountability.

Water

Standards for conservation and responsible use

Power

Standards for reliable and responsible energy use

Reporting

Annual reporting on water, energy, and emissions

Compliance

Ongoing monitoring and City audit authority



COMPATIBILITY

Minimize impacts on nearby neighborhoods and properties.

Setbacks

Adequate distance from residential properties

Noise

Limits to protect quality of life

Landscaping & Screening

Buffers to reduce visual impacts

Lighting

Standards to reduce light trespass



Employment Center Plan

All applications for digital infrastructure facilities must include the following components as part of the Employment Center Plan submittal.

Employment Center Plans are subject to P&Z and City Council approval following public hearings.

USE AGREEMENT

Establishes enforceable commitments for the project.

- Project-specific conditions and limitations
- Water use allocation and conservation
- Operational requirements
- Reporting and monitoring requirements

MANAGEMENT PLAN

Outlines ongoing operations and mitigation measures.

- Utility sources and consumption
- Cooling technology and systems
- Operational procedures
- Mitigation and responses measures
- Maintenance of facilities and buffers

TECHNICAL REVIEW INFORMATION

Standard information for City review.

- Site plan and building layout
- Landscaping, screening, and buffering
- Parking and access
- Infrastructure and utilities

Digital Infrastructure



OPERATIONS

Water



Conserve water resources and prioritize non-potable use.

Potable water cannot be used for ongoing cooling.

Closed-loop (or equivalent) cooling systems required; alternatives require City Council approval.

Outcome: Facilities must use the most water-efficient technology and protect the drinking water supply.

Power



Ensure reliable power and minimize community impacts.

At least 24 hours of on-site backup power required.

Generators for emergency use only.

Facilities cannot operate primarily on generators or sell electricity.

Outcome: Reliable systems are required, with limits on generator use to protect neighbors.

Monitoring & Accountability



Provide transparency and ensure ongoing compliance.

Must keep annual logs.

Must report water use, energy use, and emissions to the City.

City may audit to verify compliance.

Outcome: Ongoing reporting and City oversight help ensure long-term accountability.

Digital Infrastructure



COMPATIBILITY

SITE STANDARDS

50-acre minimum site area

Large sites ensure adequate buffering and infrastructure

Setbacks from Residential Uses

500' standard setback

300' with acoustic study and sound attenuation

Maximum Height

85' with 1:1 step-up ratio beyond setbacks
(comparable to Samsung)

Landscaping and Buffering

Screening and masonry walls required near residential boundaries

Lighting

Conformance with LDC and Engineering Manual is required

DISTANCE CONTEXT REFERENCE:



Taylor Walmart at Main St. & Carlos G. Parker Blvd.

Digital Infrastructure



COMPATIBILITY

NOISE STANDARDS (Consistent with KDC)

Adjacent to existing and/or zoned single-family residential, post-construction noise cannot exceed the greater of:

- 70 dBA, or
- The pre-development level.

Adjacent to existing and/or zoned single-family residential, in no case can noise at the property line exceed:

- 85 dBA between 7 a.m. and 8 p.m., or
- 70 dBA between 8 p.m. and 7 a.m.

~70 dBA NOISE CONTEXT REFERENCES:

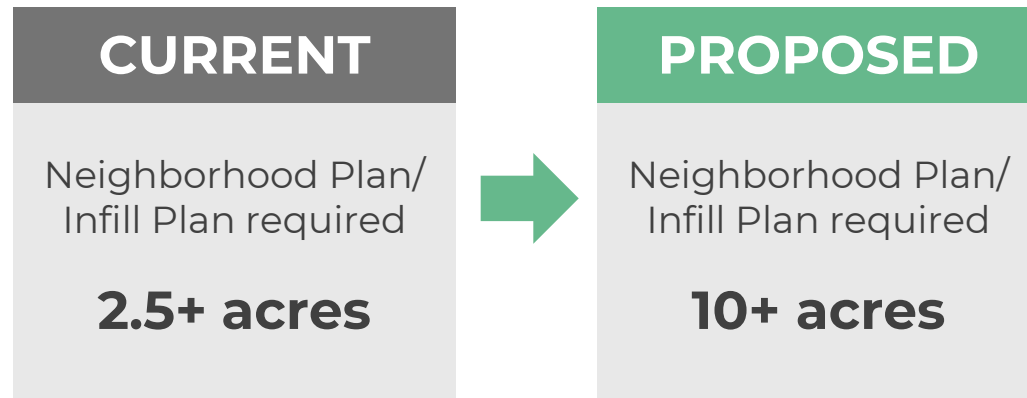
- Office setting
- Traffic
- Restaurant
- Dishwasher
- Conversation

- Also requires mitigation of **dB**C noise levels, which focus on low-frequency noises that are felt as vibrations or hums
- Allows the City to control disruptive noise, even if not conventionally “loud”

Development Plan Threshold

Focus planning requirements on projects with greater neighborhood impact.

THRESHOLD CHANGE



PLANS STILL REQUIRED IF...



Project proposes 8+ units/acre



Project proposes shared infrastructure (e.g., access, meters, drainage) for 4+ units



Zoning, streets, lots, or blocks are being changed



This change **streamlines** the process for smaller, less complex projects while ensuring City review for developments with **greater impact**.

Home-Based Businesses

Modernize home occupation regulations to match State law.

KEY TAKEAWAYS



Allow low-impact home-based businesses while maintaining neighborhood compatibility.



Continue restrictions on businesses that create traffic, parking, noise, or visual impacts.

WHAT IT DOES

Aligns the current home occupations regulations with State law updates

Establishes criteria for maximum occupancy, on-street parking, visibility from the street, and noise

Limits signs, vehicle/equipment parking, and requires light, noise, and performance standards of the LDC to be met

Compatibility and Height

Ensure that new development fits with existing neighborhoods.

Proposed Provisions

- Requires side setbacks consistent with surrounding properties.
- Adjacent to residential, minimum setbacks of 20' and step-back of 1:1.
- Establishes required buffer types:
 - Type 1 Buffer
 - 10' bufferyard
 - 6' opaque fence
 - Combination of landscaping and/or enhanced wall
 - Type 2 Buffer
 - 20' bufferyard
 - 6' opaque fence
 - Combination of landscaping and/or enhanced wall



Short-Term Rentals (STRs)

Establish operating standards to ensure responsible short-term rentals.

Current LDC Provisions

SUP: Special Use Permit required if no full-time operator is on-site

Proposed Provisions

Permit: STR permit required, which may be revoked by the Director.

Parking: Must occur on-street or on-site, but prohibited in unapproved surfaces.

Contact: Identify a local contact person nearby for complaints and emergencies.

Occupancy: Max of 2 people/bedroom + 2.

Codes: Must comply with Hotel/Motel Tax and other parts of City Code.



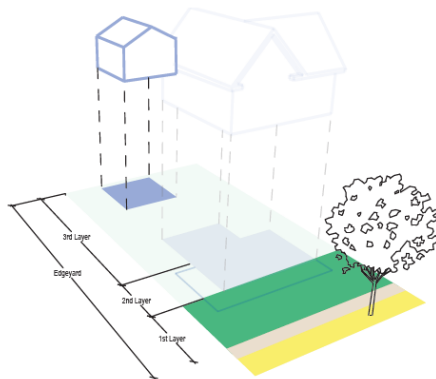
These standards support **responsible STRs** and protect **neighborhood character** and **quality of life**.

Accessory Dwelling Units (ADUs)

Establish standards to continue allowing ADUs while maintaining compatibility.

Current LDC Provisions

RESIDENTIAL BUILDINGS	P1	P2	P2C	P2.5	P3	P3M	P4	P5	CS	EC
ACCESSORY DWELLING UNIT	NP	P	NP	P	P	P	P	NP	NP	TBD



ACCESSORY DWELLING UNIT

A secondary dwelling unit on the same lot as a principal dwelling unit building. ADUs may be individual detached structures, apartments within or above a garage or integrated into the primary dwelling unit with a separate entrance. ADUs are smaller than and subordinate to the principal building and are typically located in the third layer of the lot. ADUs may be allowed by warrant to be constructed and occupied prior to the principal dwelling unit building.

Proposed Provisions

- Number:** 1 ADU per lot
- Size:** Not greater than 50% of principal structure
- Occupancy:** May be occupied by principal structure owners, rented, or occupied by guests
- Non-Transferable:** Cannot be sold or otherwise separated from principal unit/lot
- Parking:** 1 additional parking space (unless more than 2 already provided)



These standards continue to enable **housing options** while protecting **neighborhood character**.



Parking Requirements

Modernizing parking standards to reflect current development trends.

Minimum Parking Standards

Requirement: Establish minimum parking standards for all uses based on building type and development context.

Exemption: Exempts the P5 district south of 12th Street to support a more walkable Downtown.

Reduction: 50% reduction for residential infill lots <1.5 acres.

Parking Maximums

Number of spaces: Cannot exceed 150% of the minimum required number

Size of parking lot: In P4 and P5, cannot exceed 2x the building square footage (currently 1.5x footprint).

Corridors: Parking areas larger than building footprint not allowed in first layer.

Shared Parking

On-street parking: In P3, P4, and P5, on-street parking counts toward minimum.

Shared parking study: Determine required amount of parking.

Location: Must be within 600' of an accessible entrance for all uses.

Nonconformities

Clarify how existing properties can continue while encouraging compliance.



CLARIFIES LEGAL STATUS

- Legally existing nonconformities have authority to continue
- Nonconformity provisions run with the land and are not affected by ownership or tenancy



CREATES PREDICTABLE STANDARDS

- Nonconforming sites must conform:
 - After 24 months of vacancy (rather than upon vacation); and
 - at the time of a zoning change, neighborhood plan, or infill neighborhood plan
- Historic districts or designated sites are not required to be brought into conformance
- Structures may be altered to decrease nonconformity
- Added expansion and reconstruction provisions
- Nonconforming signs clarifications
- Nonconforming land uses cannot return after 12 months (rather than immediately)



CLEAR APPROVAL PATHWAY

<5%: Director decision
5-10%: DRC decision
10%+: ZBA variance decision



Definitions

Improve consistency, clarity, and support Priority Amendments text.

Data Centers

- Data Center
- Digital Infrastructure
- Energy Production and Storage Facility

Other Priority Amendments

- Accessory Dwelling
- Home Occupation
- Short-Term Rental (STR)

General Clean-Up

- Day
- Employment Center / Employment Center Plan
- Homeowners' Association (HOA)
- Intensive Manufacturing
- Manufactured Home
- Minor Plat
- Mobile Home
- Native Plants
- Soil Cell

Questions & Discussion





Wrap Up and Next Steps

- **Planning and Zoning Commission Consideration** (Sept-Oct.)
- **City Council Consideration** (2 Readings)

Thank You!



Distance References

Taylor HEB at Main St. & Carlos G. Parker Blvd.



Distance References

Old Taylor Walmart near Main St. & Mallard Ln.



Distance References

Downtown Taylor Blocks (Main and Vance, between 4th and 5th Streets)



Distance References

Taylor Walmart at Main St. & Carlos G. Parker Blvd.



Distance References

Main Street Elementary School at Main St. & Mallard Ln.



Distance References

Williamson County Expo Center



Additional Regulations for Digital Infrastructure Uses (New Section 4.4)

4.4.1 General

4.4.1.1 Purpose and Applicability

- (1) This Section is intended to:
 - (a) Define the minimum threshold for certain uses to qualify as Digital Infrastructure Uses;
 - (b) Identify additional data required by the City for proposed Digital Infrastructure Uses;
 - (c) Set standards to evaluate projects with disproportionate infrastructure demand relative to public benefit; and
 - (d) Establish additional development standards applicable to such Digital Infrastructure Uses.
- (2) The development standards within this Section apply to Digital Infrastructure Uses, as defined below, in any location or district.
- (3) Developments with Digital Infrastructure Uses shall be designed in accordance with the following conditions and standards, which shall control in the event of conflict over the other provisions of this LDC.
- (4) In addition to the standards of this Section, the requirements of the City's adopted Engineering Manual and all applicable State and Federal regulations apply to the development of Digital Infrastructure Uses.

4.4.1.2 Digital Infrastructure Uses Defined

A use is classified as a Digital Infrastructure Use if any of the following are met:

- (1) Cooling-Based Qualification

If the development utilizes evaporative or non-evaporative cooling systems designed to support:

 - (a) Data processing and transmission;
 - (b) Cryptocurrency mining; or
 - (c) High-density computing operations.
- (2) Use Definition Qualification

A proposed use is a Digital Infrastructure Use if categorized as one of the following, as interpreted by the Director:

(a) Digital Infrastructure

A use including but not limited to a Data Center (see (b) below) whose primary purpose is to provide storage, management, processing, and transmission of digital data, including the housing of computer and/or network equipment, servers, data storage systems, and related components such as power and cooling systems, utility substations, and emergency backup systems supporting digital operations. Digital Infrastructure includes cryptocurrency mining operations and other specialized uses of high-density computing or telecommunications hardware and other uses that meet the power use, water use, or environmental impact criteria established in Section 4.4.1.2 of this LDC.

(b) Data Center

A facility whose primary use is to house a collection of computer servers and associated components, such as telecommunication, storage, and backup systems that supply information to single or multiple end users off-site. Data Centers will typically require large amounts of electricity, strict temperature control and high security and will generally have few employees on-site at any given time. Such use may also be referred to as a server farm.

(c) Energy Production and Storage Facility

A privately developed and operated facility used for the generation, collection, conversion, or storage of electrical energy, including associated equipment, structures, and infrastructure. This use includes large-scale or utility-scale installations such as nuclear energy facilities, wind energy farms, solar energy farms, battery energy storage systems, inverters, transformers, switchgear, monitoring equipment, and related accessory components. It does not include small, building-mounted, or site-integrated energy systems intended primarily for on-site consumption, nor facilities owned and operated by a public utility or governmental entity.

4.4.2 Submittal Requirements for Digital Infrastructure Uses

4.4.2.1 Generally

(1) Employment Center Plan Required

A Digital Infrastructure Use shall not be permitted in any district or location within the City's jurisdiction without receiving approval of an Employment Center Plan (see Chapter 2 and Section 3.6 of this LDC).

(2) An Employment Center Plan Application for a Digital Infrastructure Use must include the following information:

- (a) Digital Infrastructure Use Agreement; and
- (b) Digital Infrastructure Use Management Plan.

4.4.2.2 Annual Reporting

An annual report shall be maintained by the owner or operator of Digital Infrastructure Uses. Annual reports may be audited upon request by the City.

(1) An Annual Report shall include:

- (a) Water, wastewater, and energy usage data, and any measures taken during times of drought or grid emergencies; and
- (b) Emissions reports for the Digital Infrastructure Use facility and any backup power sources.
- (c) Digital Infrastructure Use Management Plan updates, if applicable.

4.4.2.3 Digital Infrastructure Use Agreement

As part of a Digital Infrastructure Use's Employment Center Plan submittal, the developer of the Digital Infrastructure Use shall enter into an Official Agreement with the City detailing certain characteristics of the Digital Infrastructure Use. The Digital Infrastructure Use Agreement shall be executed prior to the issuance of a building permit.

