



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
December 18, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:00 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. WORK SESSION

- A. Update on the Downtown Village project
- B. Discuss any item on the regular session agenda
- C. Discuss any items to add to future agendas

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from 11.20.2014 Planning and Zoning Commission meeting

VIII. VISITOR/CITIZENS FORUM

At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual commissioners or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.

IX. REGULAR ITEMS

A. **Case PZ 14-10** Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale to amend Section 17-430(i) "Authorized Special Exceptions" and Section 17-431 "Definitions" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code to authorize the Board of Adjustment to grant special exceptions for special functions in single family residential districts.

1. Staff presentation
2. Public hearing
3. Staff summary and recommendation
4. Action by the Planning & Zoning Commission

B. **Case PZ 14-11** Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale to amend Section 17-421 "Schedule of uses and off-street parking requirements" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code and Section 17-431 "Definitions" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code.

1. Staff presentation
2. Public hearing
3. Staff summary and recommendation
4. Action by the Planning & Zoning Commission

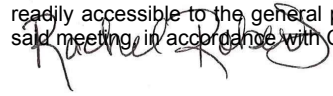
X. REPORTS/ANNOUNCEMENTS

XI. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirmo, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the December 18, 2014, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Rachel Roberts, Board Secretary



Date: December 18, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Update on the Downtown Village project

II. Originated by:

III. Summary:

The consultant for this project and I had intended to host a town hall meeting in December so that we could get input from the public on a Visual Community Survey (VCS). However, because of the difficulty in scheduling around the Christmas holidays and in order to ensure notices can be sent out in plenty of time to ensure good attendance, we are postponing the town hall meeting until January. We are waiting to schedule until after the City Council has set its January meeting date so that we can work around that meeting. I should have a preliminary town hall meeting date by the time you meet on the 18th.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: December 18, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

III. Summary:

Under this agenda item, the Commission members may discuss any item on the regular agenda. No action may be taken on these items, and no public hearing may be held at this time.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: December 18, 2014

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss any items to add to future agendas

II. Originated by:

III. Summary:

Under this item, the Commission may discuss items it would like added to future agendas.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: December 18, 2014

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from 11.20.2014 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Review and approve minutes from 11.20.2014 Planning and Zoning meeting

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	11.20.2014 PZ Minutes	11.20.2014 PZ minutes final.docx
----	-----------------------	----------------------------------



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
November 20, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:00 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

Mr. Harvey called the meeting to order at 6:02 P.M.

II. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle		x
Harry Browne	x	
Stephen Brim	x	
Katie McFadden	x	
Don Rawe	x	
Carolyn Williamson	x	
<i>Alternates</i>		
Billy Gilley	x	
<i>vacant</i>		

A quorum was present.

Staff present: Rachel Roberts (city planner); Katherine Rountree (board secretary)

III. WORK SESSION

A. Discuss any item on the regular session agenda

Ms. Roberts indicated that applicants were prepared to comply with the PD ordinance. Mr. Harvey said he doesn't agree with switching the zoning to "PD" when it was originally already rezoned as "R-2" from "C-2".

B. Discuss joint work session with City Council

Ms. Williamson said that for the Downtown Village plan, she would like to see church members and staff to be included in a survey for opinions, along with asking business owners would they would like to see in the future for Kennedale. Ms. McFadden said that she's worried the City will not get the end result that it wants but might have a better chance since there is a consultant on the project.

C. Discuss ideas for changes to the Schedule of Uses, Section 17-421 of the Kennedale City Code

Ms. Roberts asked the Commission for comments on her suggested changes to the Schedule of Uses, and the Commission suggested additional changes. Ms. Roberts said she hoped to bring the changes to the Commission as a public hearing the next month.

D. Discuss progress on code update

Ms. Roberts told the Commission that she'd had good feedback from them on the zoning code update, and city staff hoped to have the request for proposals done by January. The zoning code update was expected to take at least a year, since it would need to span two fiscal years.

The work session ended at 6:51 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

Mr. Harvey called the meeting to order at 6:58 P.M.

VI. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle		x
Harry Browne	x	
Stephen Brim	x	
Katie McFadden	x	
Don Rawe	x	
Carolyn Williamson	x	
<i>Alternates</i>		
Billy Gilley	x	
<i>vacant</i>		

A quorum was present.

Mr. Gilley was asked to serve as a regular member for the meeting.

Staff present: Rachel Roberts (city planner); Katherine Rountree (board secretary).

VII. MINUTES APPROVAL

A. Consider approval of minutes from the October 16, 2014 Planning and Zoning Commission meeting

Mr. Rawe motioned to approve the minutes. The motion was seconded by Ms. Williamson and passed with all in favor except Mr. Harvey, who abstained from voting.