The Digital Infrastructure Use Agreement shall include, at a minimum, the following:

- (1) Agreement that the Digital Infrastructure Use shall comply with all mandatory curtailment orders issued by the City or applicable utility provider during declared drought conditions or electric grid emergencies.
- (2) Establish a limit on daily water use.
- (3) Agreement that the Digital Infrastructure Use owner or operator shall maintain an Annual Report as detailed in Section 4.4.2.2.

- (4) Establish that the City retains all rights to a transparent process, including the ability to publicly report:
 - (a) Water, energy, and emissions data;
 - (b) The ramp schedule for the Digital Infrastructure Use coming into full operation/capacity;
 - (c) Expectations and potential impacts for water, wastewater, energy, and environmental systems; and
 - (d) Any potential cost-sharing agreements.
- (5) Establish a requirement for financial assurance to the City in the event of decommission of the site.

4.4.2.4 Digital Infrastructure Use Management Plan

As part of a Digital Infrastructure Use's Employment Center Plan submittal, the developer of the Digital Infrastructure Use shall provide a management plan detailing, at a minimum, the following information:

- (1) Water Use, Drought, and Long-Term Security
 - (a) The water sources that will be used to supply the Digital Infrastructure Use facility; and
- (2) Cooling Systems and Wastewater
 - Proof of design conforming with the City's pretreatment program, as amended.
- (3) An uninterruptible power supply (UPS) plan describing:
 - (a) Fuel types;
 - (b) Storage capacity and energy storage system type;
 - (c) Refueling logistics during extended outages;
 - (d) A curtailment plan for grid emergencies; and
 - (e) The ability to handle a critical load and activate generators in a timely manner.
- (4) Decommissioning, Abandonment, and Liability Plan
 - (a) The expected operational lifespan of the Digital Infrastructure Use; and

- (b) The plan for decommissioning the facility, including site cleanup and e-waste disposal, if applicable.

4.4.3 Digital Infrastructure Use Performance and Design Standards

4.4.3.1 Generally

- (1) This Section 4.4.3 applies to all Digital Infrastructure Uses.
- (2) The Performance Standards of Section 5.9.4 of this LDC apply to all Digital Infrastructure Uses, except as modified in this Section 4.4.3.
- (3) This Section 4.4.3 does not supersede the State and Federal regulations applicable to the certain types of uses or activities classified by this Section as Digital Infrastructure Uses. In case of conflict with State or Federal regulations, the more restrictive provision shall control.

4.4.3.2 Performance Standards for Digital Infrastructure Uses

(1) Water Standards

(a) Digital Infrastructure Use Cooling:

- i. Digital Infrastructure Uses shall utilize:
 - a. Closed-loop cooling systems;
 - b. Air-cooled or hybrid systems achieving water use reduction equivalent or superior to closed-loop cooling systems; or
 - c. Evaporative cooling, if approved by the City Council through the Employment Center Plan process.

(b) Potable Water Restriction

Potable water shall not be used for ongoing cooling operations and may only be used for initial system fill.

- i. Potable water may be used in Digital Infrastructure Uses for the usual and customary domestic uses, including, but not limited to, fire protection, landscape irrigation, maintenance, and as reasonably necessary for safe, continuous, and effective operation, provided:
 - a. After the initial system fill, no potable water shall be authorized for use in refilling the cooling system in any structure without the prior approval of the City Manager.

- ii. If non-potable water (including reclaimed, recycled, or other non-potable sources of water) becomes available to the site in sufficient quantity and suitable quality, the applicant shall use such non-potable water and shall not rely on the City's potable water for refilling cooling systems.

(c) Evaporative Cooling Limitations

- i. If City Council approves evaporative cooling methods as part of an Employment Center Plan, the following standards apply:
 - a. Water demand for evaporative cooling systems shall be met through:
 - Reclaimed water;
 - On-site reuse; or
 - Other non-potable sources.
 - b. The Digital Infrastructure Use Agreement shall establish a maximum allotment of City-provided reclaimed water. No Digital Infrastructure Use may use more City-provided reclaimed water than established in the applicable agreement.

(2) Electric Power Standards

(a) Uptime

- i. Digital Infrastructure Uses shall provide on-site backup power generation or storage capable of supporting the site autonomously for a minimum of 24 hours.
 - a. Power generation and storage facilities shall be screened in accordance with Section 4.4.3.3(6) below.

(b) Power Generation Standards

- i. Generators shall be operated solely when necessary to maintain safe, effective, code-compliant, and continuous facility operation in cases where grid emergencies, maintenance, or outages interrupt the supply of power to the Digital Infrastructure Use facility.
 - a. Backup power generation equipment shall not be operated as a substitute for primary grid service that the operator has failed to contract for or procure, except during:

- The construction phase prior to permanent grid interconnection, subject to a ramp-up schedule approved by the City Manager;
 - The period between the final Certificate of Occupancy and permanent grid interconnection; or
 - Periods when grid interconnection is delayed due to circumstances beyond the operator's reasonable control, as documented in writing to the City Manager within 30 days of the onset of such delay.
- ii. Generation capacity shall not be used for primary commercial power sales.
 - a. The momentary paralleling or incidental export of energy that occurs as part of closed-transition transfer, synchronization, testing, or protective operations shall not be deemed operation for export, provided the generator is not configured or operated for sustained net export and complies with all interconnection requirements.
 - iii. Generators shall not provide power to any structure not located on the same property.
 - iv. Operation and maintenance of emergency site generators shall be subject to the following conditions:
 - a. The exhaust systems of petroleum-powered generators shall be piped upward and not directly towards any property developed with and/or zoned for development of a residential use.
 - b. Generators may be tested one time during each calendar month for a period not longer than recommended by the manufacturer of the generator, such time to be between 8:00 a.m. and 5:00 p.m. Central Time and on any Monday through Friday.
 - c. Only the generator(s) that provide(s) electric power to the structure(s) located on the Digital Infrastructure Use property affected by a loss or reduction of electrical power shall be operated during the events described in 4.4.3.2(2)(b)i.

(3) Air Quality Standards

The operation of generators and other non-road equipment on the Digital Infrastructure Use property shall comply with U.S. Environmental Protection Agency (EPA) Tier III emission standards for non-road engines, as adopted and published in 40 Code of Federal Regulations, Part 1039, in effect at the time submission of the application for building permit for the building for which such equipment will be supporting and enforced by the Texas Commission on Environmental Quality.

4.4.3.3 Design Standards for Digital Infrastructure Uses

(1) Generally

Developments with Digital Infrastructure Uses shall be designed to minimize the impacts of Digital Infrastructure Uses on the surrounding area in accordance with Section 5.9.4 of this LDC, as modified below.

(2) Minimum Site Area

- (a) Property intended for development with a Digital Infrastructure Use shall be platted as a single lot with a minimum size of 50 acres.
- (b) No subdivision, replatting, lot split, or other division of a lot with a Digital Infrastructure Use into two or more parcels shall be permitted without prior approval by the City Council or through approval of an Employment Center Plan.
- (c) Any conveyance, transfer, or encumbrance of a portion of a property with a Digital Infrastructure Use that would result in the creation of a separate parcel or tract shall be null and void unless and until such amendment has been approved by the City Council.

(3) Maximum Height

The maximum height for Digital Infrastructure Use structures is 85 feet unless determined otherwise in the Digital Infrastructure Use Agreement between the City and the developer.

(a) Exception

The maximum height of a Digital Infrastructure Use structure or part of a structure may be stepped up by one (1) foot for each one (1) foot beyond the 500-foot setback that structure or part of a structure is set back.

(4) Setbacks

Digital Infrastructure Uses must be designed to provide appropriate setbacks and noise/visibility mitigation measures between the Digital Infrastructure Use structure(s) and residential properties in accordance with the standards of this Section.

- (a) No structure shall be located closer than 500 feet (unless otherwise determined through the setback reduction process below) to properties zoned for residential use at the time of submission of the development application for such building, whether or not such property is developed with a residential use at the time of submission of the permit application.
 - i. A request for a reduced setback may be considered by the Director of Development Services. A request for a reduced setback shall meet the following standards:
 - a. Setbacks between 300 and 500 feet are allowed if the developer provides the Director of Development Services with an acoustic study and installs attenuation measures sufficient to meet the noise requirements of Section (9) below.
- (b) No structure shall be located closer than 500 feet (unless determined otherwise in the Employment Center Plan process) to a Neighborhood Avenue or smaller street.
- (c) No private substation (i.e., a substation not owned by a public utility that holds the certificate of convenience and necessity from the State of Texas to provide electrical transmission service to the property) or required surface facilities (such as transformers) shall be located closer than 300 feet to properties zoned for residential use at the time of submission of the development application for such building, whether or not such property is developed with a residential use at the time of submission of the permit application.
 - i. Utility provider switchyards are exempt from this requirement.
 - ii. Private substations and required surface facilities are exempt from this requirement if located underground.
- (d) No parking shall be located closer than 50 feet from any property line.

(5) Landscaping and Buffering

- (a) Landscaping and other mitigation features shall be installed to buffer impacts to Neighborhood Avenue or smaller streets and on property lines adjacent to property zoned as and/or used for residential uses.
 - (b) Landscape screening along Neighborhood Avenue and smaller streets and on property lines adjacent to property zoned as and/or used for residential uses shall be designed to achieve 80% opacity within two years of planting. Landscape screening shall be designed to limit foliage gaps and incorporate native species in a tiered planting approach (i.e., staggered double row of trees or tiered canopy using ground cover, shrubs, and overstory trees).
 - (c) Berms and walls between four (4) and nine (9) feet above grade may be constructed in addition to landscape planting to achieve aesthetic buffering.
- (6) Screening
- (a) All mechanical equipment and utility facilities must be fully screened from view at the ground level from all existing and planned public roads and adjoining parcels using mesh, lattice, cladding, or grillwork, or a combination of these methods, or similar methods so as to ensure that the mechanical equipment is partially or fully screened to the maximum extent that permits necessary ventilation for any equipment.
 - (b) All mechanical equipment and utility facilities located within 300 feet of the boundaries of any property that is zoned for residential uses or developed with an existing residential use shall be screened with a masonry wall not less than eight feet in height. Masonry wall may include mesh, lattice, cladding, or grillwork, or a combination of these methods, or similar up to 50% of the surface area of the wall so as to allow necessary ventilation for any equipment.
 - (c) Backup generators shall be screened from view and enclosed with sound attenuation walls which must be, at minimum, taller than the height of the generator.

(7) Utility Location

Subject to compliance with the City's adopted Electrical Code, private electrical utilities may cross but shall not run parallel within the City right-of-way.

(8) Light and Glare

- (a) Outdoor lighting shall be designed and installed in accordance with the lighting provisions in Section 5.7 of this LDC, the performance standards in Section 5.9.4 of this LDC, the provisions of the City's Engineering Manual, and such other lighting regulations enacted by City in effect at the time of submission of an application for a building permit.
- (b) A photometric design and review shall accompany the application for a building permit for a Digital Infrastructure Use.

(9) Noise

- (a) Prior to the issuance of any permits for development of a Digital Infrastructure Use, an acoustic study shall be conducted along the boundaries of the Digital Infrastructure Use property to establish an existing conditions baseline for dBA (audible noise) and dBC (tonal/narrow band noise) levels at the property lines, and a copy of such study shall be provided to the City.
- (b) Except during periods of construction on a Digital Infrastructure Use property as allowed in Section 19-4 of the Code of Ordinances, noise generated by a Digital Infrastructure Use at a property line adjacent to a property developed with and/or zoned for development of single-family residential use shall not exceed the greater of:
 - i. 70 dBA; or
 - ii. The pre-development level that is measured in the field at such property line.
- (c) Digital Infrastructure Use facilities shall be designed to reduce tonal/narrow band noise (measured in dBC) to the background noise levels established in the pre-construction study.
- (d) In no case shall noise levels at a property line adjacent to a property developed with and/or zoned for development of residential use exceed the following ANSI/ASA standard for an annual average outdoor noise level for industrial/commercial uses:
 - i. 85 dBA between the hours of 7:00 a.m. and 8:00 p.m.; and
 - ii. 70 dBA levels between the hours of 8:00 p.m. and 7:00 a.m.

Neighborhood Plan and Neighborhood Infill Plan Thresholds

2.1 Process Overview

The development process typically begins with a pre-application meeting with City staff to determine what application(s) is necessary, the review process for the required application(s), and to answer the applicant's questions about the process and the required content of the application(s).

The steps in the process will vary depending upon the location of the property, whether it has been platted or needs to be platted, and whether the applicant seeks to modify the property's current zoning or comprehensive plan designations.

The following sections describe the various application types, the review process, and how to submit an application.

Table 2.1.A General Development Process Steps

Lots over 2.510 acres*

Lots under 2.510 acres*

*See Sections 2.2.6 or 2.2.7 (as applicable) for New or Infill Neighborhood Development Plan threshold details and applicability.

2.2.5.1 General Requirements (Zoning Applications)

(4) Where a Neighborhood Plan is required and a property has a Place Type designation, the designation establishes the maximum intensity permitted within the development. Final allocation of Place Types across the property shall be determined through the Neighborhood Plan process in accordance with the standards of this LDC and does not entitle the entire property to be designated with that Place Type. Where a property over 2.5 acres without an adopted Neighborhood Plan has a Place Type designation, that designation indicates the most intense Place Type that may be allocated to the property during the neighborhood planning process and does not entitle the entire property to be designated with that Place Type.

2.2.6 Neighborhood Plan

(1) Applicability

Neighborhood Plans are required for development projects on previously undeveloped and/or unplatted land meeting at least one of the following conditions:

(a) Projects greater than ~~over 2.5~~ 10 acres,

(b) Projects greater than 2.5 acres and proposing a density of eight (8) units per acre or greater ~~(one or more standard city blocks),~~

(c) Projects proposing shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units. ~~on previously undeveloped and/or unplatted land.~~

Neighborhood Plan applications are used to lay out new neighborhoods or portions thereof including streets, blocks, lots, civic spaces, etc. and to allocate Place Type zoning districts within the new neighborhood. Neighborhood Plans include a general subdivision layout which shall serve as the guide for the preliminary plat(s) that will be submitted after the Neighborhood Plan is adopted.

2.2.7 Infill Neighborhood Plan ~~(Rezoning Required)~~

(1) Applicability

Infill Neighborhood Plans are required for development projects in an infill location meeting at least one of the following conditions:

(a) Projects greater than 10 acres,

(b) Projects greater than 2.5 acres and proposing a density of eight (8) units per acre or greater,

(c) Projects proposing shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units. ~~over 2.5 acres (one or more standard city blocks) in an infill location.~~

Infill Neighborhood Plan applications are used to lay out infill neighborhoods or portions thereof including streets, blocks, lots, civic spaces, etc. and to allocate Place Type zoning districts within the infill neighborhood. The Infill Neighborhood Plan may include amending, re-platting or vacating of existing platted lots and/or the adoption of a new preliminary plat. This process is intended to be expedited in order to encourage infill development.

2.2.18 Neighborhood Plan

(1) Applicability

Neighborhood Plans are for development projects on previously undeveloped and/or unplatted land meeting at least one of the following conditions:

(a) Projects greater than 10 acres,

(b) Projects greater than 2.5 acres and proposing a density of eight (8) units per acre or greater,

(c) Projects proposing shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units,

over 2.5 acres (one or more standard city blocks) on previously undeveloped and/or unplatted land. Neighborhood Plan applications are used to lay out new neighborhoods or portions thereof including streets, blocks, lots, civic spaces, etc. and to allocate Place Type zoning districts within the new neighborhood if the new neighborhood is inside the city limits. Neighborhood Plans include a general subdivision layout which shall serve as the guide for the preliminary plat(s) that will be submitted after the Neighborhood Plan is adopted.

2.2.19 Infill Neighborhood Plan

(1) Applicability

Infill Neighborhood Plans are for development projects in an infill location meeting at least one of the following conditions:

(a) Projects greater than 10 acres,

(b) Projects greater than 2.5 acres and proposing a density of eight (8) units per acre or greater,

(c) Projects proposing shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units, over 2.5 acres (one or more standard city blocks) in an infill location.

Infill Neighborhood Plan applications are used to lay out infill neighborhoods or portions thereof including streets, blocks, lots, civic spaces, etc. and to allocate Place Type zoning districts within the infill neighborhood if the property is in the city limits. The Infill

Neighborhood Plan may include amending, re-platting or vacating of existing platted lots and/or the adoption of a new preliminary plat. This process is intended to be expedited in order to encourage infill development.

3.6.1.1 Description

Development Patterns are used for projects with acreage amounts of a Pedestrian Shed (approximately 80 acres) or greater. The physical landscape in Taylor lends itself to supporting a range of development patterns. Neighborhood Plans may opt to extend the city grid or select an alternative development pattern.

Projects greater than 2.5 acres but less than a pedestrian shed shall use the TND development pattern or the development pattern of the adjacent and surrounding neighborhood. Alternative Development Patterns may be requested by Warrant from the DRC.

3.6.3 Neighborhood Plan Exemptions

Properties within the city limits of ~~2.5~~ 10 acres or less on already platted lots are not required to complete a Neighborhood Plan unless:

(1) Proposing a density of eight (8) units per acre or greater on a lot greater than 2.5 acres, or

(2) Proposing shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units.-

3.7.2 Infill Neighborhood Plans

Infill Neighborhoods Plans are required for properties meeting at least one of the following conditions:

(a) Proposing a development project greater than 10 acres,

(b) Proposing a development project greater than 2.5 acres with a density of eight (8) units per acre or greater,

(c) Proposing a development project including shared infrastructure, including primary direct access to units, master metering of water, and/or drainage/detention for more than four (4) units, and~~greater than 2.5 acres and that are~~

(d) ~~P~~P Proposing to modify the Place Type allocation or change the street, lot or block configuration in a way that is not permitted by the Infill Lot-Scale Plan process.

Home Occupations [New Section]

5.9.3.7 Home Occupations

The following standards are intended to permit residents to engage in home occupations and operate home-based businesses in a way that is compatible with residential uses and ensures that home occupations do not adversely affect the integrity of residential areas.

(1) All Home Occupations must be no-impact home-based businesses as defined in §229.902 of the Texas Local Government Code. A home occupation qualifies as a “no-impact home-based business” if it meets the following criteria:

- (a) It has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property;
- (b) It does not generate on-street parking or a substantial increase in traffic through the area;
- (c) It operates in a manner in which none of its activities are visible from a street; and
- (d) It does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.

(2) A home occupation is considered an accessory use and must be secondary to the use of the property as a residential dwelling. A home occupation is subject to the conditions and restrictions listed below.

(3) All home occupations must comply with federal, state, and local laws, including the City’s adopted fire and building codes and all City regulations including regulations pertaining to:

- (a) Health and sanitation;
- (b) Transportation or traffic control;
- (c) Solid or hazardous waste; and
- (d) Pollution and noise control.

(4) Residential Compatibility

- (a) A home occupation must be compatible with the residential use of the property where the business is located. The Director will determine whether the home

occupation is compatible with the residential use of the property where the business is located based on the criteria for a “no-impact home-based business” in TLGC §229.902, as restated in (1) above.

(b) The following uses are determined by the City to not meet the criteria for a “no-impact home-based business” in TLGC §229.902, as restated in (1) above:

- i. Clinics,
- ii. Medical offices,
- iii. Hospitals,
- iv. Barber shops,
- v. Beauty shops,
- vi. Dress shops,
- vii. Health studios,
- viii. Restaurants,
- ix. Kennels,
- x. Mechanic shops,
- xi. Small engine repair shops,
- xii. Assisted living facilities,
- xiii. Hospice facilities, and
- xiv. Group homes.

(5) Based on the criteria for a “no-impact home-based business” in TLGC §229.902, the following restrictions apply to home occupations:

- (a) There shall be no signs or other exterior visible evidence of a home occupation;
- (b) There shall be no visible storage of equipment, materials, or vehicles that have more than two axles; and
- (c) All home occupations shall comply with the performance standards of Chapter 5 of this LDC.

(6) In accordance with TLGC §229.902, the City reserves the right to limit or prohibit the operation of a home-based business that:

- (a) Sells alcohol or illegal drugs;
- (b) Is a structured sober living home, group home, or assisted living facility; or
- (c) Is a sexually oriented business as defined by §243.002 of the Texas Local Government Code.

Height and Compatibility

5.3 BUILDING PLACEMENT ON THE LOT.

[...]

5.3.1 GENERAL.

Lots and buildings located within the city of Taylor shall be subject to the requirements of this section. Infill development shall also be subject to the Neighborhood Compatibility standards of Section 5.9.3 of the LDC.

Regulatory terminology related to lots used in this section is diagrammed for illustrative purposes only. Building types diagrammed are provided for illustrative purposes only.

[...]

5.9 PERFORMANCE AND COMPATIBILITY STANDARDS.

[...]

5.9.3 NEIGHBORHOOD COMPATIBILITY.

5.9.3.1 APPLICABILITY.

Neighborhood compatibility standards apply to all infill development ~~that does not require the approval of a Neighborhood Plan.~~

5.9.3.2 BUILDING DISPOSITION.

(1) Building disposition shall follow the predominant building disposition within the block face of the infill site. Alternative building disposition may be approved by warrant.

5.9.3.3 BUILDING SETBACKS.

(1) Front building setbacks shall be within 25 percent of the median front setback of the buildings within the same block as the infill site. Alternative building setbacks may be approved by warrant.

(2) Side and rear building setbacks shall be within 25 percent of the median side and rear setbacks of the buildings within the same block as the infill site.

5.9.3.4 PARKING ACCESS AND LOCATION.

Parking access and location shall be in keeping with the Place Type standards for the infill site. If the predominant parking access and location within the same block as the infill site is different than the Place Type standards, an alternative parking access and location standard to match the neighborhood standard may be approved by warrant.

5.9.3.5 BUILDING HEIGHT AND MASS.

- (1) Buildings shall be constructed in concert with building massing of the buildings surrounding the property to prevent overshadowing of adjacent properties.
- (2) In all districts, the following restrictions apply where:
 - (a) Any proposed infill building exceeds the height of an adjacent dwelling, or
 - (b) Any proposed infill building exceeds the square footage of an adjacent dwelling by 50 percent or more.
- (3) Adjacency exists if an infill building meeting the standards of (2) above is proposed immediately beside, behind, or facing a Residential Building Type described in Section 4.3.
 - (a) Adjacency includes a building directly across rural or neighborhood street types.
 - (b) Large Apartment, Accessory Dwelling Unit, Recreational Vehicle Park, and Residential Accessory Building Types on adjacent properties do not trigger the adjacency standards of this section.
- (4) Height Step-back

Setbacks for infill development must be at least 20 feet. Infill development is subject to a height step-back with a ratio of one (1) foot in horizontal distance for every one (1) foot of building height, measured from the property line of the adjacent Residential Building Type.
- (5) Required Buffers
 - (a) When infill development shares a common boundary with a Residential Building Type, as outlined in (3) above, a land use buffer shall be provided as prescribed in the Required Buffer Table below.

Table 1 Required Buffers

	<u>Adjacent Property Building Type</u>	
<u>Subject Property Building Type</u>	<u>Residential</u>	<u>Commercial</u>
<u>Residential</u>	<u>Type 1</u>	<u>Type 1</u>
<u>Commercial</u>	<u>Type 2</u>	<u>Type 2</u>

(b) Type 1 Buffer

- i. Type 1 buffers must consist of a minimum 10-foot-wide buffer yard and a 6-foot opaque fence, plus at least 25 points based on the following criteria:
 - a. Opaque masonry wall with 6-foot minimum height in lieu of providing opaque wooden fence = 10 points.
 - b. Each additional 5 feet of buffer yard width = 5 points (maximum of 10 points).
 - c. One (1) tree with a mature height of at least 20 feet and height of at least 8 feet and caliper size of 4 inches (measured 12-inches above ground level) at the time of planting per 35 lineal feet of buffer yard = 15 points.
 - d. Three (3) smaller trees with a height of at least 8-feet and caliper size of 2-inches (measured 12-inches above ground level) at the time of planting per 35 lineal feet of buffer yard = 15 points.

(c) Type 2 Buffer

- i. Type 2 buffers must consist of a minimum 20-foot-wide buffer yard and 6-foot opaque fence, plus at least 25 points based on the following criteria:
 - a. Opaque masonry wall with 8-foot minimum height in lieu of providing opaque wooden fence = 10 points.
 - b. Each additional 5 feet of buffer yard width = 5 points (maximum of 10 points).
 - c. One (1) tree with a mature height of at least 20 feet and height of at least 8 feet and caliper size of 4 inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points.

d. Three (3) smaller trees with a height of at least 8-feet and caliper size of 2-inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points.

5.9.3.6 ARCHITECTURAL CHARACTER.

All buildings shall be constructed to be harmonious with and architecturally integrated within the existing neighborhood.

5.9.3.7 HOME OCCUPATIONS.

[...]

Accessory Dwelling Units and Short-Term Rentals

Chapter 4 Private Lot Development Standards

[...]

4.2 BUILDING TYPES.

4.2.3 RESIDENTIAL BUILDING TYPES.

[...]

[Accessory Dwelling Unit Graphic]

ACCESSORY DWELLING UNIT

A secondary, self-contained dwelling unit located on the same lot as a principal dwelling unit ~~building~~. Accessory Dwelling Units provide complete independent living facilities for one household, including permanent provisions for living, sleeping, cooking, and sanitation. Accessory Dwelling Units ADUs may be detached from, individual detached structures attached to, or located within the principal dwelling unit building., apartments within or above a garage or integrated into the primary dwelling unit with a separate entrance. Accessory Dwelling Units are subordinate in size and scale to the principal dwelling unit and shall not be subdivided or conveyed separately from the principal lot. ADUs are smaller than and subordinate to the principal building and are typically located in the third layer of the lot. ADUs may be allowed by warrant to be constructed and occupied prior to the principal dwelling unit building.

[...]

4.2.3.1 Accessory Dwelling Unit Standards

- (1) No more than one (1) Accessory Dwelling Unit shall be permitted on a lot.
- (2) Accessory Dwelling Units may be detached from, attached to, or located within the principal dwelling unit building.
- (3) An Accessory Dwelling Unit shall not exceed 50 percent of the gross floor area of the principal dwelling unit building.
- (4) An Accessory Dwelling Unit shall provide parking in accordance with Table 5.4.7(A) Minimum Parking Requirements.
- (5) Detached Accessory Dwelling Units should be located within the third layer of the lot. Alternative placement may be approved by warrant in

accordance with Section 2.2.16 Place Type Warrant when the proposed location is compatible with the lot configuration and surrounding development pattern.

(6) Accessory Dwelling Units shall comply with the height limits established for Accessory Dwelling Units in the applicable Place Type zoning district (see Section 4.3.1 Place Type Zoning District Details).

(7) Accessory Dwelling Units shall comply with the building separation standards of the City's adopted building code.

(8) An Accessory Dwelling Unit may be rented, occupied by guests, occupied by family members, or otherwise used as a dwelling unit, in accordance with the regulations of this LDC and any other applicable regulations of the City, including, but not limited to, the Hotel/Motel Tax in Chapter 27, Article IV of the Code of Ordinances.

(9) An Accessory Dwelling Unit shall not be subdivided, sold, or otherwise conveyed separately from the principal lot.

(10) An Accessory Dwelling Unit may have a separate address for emergency response and utility service purposes.

[...]

4.5 SHORT-TERM RENTAL (STR) STANDARDS.

4.5.1 STR STANDARDS.

4.5.1.1 Eligibility and Basic Standards

(1) A Short-Term Rental (STR) may occur within any dwelling unit where lodging is otherwise permitted by this Code.

(2) The applicant must demonstrate that the unit and property do not have any outstanding issues related to taxes, building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.

4.5.1.2 Occupancy and Operational Standards

(1) The maximum overnight occupancy of an STR may not exceed two (2) persons per bedroom plus two (2) additional persons.

(2) Recreational vehicles, temporary shelters, tents, or similar accommodations may not be used to increase occupancy of an STR.

- (3) A local contact person capable of responding to complaints and emergencies must be designated and available by telephone at all times while the STR is occupied. The local contact person must respond to complaints within one hour and, when necessary, be physically present at the property within two (2) hours.
- (4) The STR operator must provide occupants with written information regarding occupancy limits, parking regulations, noise regulations, trash collection procedures, emergency contact information, and applicable City regulations.
- (5) All vehicles associated with an STR must be parked in legal parking spaces on the property or on public streets where parking is otherwise permitted. Parking within required landscape areas, sidewalks, or unapproved surfaces is prohibited.
- (6) Noise generated from the property must comply with all applicable City regulations.

4.5.1.3 STR Permit and Inspection

- (1) All STR operators must obtain an STR permit from the City. See the City's adopted Fee Schedule for associated fees.
- (2) Applicants must provide proof of ownership of the residence and proof of insurance in accordance with Subsection 4.5.1.4(3) below.
- (3) The City may perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes prior to occupancy by guests.
- (4) Issuance of an STR permit is administrative. Approval must be granted upon demonstration of compliance with this section and all other applicable regulations.

4.5.1.4 Renewals

- (1) STR permits must be renewed every three (3) years from the date of issuance. See the City's adopted Fee Schedule for associated fees.
- (2) Prior to renewal, the City may perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes.
- (3) The applicant must submit a report that indicates the following:

- (a) The number of nights the unit was rented as an STR during the previous year;
 - (b) Proof of payment of Hotel/Motel Tax submitted to the City;
 - (c) Proof of current property insurance; and
 - (d) Proof of general commercial liability insurance, or equivalent coverage, of at least \$500,000 per occurrence.
- (4) If the applicant fails to meet one of these requirements, the City must provide 10 calendar days' notice to comply.
- (5) Renewal approval is administrative unless grounds exist for suspension or revocation pursuant to Subsection 4.5.1.5. Suspension or Revocation.