VIII. VISITOR/CITIZENS FORUM

No one registered to speak

IX. REGULAR ITEMS

A. **CASE PZ # 14-09** Public hearing and consideration of Ordinance approval regarding a request by Delia Vela for a zoning change from "R-2" Single family residential district to "PD" Planned development district for approximately 1.98 acres at 6901 Mansfield Cardinal Rd, legal description of Jesse Russell Addn Lot 4.

1. Staff presentation

Ms. Roberts said the company that would be located on the property specializes in painting water towers. She said the property was in use in the past for commercial uses. The owners originally purchased the property under the impression it was zoned "C-2" when in fact it was zoned "R-2". There were told by the previous owner and staff that it was zoned "C-2" before they purchased it. Ms. Roberts went over the

regulations that would be in effect on the property upon rezoning. She stated that the commission could add more conditions as part of the rezoning.

2. Applicant presentation

Michael Green, representing Water Tank Services, LLC, stated that the owners were not aware the property was zoned "R-2" when purchased. He stated the property has three full time employees other than the field workers. The applicant has several work trucks that would be at the site. Mr. Green stated the applicant will adhere to all the conditions set forth by the commission if the property was rezoned. Mr. Browne asked about the hours of operation and Mr. Green stated that what the ordinance has in place will be complied. Mr. Browne asked if there was going to be storage of paint and chemicals at the site to which the applicant, Mr. Vela, replied that there will be very little.

3. Public hearing

Patty Perry, 6911 Mansfield Cardinal Rd, lives on property adjoining the property requested to be rezoned. She stated she just purchased the home three years ago and it is newly remodeled. She is against the property being rezoned.

Dorian Johnson, 6911 Mansfield Cardinal Rd Lot F, lives on property adjoining the property requested to be rezoned. She has lived on the property for thirty years. She stated that she finds it financially a burden to move if the city decides to allow the "C-2" property. She said that the commercial property will lower housing values in the area. She is worried about the chemicals and the noise affecting the neighbors as well as debris on the property. She is against the property being rezoned.

Greg Jepson, 6895 Mansfield Cardinal Rd, lives on property located to the west of the applicant's property. He stated that the business is not a problem to him. He is for the property being rezoned.

4. Applicant response

Mr. Greene stated that they do abide by the ordinance. He also stated that he understands where Ms. Johnson is opposing the debris but stated that there will be an eight foot privacy fence. Ms. McFadden clarified that there will be no storage of materials on the property. Mr. Harvey asked Mr. Greene if there is trailer storage and dispatching from the property to which Mr. Greene replied that there is.

5. Staff response and summary

Staff recommended approval

6. Action by the Planning & Zoning Commission

Mr. Brim motioned to approve with the following conditions:

A. The fence shall be treated to ensure durability, and the fence shall be maintained in good condition at all times.

B. For any truck or trailer stored on site, truck and trailer length shall not exceed 28 feet.

C. Semi-trailers or other trailers or equipment that exceeds the height of the screening fence shall not be stored on site without written permission from the city for each instance that such trailers will be stored on the property. Such trailers shall not be stored on site continually but shall only be permitted to be stored for a temporary period.

D. Correct the ordinance in Section 2, item 7 to refer to Section 17-405(f) of the city code instead of Section 17-421(f).

Mr. Browne seconded the motion. Three (3) commissioners voted to approve and four (4) opposed.

X. REPORTS/ANNOUNCEMENTS

City Hall will be closed November 27 and 28, 2014 for the Thanksgiving holiday.

The Christmas Tree Lighting will be held December 2nd at 5:30 P.M.

The City is currently looking for volunteers to help with Art in The Park.

XI. ADJOURNMENT

Mr. Rawe motioned to adjourn. The motion was seconded by Mr. Brim and passed with all in favor except Mr. Harvey, who abstained from voting.

The meeting adjourned at 8:03 P.M.



Date: December 18, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Case PZ 14-10 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale to amend Section 17-430(i) "Authorized Special Exceptions" and Section 17-431 "Definitions" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code to authorize the Board of Adjustment to grant special exceptions for special functions in single family residential districts.

1. Staff presentation
2. Public hearing
3. Staff summary and recommendation
4. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: amend two sections of the city code -- definition and the list of special exceptions the Board of Adjustment is authorized to grant

Location: n/a

Applicant: City of Kennedale

Background and overview.

Because Kennedale was a primarily rural community until the last 20 years or so, there are a number of residential properties in the city that are quite large (2 acres or more) but are no longer used for agricultural purposes. Some of the properties are located in agricultural areas, but many of them abut residential subdivisions.