4.5.1.5 Suspension or Revocation

- (1) The City may suspend or revoke an STR permit. A property whose permit has been revoked is not eligible for a new STR permit for one year.
- (2) Suspension or revocation is at the discretion of the Development Services Director for reasons including, but not limited to, the following:
 - (a) The applicant provided false or misleading information during the application process;
 - (b) There has been a violation of any provision of this section;
 - (c) The applicant has failed to pay Hotel Occupancy Tax in a timely manner;
 - (d) The location has received three (3) or more complaints from neighboring property owners related to excessive noise, traffic, parking, trash, or similar nuisance conditions within a 24-month period;
 - (e) The STR is being operated without a valid permit; or
 - (f) The property has failed two (2) consecutive inspections.
- (3) Continued operation of an STR following suspension or revocation constitutes a violation of this Land Development Code.

Parking Minimums

5.4.7 PARKING SPACE REQUIREMENTS.

5.4.7.1 Minimum and Maximum Parking Space Requirements.

(1) Minimum Parking Requirements.

(a) Minimums Established

Table 5.4.7(A) establishes the minimum required off-street parking for the Building Types permitted by this LDC. The Building Types are defined in Table 5.2.3 and 5.2.4 of this LDC.

(b) The minimum off-street parking required by this section must be provided in the Parking Location(s) identified for each Place Type in Section 4.3 Place Type Zoning District Development Standards.

(c) The minimum off-street parking standards do not apply to properties that are:

i. Zoned P5: Urban Center; and

ii. Located south of the line formed by extending West 12th Street east and west to the City limits.

(d) The required parking for infill development of residential building types on lots smaller than 1.5 acres is 50 percent of the minimum parking required in the Minimum Parking Requirements table below.

TABLE 5.4.7(A): MINIMUM PARKING REQUIREMENTS

<u>Building Type</u>	<u>Required Minimum Off-Street Parking</u>
<u>DETACHED DWELLING</u>	<u>2 spaces per dwelling unit</u>
<u>ATTACHED DWELLING</u>	<u>1 space per unit</u>
<u>COTTAGE COURT</u>	<u>1 space per dwelling unit</u>
<u>DUPLEX</u>	<u>2 spaces per dwelling unit</u>
<u>TRIPLEX</u>	<u>1 space per dwelling unit</u>
<u>QUADRAPLEX</u>	<u>1 space per dwelling unit</u>
<u>SMALL APARTMENT</u>	<u>1.5 spaces per unit</u>
<u>LARGE APARTMENT</u>	<u>1.5 spaces per 1 bedroom unit</u> <u>2 spaces per 2-bedroom unit</u>
<u>MANUFACTURED HOME</u>	<u>2 spaces per dwelling unit</u>

<u>Building Type</u>	<u>Required Minimum Off-Street Parking</u>
<u>ACCESSORY DWELLING UNIT</u>	<u>1 space, unless more than 2 spaces are already provided for the principal use</u>
<u>RECREATIONAL VEHICLE PARK</u>	<u>0.5 spaces per 1 RV parking space</u>
<u>RESIDENTIAL ACCESSORY</u>	<u>N/A</u>
<u>SMALL COMMERCIAL</u>	<u>1 space per 1,000 SF of commercial space</u>
<u>LIVE/WORK</u>	<u>2 spaces per dwelling unit plus 1 space per 500 SF of retail/work space</u>
<u>MIXED-USE COMMERCIAL</u>	<u>1.5 spaces per dwelling unit 1 space per 1,000 SF of commercial space</u>
<u>LARGE COMMERCIAL</u>	<u>1 space per 300 SF of office 1 space per 750 for commercial</u>
<u>HIGHWAY COMMERCIAL</u>	<u>1 space per 750 SF for the first 50,000 SF, plus 1 space per 1,250 SF over 50,000 SF</u>
<u>CART, KIOSKS, FOOD TRAILERS</u>	<u>1 space per food truck/kiosk site plus 1 space per 300 SF of outdoor seating</u>
<u>TEMPORARY COMMERCIAL</u>	<u>As determined by the Director</u>
<u>COMMERCIAL ACCESSORY</u>	<u>As determined by the Director</u>
<u>INDUSTRIAL</u>	<u>1 space per 300 SF of office space plus 1 space per 1,000 SF of warehouse</u>
<u>CIVIC BUILDINGS</u>	<u>As determined by the Director, but no less than 1 space per 350 SF</u>

(e) Accessible Spaces

Adequately designed accessible parking spaces shall be provided as required by the Texas Accessibility Standards (TAS) and designed in accordance with the parking area landscaping.

(f) Bicycle Spaces

TABLE 5.4.7(BA): MINIMUM BIKE PARKING REQUIREMENTS

AMOUNT OF PARKING SPACES	MINIMUM BIKE PARKING REQUIRED
0-40	2 short-term bicycle parking spaces minimum

AMOUNT OF PARKING SPACES	MINIMUM BIKE PARKING REQUIRED
41-60	4 short-term bicycle parking spaces minimum
61-80	6 short-term bicycle parking spaces minimum
81-100	8 short-term bicycle parking spaces minimum
101+	minimum 10 short-term bicycle parking spaces or 2.5% of required automobile spaces, whichever is greater, will be provided as short-term bicycle parking spaces.

MULTIFAMILY

The minimum number of long-term bicycle parking spaces shall be equal to 10% of the auto spaces.

ALL P5 AND P4 PLACE TYPE ZONING DISTRICTS WITH NON-RESIDENTIAL USES.

Bicycle parking for residential uses is only required with multifamily building types.

The number of provided automobile parking spaces and bicycle parking spaces shall be shown in a chart format on the site plan. The location and footprints of bicycle rack corrals shall be shown on the site, as well as the location of any bicycle parking signage.

In all cases where bicycle parking is required, no fewer than 2 spaces (one rack) shall be required.

Up to half of the required short-term bicycle parking spaces may be substituted with long-term bicycle parking spaces.

(2) Maximum Parking Requirements.

(a) The maximum parking on a site cannot exceed 150 percent of the minimum parking required by this section.

(b) Maximum percentage of lot occupied by parking.

i. In P4 or P5, the maximum percentage of a lot occupied by parking spaces in P4 and P5 can not exceed 1.52 times the size of the total building square footage footprint. This provision does not apply to structured parking.

(c) Maximums Along Regional Roads and Community Boulevards

i. Commercial buildings adjacent to a Regional Road or Community Boulevard cannot locate a parking area larger than the commercial building footprint within the first lot layer.

a. A variance cannot be granted to the requirements of this provision.

5.4.7.2 Shared and Off-Site Parking Provisions

(1) Shared On-Street Parking

In P3, P4, and P5, marked on-street parking counts toward the minimum parking requirements of this section.

(2) Shared Off-Street Parking

It is the City's stated intention to encourage efficient use of land and resources by allowing users to share off-street parking facilities whenever feasible. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved by the Director and if the shared parking complies with all of the following standards.

(a) Location

Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided. The distance between the shared parking and the served uses shall be measured by the shortest accessible pedestrian route of travel to an accessible entrance. The applicant shall provide an exhibit demonstrating that the location of shared parking meets the requirements.

(b) Shared Parking Study

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the Director and made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

i. Shared Parking Calculation

- a. A shared parking calculation, using the format provided in Figure 5.4.7-1 Example of Shared Parking Calculations below, shall be required to determine the minimum number of spaces.

- b. The minimum parking required shall be the highest adjusted total parking for any time period.
- c. The percentage of parking used during each time period shall be provided by the applicant and subject to approval by the Director.
- d. Accessible spaces required by ADA/TAS shall be calculated by individual use and not be shared.
- e. Figure 5.4.7-1 Example of Shared Parking Calculations provides an example of shared parking calculations. This example includes shared parking for two uses – Example Use 1 with a minimum parking requirement of 100 spaces, and Example Use 2 with a minimum parking requirement of 220 spaces. In this example, the minimum parking requirement would be 225 spaces.

Figure 5.4.7-1 Example of Shared Parking Calculations

Time Period	Example Use 1			Example Use 2			Adjusted Total Parking Required
	Required Spaces	% of Parking Used During Each Time Period	Adjusted Parking Requirement	Required Spaces	% of Parking Used During Each Time Period	Adjusted Parking Requirement	
Mon-Fri (6am to 6pm)	100	100%	100	220	25%	55	155
Sun-Thurs (6pm to 2am)	100	20%	20	220	50%	110	130
Sat-Sun (6am to 6pm)	100	10%	10	220	50%	110	120
Fri-Sat (6pm to 2am)	100	5%	5	220	100%	220	225
Everyday (2am to 6am)	100	5%	5	220	10%	22	27

(c) Agreement for Shared Parking

A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation on forms made available by the City. Recordation of the agreement with the County Clerk must take place before issuance of a Certificate of Occupancy for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all

required off-street parking spaces will be provided in accordance with this section.

(d) Revocation of Permits

Failure to comply with the shared parking provisions of this section shall constitute a violation of this LDC and shall specifically be cause for revocation of a Certificate of Occupancy and/or Building Permit.

(3) Off-Site Parking

Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if approved by the Director and if the off-site parking complies with all of the following standards.

(a) Location

No off-site parking space may be located more than 600 feet from the primary entrance of the use served unless shuttle bus service is provided to the remote parking area. Off-site parking spaces may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided or other traffic control or shuttle bus service is provided to the remote parking area.

(b) Zoning Classification

An off-site parking area must be located in a Place Type Zoning District of the same or greater intensity as the use that it serves.

(c) Agreement for Off-Site Parking

In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement will be required. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation on forms made available by the Director. Recordation of the agreement with the County Clerk must take place before issuance of the site development permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this section.

(d) Ineligible Activities

Off-site parking may not be used to satisfy the off-street parking standards for residential uses, restaurants (except in the P4 and P5 Districts), convenience stores, or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located off-site.

Nonconformities

1.10 EFFECT ON EXISTING CONDITIONS (NONCONFORMITIES).

1.10.1 GENERAL PROVISIONS.

1.10.1.1 PURPOSE.

(1) The purpose of this section is to regulate lots, land uses, sites, structures, signs, and characteristics of uses that were lawful before this LDC was enacted, amended, or otherwise made applicable to such lots, land uses, sites, structures, signs, and characteristics of uses, ~~INTENT. Within the city limits and extraterritorial jurisdiction exist lots, sites, structures, signs, uses of land, and characteristics of use that were lawful before this LDC was enacted, amended or otherwise made applicable to such lots, sites, structures, signs or uses,~~ but that do not now conform to the standards of this LDC.

(2) It is the intent of this LDC to permit such nonconforming lots, sites, ~~s~~Structures, signs or uses to continue, if the conditions within this section and other applicable sections are met.

1.10.1.2 APPLICABILITY.

These regulations apply to any lots, land uses, sites, structures, signs, and characteristics of uses within the city limits and extraterritorial jurisdiction as described in Section 1.10.2.2 Legal Nonconforming Status below.

1.10.1.3 LEGAL NONCONFORMING STATUS~~LEGAL NONCONFORMING STATUS.~~

Any lots, land uses, sites, structures, signs, or characteristics of uses ~~lots, sites, structures, signs, or uses of land~~ which do not conform with the regulations of this LDC shall be deemed legal nonconforming when:

- (1) Such lots, land uses, sites, structures, signs, or characteristics of uses ~~lots, sites, structures, signs, or uses of land~~ were in existence and lawfully operating as of the effective date of this LDC, ~~and have since been in regular and continuous use;~~ or
- (2) Such lots, land uses, sites, structures, signs, or characteristics of uses ~~lots, sites, structures, signs, or uses of land~~ were in existence and lawfully operating as of the effective date of any amendment to this LDC,

but by such amendment are no longer in conformance with this LDC, and have since been in regular and continuous use; or

- (3) Such ~~lots, land uses, sites, structures, signs, or characteristics of uses~~ ~~lots, sites, structures, signs, or uses of land~~ were in existence and lawfully operating on the date that annexation proceedings were instituted and have since been in regular and continuous use.

1.10.1.4 ILLEGAL NONCONFORMING STATUS.

- (1) Any lots, ~~land uses,~~ sites, structures, signs, or ~~characteristics of uses of~~ ~~land~~ that ~~were established in are in~~ violation of the ~~regulations at the~~ ~~timerequirements of this LDC and were constructed or established since~~ ~~its adoption or amendment without the necessary approvals, permits, or~~ ~~authorizations from the City~~ are considered illegal nonconforming. ~~The provisions of this section do not apply to illegal nonconformities.~~

- (2) The owner and/or operator of an illegal nonconforming lot, site, structure, sign, or use of land shall be subject to actions and penalties allowed by this LDC and all other applicable City ordinances and shall be required to correct the nonconforming situation to come into conformance with all applicable standards and regulations of this LDC.

1.10.2 CONTINUITY AND DETERMINATION OF STATUS.

1.10.2.1 Authority to Continue

~~Any nonconformity that legally existed on or before the adoption of this LDC that becomes nonconforming upon the adoption of this LDC or past or future amendments may be continued, subject to the regulations of this section.~~

1.10.2.2 Repairs and Maintenance

~~Nothing in this LDC shall prohibit the routine operation and maintenance of legal nonconformities in such a manner as to not exacerbate any existing nonconformity.~~

1.10.2.3 Change in Ownership or Tenancy

~~Nonconforming status runs with the land and is not affected by changes in tenancy, ownership, or management.~~

1.10.2.4 Determination of Legal Nonconforming Status~~DETERMINATION OF NONCONFORMING STATUS.~~

- (1) The burden of proving that a nonconformity legally exists is the responsibility of the owner of the property.
- (2) The Director of Development Services is authorized to determine whether reliable evidence~~Determination~~ of nonconforming status has been provided by the property owner. Resources for such evidence include but are not limited to recorded plats, aerial photography, or utility billing records.
- (3) Determinations of the Director may be~~shall be made by the Director of Development Services or their designee or successor,~~ subject to appeal to the ZBA.

1.10.3 NONCONFORMITY LEGALIZATION.

1.10.3.1 Director Adjustments

The Director has the discretion to approve variations that deviate less than five (5) percent from any specific standard prescribed in the LDC. If denied, the Applicant may request a Variance from the ZBA.

1.10.3.2 Warrants~~WARRANTS AND VARIANCES.~~

The Development Review Committee (DRC) has the discretion to approve Warrants, including Warrants for any Administrative Plat, Site Development permit, and/or building permit that deviates ~~s between five (5) less than and 10 five~~ percent from any specific standard prescribed in the LDC. If denied, or if the deviation is greater than ~~10 percent~~5%, the Applicant may appeal a Warrant denial or request a Variance from the ZBA.

1.10.3.3 Zoning Variances

The ZBA may use the Zoning Variance process to bring any nonconformity into compliance, subject to the requirements of Section 2.2.15 Place Type Special Exception.~~ABANDONMENT OF LEGAL NONCONFORMING STATUS.~~

~~1.10.3.4 — Abandonment of legal nonconforming status shall be determined as follows:~~

~~A legal nonconforming site shall be considered abandoned after the site~~

1.10.3.4 Non-Numerical Variations

Deviations from specific provisions of the LDC that cannot be quantified shall be requested through the Place Type Warrant Process described in Section 2.2.1.6.

~~1.10.3.5—A legal nonconforming sign shall be considered abandoned after the entity that the sign advertised has ceased operating or the premises on which the sign is located have been vacated for a period of 90 days.~~

~~1.10.3.6—Occurrence of a combination of one or more of the following situations shall be a sign of vacancy or lack of occupancy for the purposes of determining abandonment:~~

- ~~(1) The building, structure, activity, or land unoccupied or out of use;~~
- ~~(2) The intention of the owner to discontinue the use is apparent;~~
- ~~(3) One or more utility accounts have been discontinued;~~
- ~~(4) Utility meters are removed;~~
- ~~(5) The occupant or owner has allowed any taxes to not be paid thereon;~~
- ~~(6) The site or structure has not been maintained;~~
- ~~(7) The unit has not been made available for occupancy;~~
- ~~(8) The characteristic equipment and furnishings of a nonconforming use have been removed from the premises; or~~
- ~~(9) A nonconforming use has been replaced by a conforming use.~~

1.10.4 NONCONFORMING LOTS.

1.10.4.1 A nonconforming lot is a lot that does not meet the current dimensional requirements established in this LDC.

1.10.4.2 Any platted lot is deemed a conforming lot.

1.10.4.3 Any variations to the dimensional requirements may be modified through the Warrant or Variance procedures described in this LDC.

1.10.4.4 Legal nonconforming lots may continue to be used for all legal purposes under this LDC until the nonconforming status has been abandoned.

- (1) A legal nonconforming lot shall be considered abandoned after an application to amend or replat the lot has been approved.

1.10.4.5 No additional division of a legal nonconforming lot shall occur that will increase the level of nonconformity of the lot.

1.10.5 NONCONFORMING SITES.

1.10.5.1 ~~Legal~~ nonconforming sites are legally occupied properties whose site improvements do not meet one or more provisions of this LDC such as parking location, landscaping, lighting, or stormwater drainage, etc.

1.10.5.2 Legal nonconforming sites may not be expanded or modified in a way that increases or adds to the nonconformities of the site.

1.10.5.3 ~~Nonconforming sites must be brought into conformance with the existing standards of this LDC in the following circumstances:~~

(1) ~~Prior to reoccupying a legal nonconforming site that has been vacated abandoned has been vacated for a period of 24 months or longer and all legal uses of the site have been discontinued for a period of 12 months; and pursuant to Section 1.10.5, t~~

(2) ~~At the time the nonconforming site is the subject of a Zoning Change, Neighborhood Plan, or Infill Neighborhood Plan.~~

1.10.5.4 ~~Nonconforming sites within a historic district or that are individually listed in the National Register of Historic Places or registered as a Recorded Texas Historic Landmark are not required to be brought into conformance with the existing standards of this LDC.~~

1.10.5.5 ~~When conformance with the existing standards of this LDC is required in accordance with Section 1.10.5.3 above, the owner of a nonconforming the site must prepare a plan for the proposed reoccupation of the site that demonstrates how the site may be brought into substantial compliance with this LDC.~~

(1) ~~The Development Review Committee (DRC) shall have review and approval authority for the reoccupation of abandoned nonconforming sites.~~

(2) ~~The Zoning Board of Adjustment (ZBA) shall hear appeals of DRC decisions regarding the reoccupation of abandoned nonconforming sites.~~

1.10.5.6 ~~When conformance with the existing standards of this LDC is required in accordance with Section 1.10.5.3 above but the Director determines that all provisions of this LDC cannot be reasonably met or conformance with all requirements of this LDC will cause the expansion or creation of another nonconformity, the Applicant may request a Warrant to continue the use without meeting the current standards of this LDC in accordance with Section 2.2.1.6.~~

1.10.6 NONCONFORMING STRUCTURES.

~~A nonconforming structure is a building or other construction that does not meet one or more of the standards of this LDC such as build-to line, height limitations, design standards, or performance standards, etc.~~ Legal nonconforming structures are those that do not meet one or more of the standards of this LDC such as build-to line, height limitations, design standards, or performance standards, etc.

1.10.6.1 A nonconforming structure or portion thereof may be altered to decrease its nonconformity as determined by the Development Services Director.

1.10.6.2 A nonconforming structure may be expanded, however, the expansion must conform to the LDC standards in place at that time and shall not result in increased or additional nonconformities.

1.10.6.3 Reconstruction of nonconforming structures or portions amounting to less than 50 percent of the existing square footage is permitted if the nonconformity is not enlarged in volume, area, or footprint.

1.10.6.4 Voluntary removal or destruction of a nonconforming structure or portion amounting to 50 percent or more of the existing square footage shall require either complete removal of the structure or its reconstruction in conformance with the existing regulations.

1.10.6.5 Involuntary damage to or destruction of a nonconforming structure (e.g., fire, winds, or other calamity) may be rebuilt, reconstructed, or restored on the same footprint of the original structure plus any addition or expansion that is allowed by and conforming to the applicable Place Type district. Such reconstruction is permitted as long as it begins within 24 months of the loss and complies with all other applicable zoning, development, and building codes.

(1) If reconstruction does not begin within 24 months of the loss, and the structure has been vacant and/or no certificate of occupancy has been in place, the structure loses its legal nonconforming status. A legal nonconforming structure shall be considered abandoned after for a period of 18 months.

1.10.6.6 A nonconforming structure may be moved to another location on the lot, provided that the moving will make it nonconforming to an equal or lesser extent. A nonconforming structure shall not be moved to an off-site location unless the nonconformity is eliminated through the relocation.

~~1.10.6.2—MAINTENANCE AND REPAIRS.~~

~~Legal nonconforming structures may be maintained in accordance with the applicable building codes. Maintenance shall not increase the structure's nonconformities.~~

~~Repairs to legal nonconforming structures shall be allowed if the value of the repair does not exceed 50 percent of the market value of the structure. Repairs shall not increase the structure's nonconformities.~~

~~1.10.6.3—Reoccupation of abandoned nonconforming structures~~

~~Prior to reoccupying a legal nonconforming structure that has been abandoned pursuant to Section 1.10.5, the owner of the structure must prepare a plan for the proposed reoccupation of the structure that demonstrates how the structure may be brought into substantial compliance with this LDC. The DRG shall have review and approval authority for the reoccupation of abandoned nonconforming structures. The ZBA shall hear appeals of DRG decisions regarding the reoccupation of abandoned nonconforming structures.~~

1.10.7 NONCONFORMING SIGNS.

Permitted signs erected before the adoption of the LDC that do not meet the current standards of this LDC are considered to be legal nonconforming signs.

1.10.7.1 No person may increase the extent of nonconformity of a nonconforming sign. No nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition, nor may illumination be added to any nonconforming sign.

1.10.7.2 When any sign is substantially damaged (i.e., the cost of restoring the sign is at least 50 percent of the market value of the sign before it was damaged), destroyed, taken down or removed for any purpose other than copy change or ordinary maintenance operation, it shall not be re-erected, reconstructed, or rebuilt except in full compliance with this LDC.

1.10.7.3 Any change in the use of any building or property on which a nonconforming sign is located will require that all nonconforming signs on that property be brought into compliance with all applicable sections of this LDC.

(1) Exception: The message of a nonconforming sign may be changed so long as this does not create any new nonconformities.

1.10.7.4 A nonconforming sign shall not be moved or replaced except to bring the sign into conformity with this section.

(1) For the purpose of this subsection, the term "replaced" means the replacing of any or all parts of a sign that would extend the normal life span of the sign. An example is replacing wood pole supports with metal I-beam supports.

~~1.10.7.1—MAINTENANCE, UPDATES AND REPAIR:~~

~~(1) Legal nonconforming signs may be maintained in accordance with the applicable building codes. Maintenance shall not increase the sign's nonconformities.~~

~~(2) Legal nonconforming signs may be updated with new lettering, logos, etc. so long as the update does not exceed 50 percent of the sign's replacement value. Updates may not increase the sign's nonconformities.~~

~~(3) Repairs to legal nonconforming signs shall be allowed if the value of the repair does not exceed 50 percent of the sign's replacement value. Repairs shall not increase the sign's nonconformities.~~

1.10.8 NONCONFORMING USES OF LAND.

1.10.8.1 A nonconforming use is a land use that is not permitted in the Place Type district in which it is located, or that does not meet the performance standards described in Sections 5.5 and 5.9 of this LDC.

1.10.8.2 If a nonconforming use is discontinued for a period of at least 12 months, the use shall not resume except in full conformance with this LDC.

(1) For the purpose of this paragraph, to "discontinue" shall mean to intentionally terminate operations of the nonconforming use.

1.10.8.3 Any nonconforming use that does not involve a permanent type of structure or operation that is moved from the premises shall be considered to have been discontinued, regardless of intent.

1.10.8.4 A nonconforming use shall not be expanded, except that the Development Services Director may authorize the expansion of a nonconforming use within an existing structure.

~~1.10.8.1—Permitted uses in existence before the adoption of the LDC that do not meet the current standards of this LDC are considered to be nonconforming uses.~~

~~1.10.8.2—A nonconforming use may be replaced by the same specific use as long as the nonconforming use has not been abandoned.~~

~~1.10.8.3~~1.10.8.5 The Development Services Director may approve the replacement of a nonconforming use with a different nonconforming use if it is determined that the new nonconforming use will have a lesser impact on the surrounding neighborhood than the existing nonconforming use.

Definitions

Chapter 7 DEFINITIONS

Definitions are hereby ~~established~~**defined for terms used throughout this LDC.** Terms not defined herein shall be ~~interpreted and construed~~**constructed** in accordance with customary usage in municipal planning and engineering practices.

ACCESSORY BUILDING shall mean an outbuilding that is smaller than the main structure and is situated behind the main structure on the lot.

ACCESSORY DWELLING shall mean a secondary, self-contained dwelling unit located on the same lot as a principal dwelling unit. Accessory Dwelling Units provide complete independent living facilities for one household, including permanent provisions for living, sleeping, cooking, and sanitation. Accessory Dwelling Units may be detached from, attached to, or located within the principal dwelling unit building. Accessory Dwelling Units are subordinate in size and scale to the principal dwelling unit.~~secondary unit located toward the rear of the same lot as a principal building used as an additional dwelling unit.~~

ADDITION shall mean any construction that increases the size of a structure in terms of site coverage, height, or gross floor area.

ADDRESS SIGN shall mean a sign, generally applied to a building wall, that displays a building's address.

ADMINISTRATIVE APPROVAL shall mean the process by which the City Manager reviews submitted administrative plats, public frontage, site, and/or building plans and provides approval based on compliance with this LDC.

ADMINISTRATIVE PROCEDURE shall mean the procedure to be followed for the approval of the subdivision or re-subdivision of an existing lot(s) when such subdivision meets certain limited conditions set by the City.

ADMINISTRATIVE REVIEW shall mean the process by which the City reviews submitted Neighborhood Plans, Public Frontage, site, and/or Building Plans to determine compliance with this LDC.

ADMINISTRATOR shall mean the City Manager and/or designated City Staff.

ALLEY shall mean a vehicular drive located to the rear of lots providing access to service areas, parking, rear building access and may contain utility easements.

ALLEY SIGN shall mean a sign used to identify the alley entrance to a building or business.

ALTERATION shall mean any change, demolition, or modification to a structure or site designated as a historic landmark or located in a local historic area including, but not limited to, the following:

- (1) Exterior changes to or modifications of any buildings or structures, architectural details or visual characteristics.
- (2) Construction of new structures.
- (3) Disturbance of archaeological sites or areas; or
- (4) Disturbance, placement, or removal of exterior objects that affect the exterior qualities of the property.

AMENDING PLAT shall mean plat as defined in 212.016 of the Texas Local Government Code and the procedure for such plats shall be the same as the procedure as defined herein.

APARTMENT BUILDING shall mean a building or series of buildings containing greater than five (5) dwelling units in a building with exterior dwelling unit entrances, primarily rented or leased for terms longer than thirty (30) days.

APEX shall mean the highest point of a sign as measured from the point on the ground where its structure is located, or, if no sign structure is present, from the point on the ground directly below the sign itself.

APPEAL shall mean a means for obtaining a review of a decision, determination, order, or failure to act.

APPLICANT shall mean a person or entity who submits to the City an application for an approval required by this LDC. To be qualified as an applicant under this LDC, the person or entity must have sufficient legal authority or proprietary interests in the land to commence and maintain proceedings under this LDC. The term shall be restricted to include only the property owner(s), or a duly authorized agent and representative of the property owner.

APPLICATION shall mean a written request to the City for an approval required by this LDC that contains all information required by this LDC and that has been deemed administratively complete by the City.

APPURTENANT features shall mean the features that define the design of a building or property including but not limited to porches, railings, columns, shutters, steps, fences, attic vents, sidewalks, driveways, garages, carports, outbuildings, gazebos, and arbors.

ARCADE shall mean colonnade supported upper stories of a building projecting over the sidewalk, where the facade of the first story remains at or behind the frontage line.

ARCHAEOLOGICAL resource shall mean a site with archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

ARCHITECTURAL ELEMENT shall mean the unique details and component parts that combined form the architectural style of a structure, building, or object.

ARCHITECTURAL FEATURES shall mean ornamentation or decorative features attached to or protruding from or otherwise accentuating an exterior wall.

AWNING shall mean a cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. This term does not include canopies.

AWNING SIGN shall mean lettering applied directly on the valance or other vertical portion of an awning.

BAND SIGN shall mean a sign that is attached flat on the exterior front, rear, or side wall of any building or other structure.

BANNER shall mean a temporary sign, either attached or freestanding, with or without characters, letters, illustrations, or ornamentations, applied to cloth, paper, flexible plastic or fabric of any kind, attached to the exterior of the structure or freestanding on the site with temporary fastening devices such as rope, string, wire, twine, or similar materials, which is in addition to the permitted permanent signs, announcing a special event for a business, i.e., business openings, grand openings, sales, or promotion events.

BICYCLE CORRAL shall mean a group of either short-term or long-term bicycle parking spaces that are located in the vehicular parking area adjacent to the curb. The corral is generally surrounded by a painted white box on the street with flexible vertical delineators and a wheel stop where vehicles are likely to back into the adjacent parking spot.

BICYCLE RACK, LONG-TERM shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, is intended for parking more than three hours, and is fully protected from the elements.

BICYCLE RACK, SHORT-TERM shall mean a bicycle parking fixture that provides at least two bicycle spaces, includes at least a four-foot-wide by six-foot-long dimension, and is intended for parking less than three hours.

BLADE SIGN shall mean a sign mounted on the building facade, projecting at a 90-degree angle.

BLOCK shall mean an aggregate land area circumscribed by streets or thoroughfares.

BLOCK FACE shall mean the aggregate of all the principal frontage lines or alternatively the building facades on one side of a block.

BUILDABLE WIDTH shall mean the width of the building site left to be built upon after the required IBC setbacks are provided.

BUILDING shall mean a structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, real property, and business activity.

BUILDING BLOCK shall mean the 330' X 330' block size that is defined in Taylor's DNA. It is the foundation of the walkable environment.

BUILDING LINE shall mean the rear line of a required front build-to-line that is generally parallel to the street line forming the front line.

BUILDING OFFICIAL shall mean the inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Code and this LDC where indicated.

BUILDING TYPES shall mean a range of structures with different standards to create a variety of options for human settlements.

BUILD-TO-LINE shall mean the line parallel to the street along which the primary mass of the front facade should be set. It is measured as a perpendicular distance from the street line to the nearest point of the building facade.

BUSINESS shall mean a place where a person practices their regular occupation, profession, or trade.

BY RIGHT shall mean characterizing a proposal or component of a proposal for a Neighborhood Plan or Site Plan that complies with this LDC and is permitted and processed administratively without public hearing.

CALENDAR YEAR shall mean between January 1 to December 31 of each year.

CANOPY shall mean any non-rigid material such as fabric or flexible plastic, that is supported by or stretched over a frame, that is attached to an exterior wall, and that may include a type that can be retracted, folded, or collapsed against the face of a supporting building.

CERTIFICATE OF APPROPRIATENESS shall mean the certificate issued by the City indicating approval of plans for alteration, construction, or removal affecting a designated landmark or property within historic overlay zoning.

CERTIFICATE OF OCCUPANCY shall mean an official certificate issued by the City through the Building Official that indicates conformance with the zoning standards and building codes and authorizes legal use of the premises that it is issued.

CERTIFIED LOCAL GOVERNMENT shall mean a local government certified or approved by the State Historic Preservation Office (SHPO), which has an appointed commission to oversee the survey and inventory of historic structures, to review areas for historically significant structures, and to develop and maintain the community planning and education process. This federal government program, authorized by the National Historic Preservation Act, 16 U.S.C. 470 et seq., provides for the participation of local governments in a federal/state/local partnership.

CHANNEL LETTERS shall ~~mean sign letters with~~~~have its own~~ internal lighting elements, individually attached to the wall or onto a separate background panel. The letters ~~s~~ shall be translucent, or solid to create a backlit halo effect.

CITY OR THE CITY shall mean the City of Taylor and its authority of its city limits and extraterritorial jurisdiction (ETJ).

CITY CLERK shall mean the City Clerk of the City of Taylor or the authorized representative of the clerk.

CITY COUNCIL shall mean the governing body of the City of Taylor, Texas.

CITY ENGINEER shall mean a Licensed Engineer with the state of Texas or their representative with the City.

CITY MANAGER shall mean the chief administrative officer of the City of Taylor and their designated representative.

CITY OF TAYLOR ENGINEERING MANUAL shall mean the engineering manual adopted February 9, 2010, by Ordinance 2009-37, and any engineering manual adopted by the City of Taylor, Texas, by ordinance after March 24, 2011, superseding or repealing Ordinance 2009-37. Also referred to as the Engineering Manual.

CIVIC shall mean a designation for public sites dedicated for civic buildings and civic space.

CIVIC BUILDING shall mean a building operated by not-for-profit organizations dedicated to art, culture, education, recreation, government, transit, and municipal parking, or as approved by the Planning & Zoning Commission and City Council.

CIVIC SPACE shall mean an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships between their intended use, their size, their landscaping, and the buildings that front them.

CLEARANCE shall mean the height above the walkway, or another surface if specified, of the bottom edge of an element.

CLUSTERED LAND DEVELOPMENT OR CLD shall mean a Development Pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church clustered together in order to preserve open space. CLD takes the form of a small settlement standing free in the countryside.

COLLECTOR STREET shall mean a street that continues through several residential districts and is intended as a connecting street between residential districts and arterial streets or thoroughfares or business districts. Such secondary or collector streets will also be indicated in the Thoroughfare Plan when adopted which will be placed on file with the City Engineer.

COMMERCIAL shall mean the term collectively defining workplace, office, retail, and lodging uses.

COMMERCIAL SIGN shall mean a sign that directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

COMMISSION shall mean the Planning and Zoning Commission of the City of Taylor, Texas.

COMMON DESTINATION shall mean an area of focused community activity, usually defining the approximate center of a pedestrian shed. It may include, without limitation to, one or more of the following: a Civic Space, a Civic Building, a commercial center, or a transit station, and may act as the social center of a neighborhood.

COMPREHENSIVE PLAN shall mean a document adopted by the City that consists of graphic and textual policies that govern the future development of the City and that consists of various components governing specific geographic areas and functions and services of the City.

CONSERVATION EASEMENT shall mean a voluntary legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values.

CONSTRUCTION shall mean the act of adding an addition to an existing building, structure or object, or the erection of a new principal or accessory building, structure, or object on any lot, parcel, or site.

CONSTRUCTION PLANS shall mean the scaled and dimensioned drawings intended to identify exactly how a proposed project will be constructed. Construction plans include, but are not limited to, the following information: cover sheet, plat, site plan, landscape plan, sign plan, drainage plans and calculations, building plans, plans for both public and private utilities, construction details, etc.

CONTRIBUTING shall mean a building, structure, site, or object within a designated historic district which:

- (1) ~~e~~**E**mbodies the significant physical features and characteristics of the district, or adds to the historical association, historical architectural qualities, or archaeological values identified for the district; and
- (2) ~~W~~**W**as present during the period of significance relating to the documented significance of the district; and
- (3) ~~p~~**P**ossesses historic integrity or is capable of yielding important information about the period.

COURTYARD shall mean the placement of a building within the boundaries of its lot to create a private courtyard, while internally defining one or more private patios. Courtyard is a building type.

CURB shall mean the edge of the vehicular pavement that may be raised or flush to a swale. It usually incorporates the drainage system.

DANGEROUS STRUCTURE shall mean a structure that poses an imminent threat to public health or safety.

DATA CENTER shall mean a facility housing a collection of computer servers and associated components, such as telecommunication, storage, and backup systems that supply information to single or multiple end users off-site. Data Centers will typically require large amounts of electricity, strict temperature control and high security and will generally have few employees on-site at any given time. Such use may also be referred to as a server farm.

DAY shall mean every consecutive day on the calendar, including holidays and weekends, or every consecutive business day, as specified. Generally, if unspecified in this LDC, “day” means business days if 10 or fewer days are specified, and calendar days are intended where 11 or more days are specified.

DEMOLITION shall mean an act or process which:

- (1) ~~D~~**D**estroys a lot, parcel or site or building, structure or object in its entirety,

(2) ~~D~~estroys a part of a lot, parcel or site or building, structure or object and permanently impairs its structural, historic or architectural integrity,

(3) ~~R~~emoves the building, structure or object or any part thereof from the original lot, parcel or site without the requisite moving permit, or

(4) ~~R~~emoves architectural elements and features from the exterior of a building, structure or object.

DEMOLITION BY NEGLECT shall mean improper maintenance, neglect in the maintenance of, or lack of maintenance of any structure or property with historic overlay zoning, which results in deterioration of the structure and threatens the preservation of the structure.

DESIGNATION shall mean the process by which the City Council may designate certain buildings, land, areas, and districts in the City with historic overlay zoning and define, amend, and delineate the boundaries thereof.

DESIGN GUIDELINES shall mean the "Design Guidelines for Historic Taylor, Texas" as adopted by the City Council and as may be amended from time to time. These are guidelines of appropriateness or compatibility of building design within a community or historic district. Design guidelines contain drawings accommodating "do's and don't's" for the property owner. The historic preservation commission has the authority to administer design guidelines.

DESIGN REVIEW shall refer to the decision-making process conducted by the historic preservation board or an appointed historic preservation officer that is guided by established terms.

DEVELOPMENT shall mean any construction activity or alteration of the landscape, its terrain contour, or vegetation, including the erection or alteration of structures or land use.

DEVELOPMENT PATTERN shall mean options for land configuration for a Neighborhood Plan. The three types addressed in this LDC are Cluster Land Development (CLD), Traditional Neighborhood Development (TND), and Village Cluster Development (VCD).

DEVELOPMENT REVIEW COMMITTEE (DRC) shall mean staff members from each department overseeing development, infrastructure, and public safety that administer the provisions of this LDC.

DEVELOPMENT SIGN shall mean a sign announcing a proposed subdivision or a proposed building project.

DIGITAL INFRASTRUCTURE shall mean a use including but not limited to a Data Center that is intended to provide storage, management, processing, and transmission of digital

data, including the housing of computer and/or network equipment, servers, data storage systems, and related components such as power and cooling systems, utility substations, and emergency backup systems supporting digital operations. Digital Infrastructure includes cryptocurrency mining operations and other specialized uses of high-density computing or telecommunications hardware and other uses that meet the power use, water use, or environmental impact criteria established in Section 4.4.1.2 of this LDC.

DISPOSITION shall mean the placement of a building on its lot.

DISTRIBUTION MAINS shall mean off-site utilities serving a subdivision and other areas that are not laterals or service lines.

DRAINAGE shall mean any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or groundwater. It may include the construction, deepening, extending, opening, installation, or laying of any canal, drain, or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

DRAINAGE FACILITIES shall mean all facilities constructed within a subdivision related to stormwater drainage, including but not limited to swales, lawn areas, fences, structures, drainage facilities, drainage pipes, pumps, and detention and retention ponds.

DRIVEWAY shall mean a vehicular lane within a lot, often leading to a garage.

DUPLEX shall mean a building with two units within one structure on a lot. The configuration can be side by side, stacked, front to back, etc.

DWELLING shall mean any building or portion thereof, that is designed or used as living quarters for one or more families.

ECONOMIC HARDSHIP shall mean the inability of an owner to obtain a reasonable return or a reasonable beneficial use from a property with historic overlay zoning as required by the United States Supreme Court in Penn Central Transportation Company v. New York City, 438 U.S. 104 (1978) and subsequent decisions. A reasonable economic return does not have to be the most profitable return possible or allow the highest and best use of the property.

EDGEYARD BUILDING shall mean a building that occupies the center of its lot with setbacks on all sides. Edgeyard is a Building Disposition.

ELEVATION shall mean the exterior wall of a building that is set along a frontage line.

EMPLOYMENT CENTER shall mean an area within the community that is intended to provide a place for job creation, industrial development, or other functions that cannot conform to the character or regulations of other Place Types. Designated Employment

Centers may require modifications to block dimensions, civic space locations, building types and sizes, etc., but are intended to be developed in a manner that is consistent with the City's overall master plans, street network, and adjacent neighborhoods.

EMPLOYMENT CENTER PLAN shall mean a type of Neighborhood Plan allowing flexible design standards unique to the characteristics of major employment and industrial buildings and sites. A new Employment Center Plan is the first step in designing a development of this type. At time of application for an Employment Center Plan, development standards will be determined to fit the needs of the proposed use.

ENCROACHMENT shall mean any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public frontage, or above a height limit.

ENERGY PRODUCTION AND STORAGE FACILITY shall mean a privately developed and operated facility used for the generation, collection, conversion, or storage of electrical energy, including associated equipment, structures, and infrastructure. This use includes large-scale or utility-scale installations such as nuclear energy facilities, wind energy farms, solar energy farms, battery energy storage systems, inverters, transformers, switchgear, monitoring equipment, and related accessory components. It does not include small, building-mounted, or site-integrated energy systems intended primarily for on-site consumption, nor facilities owned and operated by a public utility or governmental entity.

ENFORCEMENT OFFICER shall mean a public official or employee responsible for ensuring compliance with local zoning regulations and ordinances.

EXTERIOR ARCHITECTURAL FEATURE shall mean but not be limited to architectural style and general arrangement of such portion of the exterior of a structure as is designed to be open to the view from a public way.

EXTERNALLY ILLUMINATED shall mean ~~artificial~~**artificial** light located away from the sign which lights the sign. The source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

EXTRATERRITORIAL JURISDICTION (ETJ) shall mean the area adjacent to the city limits of the City as created and authorized under Chapter 42 of the Texas Local Government Code. The City is authorized to control, among other things, subdivision as prescribed or defined by law.

FACADE shall mean the portion of any exterior elevation on the building extending from the grade to parquet, wall, or eaves, and the entire width of the building elevation which are adjacent to the front on any right-of-way. Where separate faces are oriented in the same

direction, or in directions within 45 degrees of one another, they are to be considered as part of a single facade.

FAUX NEON SIGNAGE shall mean signage created by using light emitting diodes (LEDs) which are strung closely together so that the light they emit overlaps and creates a steady source of light encased in plastic tubes.

FEATHER BANNER shall mean a vertical portable sign, made of lightweight material that is prone to move in the wind, and that contains a harpoon-style pole or staff driven into the ground for support or is supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, feather, and U-shaped. For purposes of this Chapter, a feather banner is an advertising device and sign.

FENCE shall mean a barrier or enclosure made of stone, brick, pierced brick or block, wood, or other permanent material of equal character, density, and acceptable design, including but not limited to masonry walls, chain link fences, barbed wire fences, picket fences, and privacy fences.

FILED shall mean the date when a submission has been deemed an administratively complete application. A plan or permit application shall be reviewed for completeness and be deemed administratively complete to be considered filed.

FINAL PLAT shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

FLAG/PENNANT shall mean a piece of fabric of distinctive design that is used as a symbol (as of a nation), identification, signaling device, or as decoration.

FLOODPLAIN shall mean an area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM (Flood Insurance Rate Map) of the City of Taylor.

FREESTANDING COMMERCIAL SIGN shall mean a sign supported by one or more columns, poles, or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part thereof, is to support or constitute the sign.

FRONTAGE shall mean the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into private frontage and public frontage.

FRONT PROPERTY LINE shall mean a lot line bordering a public frontage. Facades facing front property lines define the public realm and are therefore more regulated than the elevations facing other lot lines.

GALLERY shall mean an attached cantilevered shed or a lightweight colonnade extending from a building facade to overlapping the sidewalk.

GOVERNMENT shall mean a federal, state or local government entity and includes the City of Taylor and Williamson County.

GOVERNMENT SIGN shall mean a sign that is constructed, placed, or maintained by the federal, state, or local government or a sign that is required to be constructed, placed, or maintained by the federal, state, or local government either directly or to enforce a property owner's rights. Local government includes any political subdivision including the county, the City, the school district, or an emergency services district.

GRADE shall mean ground level.

GREEN shall mean a Civic Space Place Type (CS) for unstructured recreation, spatially defined by landscaping rather than building frontages.

HALO LIT SIGN shall mean aluminum faces and sides (returns) mounted onto standoffs away from the wall which project either LED's or neon illumination to the wall surface, giving the sign a halo effect.

HANGING SIGN shall mean a sign attached to or underneath the canopy or awning.

HISTORIC DESIGNATIONS shall mean an official recognition of the significance of a building, property, or district. Designation can occur on three different levels:

- (1) Federal - The National Register of Historic Places (for both individual buildings and entire districts);
- (2) State - Recorded Texas Historic landmarks (only for individual buildings) and State Archaeological Landmarks; or
- (3) Local - designated under a municipal historic ordinance either individually as a landmark or as a locally designated district.

HISTORIC DISTRICT shall mean an area of the City containing a grouping of historic properties that are designated with historic overlay zoning and that may contain properties that are both contributing and non-contributing, but that is united historically or aesthetically. ~~For the purpose of this section, the entirety of an historic district shall have historic overlay zoning.~~

HISTORIC LANDMARK shall mean any building, structure, object, site, or portion thereof with historic overlay zoning.

HISTORIC PRESERVATION shall mean the protection, reconstruction, rehabilitation, repair, and restoration of places and structures of historic, architectural, or archaeological significance.

HISTORIC PRESERVATION COMMISSION (HPC) shall mean the five-member Board established under this LDC and appointed by City Council.

HISTORIC PRESERVATION OFFICER (HPO) shall mean the planning director or their designee who shall serve as the historic preservation officer for the City and who shall oversee the historic preservation program for the City.

HISTORIC REHABILITATION shall mean the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

HISTORIC RESOURCE shall mean any building, structure, object, or site that is 50 years old or older or any resource that has been identified as a high or medium priority because of its unique history or architectural characteristics.

HISTORIC RESOURCES SURVEY shall mean a systematic, detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance.

HOME OCCUPATION shall mean a no-impact home-based business as defined in §229.902 of the Texas Local Government Code. Generally, a home n-occupation is carried on only by a resident of the premises (and by no other person(s)), which occupation is in a way that is clearly incidental and secondary to the residential purposes of the premises and does not change the external appearance of the residential property or detract from ~~be detrimental to~~ the residential character of the neighborhood.

HOME OWNER'S ASSOCIATION (HOA) shall mean an organization authorized by the Texas Property Code Section 202 that is established in part to provide for the maintenance of required ~~drainage~~ improvements such as drainage infrastructure, private streets, and other facilities and amenities.

HOUSE shall mean a single dwelling unit edgeyard building on a lot.

IBC/ICC (INTERNATIONAL BUILDING CODE/INTERNATIONAL CODE COUNCIL) shall mean the Code or Codes adopted by the City of Taylor to ensure public health and safety of buildings, including all related Codes.

IMPROVEMENT shall mean any building, structure, or object constituting a physical betterment of real property, or any part of such betterment, including but not limited to streets, alleys, curbs, lighting fixtures, signs and the like.

INFLATABLE SIGN shall mean an inflatable device, with or without a message, figure, or design attached to its surface designed to attract attention.

INFILL/INFILL DEVELOPMENT shall mean new development on land that had been previously developed, including most greyfield and brownfield sites, or remainder lands surrounded by developed lands and cleared land within urbanized areas.

INTENSIVE MANUFACTURING shall mean manufacturing or industrial enterprises with significant external effects that pose significant risks due to the involvement of explosives, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process, or that require high and/or constant usage of public utilities disproportionate to the utility usage of the surrounding area. Examples of intensive manufacturing include the manufacture or production of the following goods or products:

- (1) Asphalt mixing plant;
- (2) Batteries;
- (3) Chemicals (including chlorine, corrosive acid, cosmetics, disinfectants, fertilizer, insecticides, and poisons);
- (4) Concrete mixing plant;
- (5) Explosives;
- (6) Industrial gases (such as acetylene);
- (7) Lime and gypsum products;
- (8) Medicines and pharmaceuticals;
- (9) Nonmetallic mineral products (such as concrete and concrete products and glass);
- (10) Paint (including lacquer and varnish);
- (11) Paper;
- (12) Primary metals;

(13) Petroleum products; and

(14) Plastic, rubber, and synthetic resins.

INTERNALLY ILLUMINATED shall mean a light source that is concealed or contained within the sign and becomes visible in darkness through a transparent surface.

INITIATED DESIGNATION shall mean the historic designation procedure is considered to be initiated immediately when the City Council, the Planning & Zoning Commission, or the Historic Preservation Commission votes to initiate it or, in the case of initiation by the property owner(s), when the designation report is filed with the planning director.

INTEGRITY shall mean the authenticity of a property's historic identity, evidenced by survival of physical characteristics that existed during the property's historic or prehistoric period.

INVENTORY shall mean a list of historic properties that have been identified and evaluated as meeting specified criteria of significance.

LANDSCAPE shall mean any improvement or vegetation including but not limited to shrubbery, trees, plantings, outbuildings, walls, courtyards, fences, swimming pools, planters, gates, street furniture, exterior lighting, and site improvements, including but not limited to subsurface alterations, site regarding, fill deposition, and paving.

LAYER shall mean a range of depth of a lot within those certain elements are permitted.

- (1) First Layer shall mean the area of a lot from the frontage line to the facade of the principal building.
- (2) Second Layer shall mean the area of a lot set behind the first layer to a depth of 20 feet in all Place Types
- (3) Third Layer shall mean the area of a lot set behind the second layer and extending to the rear lot line.

LIGHTING shall mean any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally illuminated on- or off-premises advertising signs, and area-type lighting. The term includes luminous elements or lighting attached to structures, poles, the earth, or any other location.

LIGHT TRESPASS shall mean light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in ~~a~~ motor vehicle drivers' eyes, or upwards toward the sky.

LOCAL HISTORIC DISTRICT shall mean a geographically and locally defined area that possesses a significant concentration, linkage, or continuity of buildings, objects, sites, structures, or landscapes united by past events, periods, or styles of architecture, and that, by reason of such factors, constitute a distinct section of the City. Historic sites within a local district need not be contiguous for an area to constitute a district. All sites, buildings, and structures within a local historic district, whether individually contributing or not are subject to the regulations of the district.

LOCAL HISTORIC LANDMARK shall mean any site, building, structure, or landscape of historic significance that receives designation by the City pursuant to this LDC.

LODGING shall mean a place for temporary sleeping ~~acomodation~~accommodation.

LOT shall mean a divided tract or parcel of land having frontage on a public right-of-way or on an approved civic space or open space having direct thoroughfare access and that is or may be offered for sale, conveyance, transfer or improvement that is designated as a distinct and separate tract, and that is identified by a tract, or lot number or symbol in a duly approved plat that has been properly filed of record.

- (1) **Lot, Corner** shall mean a building lot situated at the intersection of two streets, the interior angle of such intersection not to exceed one hundred thirty-five (135) degrees.
- (2) **Lot, Double Frontage** shall mean a building lot not a corner lot, both the front and rear lot lines which adjoin street lines. On a double frontage lot, both street lines shall be deemed front lot lines unless contrary to any restrictive covenant applicable to said property.
- (3) **Lot, Interior** shall mean a building lot other than a corner lot.
- (4) **Lot, Reverse Corner** shall mean a corner lot, the rear lot line of which abuts the side lot line of the lot to its rear.

LOT AREA OR LOT SIZE shall mean the amount of horizontal land area within lot lines. No building permit or development approval shall be issued for a lot that does not meet the minimum lot size requirements of this LDC.

LOT AREA PER DWELLING UNIT shall mean the lot area required for each dwelling unit located on a building lot.

LOT COVERAGE shall mean the percentage of the area of a lot covered by building, parking, or other impervious footprints.

LOT LINE shall mean the boundary that legally and geometrically demarcates a lot.

- (1) **Lot Line, Front** shall mean the boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots, either street line may be selected as the front lot line provided a front and rear IBC setback are provided adjacent and opposite, respectively to the front line, and provided further that same front line does not violate any restrictive covenant applicable to said property.
- (2) **Lot Line, Rear** shall mean the boundary of a building lot which is most distant from and is, or is most nearly, parallel to the front lot line.
- (3) **Lot Line, Side** shall mean any boundary of a building lot which is not a front lot line or a rear lot line.

LOT OF RECORD shall mean a lot that is part of a plat that has been recorded in the office of the County Clerk of Williamson County.

LOW-INCOME HOMEOWNER shall mean any homeowner that meets the U.S. Department of Housing and Urban Development (HUD) qualifications for low income.

LOT WIDTH shall mean the length of the principal frontage line of a lot.

LOW PROFILE SIGN shall mean a sign with a permanent foundation that is not attached to a building, but is a stand-alone sign which does not exceed 60 square feet in area and four (4) feet in height.

LUMEN shall mean the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from “watt,” a measure of power consumption). The initial lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

LUMENS PER ACRE shall mean the total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

LUMINOUS ELEMENTS (OF A LIGHT FIXTURE) shall mean the lamp (light bulb), any diffusing elements, and surfaces intended to reflect or refract light emitted from the lamp individually or collectively comprise the luminous elements of a light fixture (luminaire).

MAILBOX TYPE STRUCTURE shall mean a small frame structure that resembles a mailbox support to which a swinging sign is attached and is located on the applicant's property.

MAIN CIVIC SPACE shall mean the primary outdoor gathering place for a community. The main civic space is often, but not always, associated with an important civic building.

MAINTENANCE AGREEMENT shall mean an agreement between the City of Taylor, Texas and a Developer that will insure that installed appurtenances will be maintained in accordance with best management practices.

MANUFACTURED HOME shall mean a structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. All references in this article to manufactured housing or manufactured home(s) shall be references to HUD-code manufactured housing, unless otherwise specified. This use does not include mobile homes.~~structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed for use with a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."~~

MASTER SIGN PLAN shall mean a comprehensive document containing specific standards for an entire project or property's signs.

MARQUEE shall mean permanent structure, other than a roof or canopy, attached to, supported by, and projecting from a building and ~~providing~~providing protection from the elements.

MARQUEE SIGN shall mean any sign attached to a marquee for the purposes of identifying a use or product. If attached to a theater, performing arts center, cinema, or other similar use, it may also advertise films or productions.

MESSAGE BOARD shall mean a sign with changeable text. Non-electronic Message Boards typically consist of letters attached to a surface within a transparent display case. Electronic Message Boards typically have a fixed or changing message composed of a series of lights.

MINOR ALTERATIONS shall mean the installation or alteration to awnings, fences, gutters, downspouts, and incandescent lighting fixtures; restoration of original architectural features that constitute a change from the existing condition; alterations to signs; and additions and changes not visible from any street to the rear of the main structure or to an accessory structure.

MINOR PLAT shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

MOBILE FOOD VENDORS shall mean any Business that operates or sells food for human consumption, hot or cold, from a Mobile Food Vending Unit.

MOBILE HOME shall mean structure constructed before June 15, 1976, transportable in one or more sections which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the a factory-assembled structure approved by the municipality with the necessary service connections made so as to be movable on site, such as plumbing, heating, air conditioning, and electrical systems, and designed to be used as a permanent dwelling.

MODULAR HOME shall mean a structure or building module as defined under the jurisdiction and control of the Texas Department of Labor and Standards, that is transportable in one or more sections on a temporary chassis or other conveyance device, and that is designed to be installed and used by a consumer as a fixed residence on a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems contained in the structure. The term does not include mobile homes or HUD-Code manufactured homes as defined in the Texas Manufactured Housing Standards Act (Article 5221f, V.A.C.S.). Modular homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed ("stick built") homes.

MONUMENT SIGN shall mean a ground ~~S~~sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance.

MURAL shall mean artwork applied to the wall of a building that covers all or substantially all of the wall and depicts a scene or event of natural, social, cultural, or historic significance. Excludes any commercial message.

NAMEPLATE shall mean a sign consisting of either a panel or individual letters applied to a building, listing the names of businesses or building tenants.

NATIONAL HISTORIC LANDMARK shall mean a district, site, building, structure, and/or object that has been formally designated as a National Historic Landmark by the U.S. Secretary of the Interior and possesses exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archeology,

engineering, and culture and that possesses a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. National Historic Landmarks are automatically listed in the National Register.

NATIONAL REGISTER OF HISTORIC PLACES shall mean a federal list of cultural resources worthy of preservation, authorized under the National Historic Preservation Act of 1966 as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The National Register Program is administered by the local historic preservation commission, by the state historic preservation office, and by the National Park Service under the Department of the Interior. Significant federal benefits may accrue to owners of properties listed or determined eligible for listing in the National Register.

NATIVE PLANTS shall mean plants that have been growing in a particular habitat and region, typically for thousands of years or much longer. Also called indigenous, they are well adapted to the climate, light, and soil conditions that characterize their ecosystem. Within this system, they have evolved tremendously important co-evolutionary relationships with the other plants, animals, fungi, and bacteria present, and these very complex relationships keep that particular ecosystem stable.

NEIGHBORHOOD PLAN shall mean a neighborhood design plan created through a series of maps defining the physical form, Place Type allocation, block types, and extent of a settlement as required the LDC. The three Development Patterns addressed in this LDC are CLD, TND, and VCD and allow for the creation of a variety of Neighborhood Plan patterns.

NEIGHBORHOOD STREET shall mean a street that continues through several residential districts and is intended as a connecting street between residential districts and arterial streets or thoroughfares or business districts. Such secondary or neighborhood streets are indicated in the Transportation Master Plan and will also be indicated in the Thoroughfare Plan when adopted, which will be placed on file with the City Engineer.

NEON signage shall mean electric signs illuminated by small gas-charged glass tubes containing neon or some other form of rarified gas.

NONCONFORMING SIGN shall mean a sign lawfully in existence on the date the provisions of this LDC are adopted that does not conform to the provisions of this LDC, but was in compliance with the applicable standards at the time they were constructed, erected, affixed, or maintained.

NONCONTRIBUTING shall mean a building, site, structure, or object that is located within a designated historic district, but does not add to the historic associations, historic

architectural qualities, or archaeological values for which the district is significant because:

- (1) It was not present during the period of significance;
- (2) It does not relate to the documented significance of the property; and/or
- (3) To alterations, disturbances, additions, or other changes, it no longer possesses historic integrity and/or is capable of yielding important information about the period.

NON-COMMERCIAL SIGN shall mean a work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered or existing.

NON-CONTRIBUTING STRUCTURE shall mean a structure within a designated local Historic District that is not considered to be of historical significance or which does not possess significant physical features, historical associations, or historical architectural qualities.

NONRESIDENTIAL shall mean a property used for purposes other than ~~to residential~~ uses.

OBJECT shall mean a physical item associated with a specific setting or environment that is movable by nature or design, such as statuary in a designed landscape. The term “object” is used to distinguish it from buildings or structures as objects are constructions that are primarily artistic in nature or are relatively small in scale or simply constructed.

OFF-PREMISES COMMERCIAL SIGN shall mean a sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed. This definition includes but is not limited to freestanding and billboard signs.

ON-PREMISE COMMERCIAL SIGN shall mean a sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed. This definition does not include non-commercial signs.

OFF-SITE IMPROVEMENTS shall mean improvements made to a parcel of property in accordance with local policies that are not contained within the boundaries of the property.

ON-SITE IMPROVEMENTS shall mean improvements made to benefit a parcel or parcels of property in accordance with local policies that are within the boundaries of property being improved.

OPEN SPACE shall mean land intended to remain undeveloped; it may be for civic space, left natural, or integrate trails or other activities.

ORDER OF DEMOLITION shall mean a directive issued by the local historic preservation commission indicating approval of plans for demolition of a designated landmark or property within a designated district.

ORDINARY MAINTENANCE shall mean activities relating to a property that would be considered ordinary or common for maintaining the property, such as

- (1) ~~a)~~ **R**epair using the same material and design as the original and does not require structural modifications;
- (2) ~~b)~~ **R**epainting;
- (3) ~~c)~~ **R**eroofing, using the same type; or
- (4) ~~d)~~ **R**epair of sidewalks and driveways.

OSSF shall mean on-site sewage facility, commonly referred to as septic systems, whether of a traditional or “engineered” design.

OUTDOOR DISPLAY CASE shall mean a sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.

OVERLAY DISTRICT shall mean zoning applied over one or more other districts, creating a second, mapped zone that is superimposed over the conventional zoning districts. Overlay districts typically provide for a higher level of regulations in certain areas such as transit station areas, downtown areas, and historic districts, but may also be used to permit exceptions or less restrictive standards (such as more density in an economic development area).

OWNER shall mean the individual, corporation, partnership, or other legal entity in whom is vested the ownership, dominion, or title of property and who is responsible for payment of ad valorem taxes on that property; including a ~~L~~essor or ~~L~~essee if responsible for payment of ad valorem taxes.

PARCEL shall mean a contiguous tract of land owned by or controlled by the same person or entity.

PARK shall mean a civic space type that is a natural preserve available for unstructured recreation.

PARK AND RECREATION, PUBLIC shall mean an open recreation facility or park owned and operated by a public agency, such as the park department or school board and available to the general public.

PARK OR PLAYGROUND (PRIVATE)– ~~See~~ shall mean a structure or space on private land designated for recreation and play.

PARK OR PLAYGROUND (PUBLIC)– ~~See~~ "Public Recreation".

PATH OR PATHWAY shall mean a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

PEDESTRIAN shall mean any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, “motorized wheelchair” means a self-propelled wheelchair that is used by a person for mobility.

PEDESTRIAN SHED shall mean the area covered by a 5-minute walk from the center of a neighborhood (about 0.25 miles or 1,320 feet). The acreage of the pedestrian shed is determined by the development pattern.

PERMANENT SIGN shall mean a sign constructed of durable materials which is affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation and are intended for long-term use. A permanent sign excludes a sign attached to a building or other permanent structural members with rope, string, wire, twine, or similar material.

PID shall mean a Public Improvement District as authorized by section 372 of the Texas Local Government Code.

PLACE TYPES OR PLACE TYPE ZONES shall mean geographic boundaries that use standards to establish the Building Types density, height, and other elements of the intended habitat. Each Place Type has associated standards relating to the private and public frontages.

PLACE TYPE ZONING MAP shall mean the official map or maps that are part of this LDC and delineate the boundaries of individual districts.

PLANNING & ZONING COMMISSION shall mean a board, appointed by the City Council, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the “Commission.”

PLAT shall mean a of a division of land creating building lots or tracts, showing all essential dimensions, and other information necessary to comply with the standards of the City of Taylor, approved by the City of Taylor, and recorded in the plat records of Williamson County. It shall include plan, plat or replat, both singular and plural.

PLAZA shall mean a civic space type designed for civic purposes and commercial activities in the more urban Place Types, generally paved and spatially defined by building frontages.

POLE SIGN shall mean a sign permanently affixed to the ground by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building.

POLITICAL SIGN shall mean any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.

PORTABLE SIGN shall mean a sign which is not affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

PRE-CONSTRUCTION MEETING shall mean a formal meeting with the City Engineer before a Subdivision Improvement Plan or Subdivision Improvement Plan Agreement may be approved.

PRE-DEVELOPMENT MEETING shall mean a meeting with City Staff required before a formal application submission for any plat, replat, or plat vacation may be submitted to the City.

PREMISES shall mean land together with any buildings or structures situated thereon.

PRESERVATION shall mean the stabilization of a historic building, its materials and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property’s form as it has evolved over time.

PRESERVATIONIST shall mean someone with experience, education or training in the field of preservation.

PRIMARY FRONTAGE shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

PRIMARY SIGN shall mean the most dominant sign on the building. This may be a single sign or a combination of signs providing that the total square footage of the primary sign or signs does not exceed the total allowable square footage permitted for the building.

PRINCIPAL BUILDING shall mean the main building on a lot.

PRINCIPAL BUILDING FACADE shall mean the primary street side of the building facing the public realm.

PRINCIPAL ENTRANCE shall mean the main point(s) of access for pedestrians into a building or unit within a building.

PRINCIPAL FRONTAGE shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

PRIVATE FRONTAGE shall mean the privately held first lot layer and the facade of the building.

PRIVATE REALM shall mean privately owned areas in large part developed with buildings and associated improvements. It is more limited in its accessibility to the public.

PROJECT shall have the same definition as “Development”.

PROJECTING SIGN shall mean a two-sided sign projecting from a building and placed perpendicular to the building's front facade or placed at the building's exterior corner.

PUBLIC ENTITY shall mean a federal, state, or local government entity and includes the City of Taylor, Williamson County, and Taylor Independent School District.

PUBLIC FRONTAGE shall mean the area between the curb of the vehicular lanes and the front property line.

PUBLIC IMPROVEMENTS shall mean any water, wastewater, paving, and drainage facility that will be maintained by the City.

PUBLIC INFRASTRUCTURE shall mean any portion of a street, drainage, water, and wastewater improvement system, including but not limited to any and all appurtenances related to such system, whether on or off-site, which is intended to serve more than one parcel of property, connects to existing public infrastructure, or intended to provide for the public health, safety, and welfare of the community.

PUBLIC REALM shall mean the streets, parks, squares, green spaces, and other interconnected outdoor places that require no key to access them and are available without charge for everyone to use.

PUBLIC RECREATION shall mean publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events.

REAL ESTATE, FINANCE, AND CONSTRUCTION SIGN shall mean an attached or freestanding sign erected upon a lot or parcel of land for the purpose of advertising same for sale or lease, or advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the job site.

REARYARD BUILDING shall mean a building that occupies the full frontage line, leaving the rear of the lot as the sole yard.

RECONSTRUCTION shall mean the act or process of reassembling, reproducing or replacing by new construction the form, detail and appearance of property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work or by reuse of original materials.

RECORDED TEXAS HISTORICAL LANDMARK shall mean a state designation for buildings important for their historical associations and which have retained a high degree of their original historic fabric. They must be at least 50 years of age and retain their original exterior appearance. State historical landmarks receive greater legal protection than National Register of Historic Places designations.

RECREATIONAL VEHICLE shall mean a portable home designed as a temporary dwelling for travel and recreational and vacation uses. Such homes shall not exceed eight (8) feet in width and 46 feet in length and shall be classified as a recreational vehicle whether or not its wheels, rollers, skids or other rolling equipment have been removed, and whether or not any addition thereto has been built on the ground; and shall also include pick-up campers, converted buses, self-powered motor homes, tent trailers, tents and analogous temporary portable housing and accessory buildings.

REHABILITATION shall mean the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

RELOCATION shall mean any change of the location of a structure in its present location to another location within the city limits.

REMOVAL shall mean permanently moving a structure or feature or tree from its current location.

REPLAT shall mean a plat as defined in Chapter 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

RESIDENTIAL shall mean a structure designated and built for someone to live in.

RESPONSIBLE PARTY shall mean the owner/operator of the business being identified on the sign; the owner of the property where the sign or sign structure is located; the owner of the sign or sign structure; the person who installs a sign or sign structure, contracts with or directs a person to accomplish the installation; and/or the person who retrieves a sign from the impound.

RESTORATION shall mean the act or process of accurately recovering the form and details of a building, structure or object or lot, parcel or site and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacements of missing earlier work.

RE-SUBDIVISION shall mean the division of an existing subdivision, together with any change of lot size therein, or with relocation of any street lines.

RIGHT OF WAY shall mean the land located between the property line and the edge of the pavement of a public street or a utility easement in which a governmental entity has an interest.

ROOF SIGN shall mean an outdoor advertising display sign erected, constructed, or maintained on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

SCREENED shall mean shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting site, or outside the area or feature so screened by a fence, wall, hedge, berm, or similar architectural or landscape feature.

SECONDARY FRONTAGE shall mean on corner lots, the private frontage that is not the principal frontage.

SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES shall mean a federal document providing standards and guidelines for the appropriate rehabilitation, preservation, restoration, and reconstruction of historic buildings.

SETBACK shall mean the area of a lot measured from the lot line to a building facade or elevation that is maintained clear of permanent structures, with the exception of encroachments listed in this LDC. The Build-to-Line replaces the front setback in the zoning and subdivision standards. See Build-to-Line.

SHALL OR MAY shall mean the word “shall” shall be deemed mandatory, the word “may” shall be deemed permissive.

SHED AWNING shall mean an awning with two short sides in addition to the main canopy.

SHIELDED shall mean the description of a luminaire from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, baffles, louvers, skirts, or visors.

SHINGLE SIGN shall mean a small blade sign usually mounted on the ground floor level, displaying a building's professional tenant directory.

SHORT-TERM RENTAL (STR) shall mean the rental of a dwelling unit, or portion thereof, for lodging accommodations for a period of less than thirty (30) consecutive days.

SIDEWALK shall mean a type of walkway paved with concrete or pavers.

SIDEWALK SIGN shall mean a movable freestanding sign that is typically double-sided, placed at the entrance to a business to attract pedestrians. (Var: sandwich board, A-frame sign.)

SIDEYARD shall mean the placement of a building within the boundaries of its lot to create a private sideyard, with a setback to one side. Sideyard is a Building Type.

SIGHT TRIANGLE shall mean a triangular shaped area required on corner lots at the intersection of two streets including alleys that impact multi-modal traffic safety.

SIGN shall mean a structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed building and not exposed to view from outside the building or structure shall not be considered a sign. Each display surface of a sign or sign face shall be a sign.

SIGN ADMINISTRATOR shall mean the officer appointed by the City Council with the authority to enforce this LDC. The Sign Administrator or designee shall review sign standards and applications. In the absence of designation by the City Council, the City Administrator shall serve as the sign manager. The term also includes any person designated to act on behalf of the Sign Administrator.

SIGN BAND shall mean the horizontal signage area on a valance or marquee.

SITE(S) shall mean the location of a significant event, a prehistoric or historic occupation or activity, building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, architectural, or archaeological value regardless of the value of any existing structure.

SITE PLAN shall mean the engineered or surveyed drawings depicting proposed development of land.

SKETCH DRAWING shall mean a preliminary design of a subdivision and/or development that illustrates the layout of rights-of-way, blocks, lots, easements, civic/open spaces, drainage, and land uses. A sketch drawing is preliminary in nature but provides enough detail to define the physical form of a subdivision and/or development to allow staff to provide relative feedback to an applicant. Review of a sketch drawing is not considered the filing of an original application or plan for development for purposes of Chapter 245 of the Texas Local Government Code.

SOIL CELL shall mean structures or devices designed and installed to provide trees and plants in urban environments with the correct nourishment and suitable conditions for healthy growth. Soil cells are typically designed to be filled between the voids with soil and covered with pavement, providing space for tree roots to grow ~~in the soil~~ between the structural supports.

SQUARE shall mean a civic space designed for unstructured recreation and civic purposes, circumscribed by thoroughfares, spatially defined by building frontages, and consisting of paths and/or sidewalks, lawn and trees, formally lining the space.

STANDARD PROCEDURE shall mean the procedure to be followed for the approval of a subdivision when the land proposed to be subdivided.

STANDARDS shall mean the mandatory requirements or rules of this LDC.

STATE ANTIQUITIES LANDMARK shall mean a designation made by the Texas Historical Commission and, in the case of privately owned property, with the landowner's permission. Although called state "antiquities" landmarks, this designation can include buildings as well as archaeological sites. For a building to be designated as a State Antiquities

Landmark, it must first be listed on the National Register of Historic Places. Damage to a State Antiquities Landmark is subject to criminal, not civil, penalties.

STATE HISTORIC PRESERVATION OFFICE (SHPO) shall mean the State Office responsible for administering federal historic preservation programs as defined in the National Historic Preservation Act of 1966 as amended and subsequent legislation. The Executive Director of the Texas Historical Commission serves as SHPO for the State of Texas.

STORY shall mean a habitable level within a building, excluding an attic or raised basement.

STREET shall mean a local urban thoroughfare of low speed and low to moderate capacity.

STREET WIDTH shall mean the measurement from back-of-curb to back-of-curb.

STREET LINE shall mean the right-of-way line of a street.

STREET NETWORK PLAN shall mean the system of thoroughfares identifying the physical location of each thoroughfare and its Street Type.

STREET TREES shall mean any tree that is growing in the City right-of-way, whether in improved (between the sidewalk and the curb) or unimproved (no sidewalk and/or curb) right-of-way.

STREET TYPE shall mean a particular type of street and its characteristics, including right-of-way width, number and dimensions of elements, and the intended purpose of the street.

STRUCTURE shall mean anything constructed or erected, the use of that requires location on the ground, or that is attached to something having a location on the ground.

SUBDIVIDER shall mean the person, firm, partnership, association, corporation or other legal entity subdividing a piece of land to be sold or otherwise handled for their own personal gain or use.

SUBDIVISION shall mean the division of any lot, tract or parcel of land into 2 or more parts in order to lay out a subdivision of the tract, including an addition to the City, to lay out a neighborhood, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

SUBDIVISION IMPROVEMENT PLAN shall mean any project for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement of any kind.

SWALE shall mean a low or slightly depressed area for drainage, usually vegetated.

TERMINATED VISTA shall mean a location at the axial conclusion of a Thoroughfare or Pedestrian way. A building located at a Terminated Vista, designated on a Neighborhood Plan, is required or recommended to be designed in response to the axis.

TEXAS DEPARTMENT OF TRANSPORTATION AND/OR TXDOT shall mean the state agency authorized by the State Legislature, or its successor agency, to regulate matters related to highway and road construction. (Note: When any TxDOT standard, “Item” regulation, definition, or other matter is referenced, utilized, or adopted herein, the City also specifically adopts by this note of reference, and shall automatically apply without further amendment to this LDC, the applicable successor TxDOT standard(s), “Item(s)”, regulation(s), definition(s) or other matter(s), as amended by state law over time).

THOROUGHFARE shall mean a way for use by vehicular and pedestrian traffic and to provide access to lots and open spaces, consisting of vehicular lanes and the public frontage.

UPLIGHTING shall mean lighting that is directed in such a manner as to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

USE shall mean the purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of such activity with respect to the standards of this LDC.

UTILITY, MAJOR shall mean public or quasi-public utility facilities less widely distributed than essential or limited utility facilities and of such a nature as to have an high degree of impact on adjoining properties. Typical uses include electrical generating plants, regional water and wastewater treatment plants, waste transfer stations, and sanitary landfills.

UTILITY, MINOR shall mean public or quasi-public utility facilities of such a nature as to have an intermediate impact on adjoining properties. Typical uses include electrical and natural gas substations, communication equipment exchanges, construction/demolition landfills, reservoirs and water tanks, and radio, television, and microwave transmission towers.

UTILITY, PRIVATE shall mean regulated enterprise, with or without a franchise, for providing needed service including but not limited to electric, natural gas, cable TV, and other communication systems, but not including cellular towers, that are not owned and operated by the city, county, state, federal government, or special utility district.

VALANCE shall mean the portion of an awning that hangs perpendicular to the sidewalk.

VILLAGE CENTER DEVELOPMENT OR VCD shall mean a development pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church with dense P4 and P5 Place Types surrounded by Open Space. Vehicles are kept on the periphery and rear of the development.

WALKABILITY shall mean a measure of how easy it is to travel a place by walking. Walkable places are safe, comfortable, interesting, and have useful destinations.

WALKWAY shall mean the section of the public frontage dedicated exclusively to pedestrian activity.

WARRANT shall mean a ruling that would permit a practice that is not consistent with a specific provision of this LDC, but that is justified by its intent. Warrants are granted administratively by the Development Review Committee.

WINDOW SIGN shall mean a sign affixed to the interior or exterior of a window or placed within three feet of a window for the purpose of being visible from the exterior of the window. Merchandise displays shall not be considered window signs.

YARD SIGN shall mean a permanent freestanding sign in the private frontage, including a supporting post or posts.