From time to time, owners of some of these properties would like to rent out their properties to be used for entertainment purposes or special events. Because these parcels are in residential zoning districts, however, such uses are not allowed. The ordinance you are considering would amend the city code to allow the Board of Adjustment to grant special exceptions for these kinds of events to be held on properties like those described above. The special exception process allows uses to be authorized on a case-by-case basis when the requested uses meet certain standards. The standards ensure that special exceptions are granted only when the proposed use does not inhibit the ability of surrounding property owners to use their properties as permitted and expected. In other words, if surrounding properties are also residential, then the special exception would only be granted when the Board of Adjustment was persuaded that the special event could be compatible with the surrounding residential uses.

Staff review and recommendation.

The proposed ordinance was drafted to address a problem typical of growing communities that are transitioning out of a rural character, namely, balancing uses that would have been compatible with an area when the area was agricultural--uses that long-time residents may be used to and comfortable with--with uses that are comparatively new to the area, such as suburban subdivisions. The proposed ordinance provides an effective tool for allowing special events on large residential properties while ensuring that these events do not occur so frequently as to change the overall residential character of the neighborhood.

The ordinance establishes requirements concerning number of events allowed per year, noise, hours of the event(s), and number of people allowed to attend a particular event. The ordinance would also allow the Board of Adjustment to use the special exception process to add whatever conditions are needed to ensure the events do not create a nuisance for the neighborhood.

Staff recommends approval.

Action by the Planning & Zoning Commission.

The city code describes the Commission's role in requests to amend the zoning code [in Sec. 17-429(e)]: after conducting a hearing, you shall report your recommendation to the City Council. You may recommend approval or denial, with or without prejudice.

For your reference, sample motions are listed below.

I make a motion to recommend approval of Case PZ 14-10.

I make a motion to recommend denial of Case PZ 14-10.

I make a motion to recommend denial of Case PZ 14-10, without prejudice.

IV. Notification:**V. Fiscal Impact Summary:****VI. Legal Impact:****VII. Recommendation:**

Approve

VIII. Alternative Actions:**IX. Attachments:**

1.	PZ 14-10 ordinance	PZ 14-10 ordinance (draft).docx
2.	Map of parcels 2 acres or larger in R zoning districts	parcels 2 acres or more in R districts (aerial) (web).pdf

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE VI, “ZONING”, OF THE CODE OF ORDINANCES OF THE CITY OF KENNEDALE, TEXAS, AS AMENDED, BY AUTHORIZING SPECIAL EXCEPTION APPROVAL OF SPECIAL FUNCTIONS IN SINGLE FAMILY RESIDENTIAL DISTRICTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a Comprehensive Zoning Ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City Council has determined that it is appropriate to amend the Comprehensive Zoning Ordinance to allow a limited number of special functions at single family residences within the City, subject to reasonable terms and conditions established by the Board of Adjustment; and

WHEREAS, public hearings were held by the Planning and Zoning Commission of the City of Kennedale, Texas, on **December 18, 2014**, and by the City Council of the City of Kennedale, Texas, on _____, **2015**, with respect to the amendments described herein; and

WHEREAS, all requirements of law dealing with notice and publication and all procedural requirements have been complied with in accordance with the Comprehensive Zoning Ordinance and Chapter 211 of the Local Government Code.

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

SECTION 1.

Chapter 17, Article VI, Section 17-430 of the Kennedale City Code is hereby amended by adding a new subsection (i)(3) to read as follows:

(i) *Authorized special exceptions.*

* * *

- (3) Special Functions in Single Family Residential Districts. A special function as defined in Section 17-431 may be permitted in an R-1, R-2 or R-3 Residential District. The maximum term of initial special exception approval will be for a period of one year. The special exception may thereafter be renewed for longer periods of time if the use is in compliance with all applicable conditions. A special function approval is subject to the following conditions:
- a. Maximum of four events per year;
 - b. The Board of Adjustment shall designate building official and fire department shall determine on a case by case basis the Limited to a maximum number of ____ persons allowed per function based on the recommendation of the building official or fire department on a case by case basis;
 - c. Each function Mmay only occur during hours specifically prescribed by the Board;
 - d. Parking shall be in compliance with Section 17-424. Parking in the yard is prohibited; (see also 17-422 for parking);
 - e. Applicant must send notice of each function to adjacent property owners and to the City at least 10__ days in advance of the special function;
 - f. Adequate screening is provided to protect the neighbors from adverse effects of the special function;
 - g. The special function shall not create noise levels that are in violation of City noise regulations. No single event maximum sound disturbance shall exceedise levels shall not be greater than 70db, measured from the property lineNoise regulations?;
 - h. There must be at least 14 days between special eventfunctions; and
 - ih. Such other reasonable terms and conditions as may be prescribed by the Board of Adjustment to assure that the special function will not unreasonably impact the use and enjoyment of adjoining properties.

The Board shall have the authority to revoke the special exception upon a determination that the special functions are being conducted in a manner that adversely impacts the use and enjoyment of adjoining properties.

SECTION 2.

Chapter 17, Article VI, Section 17-431 of the Kennedale City Code is hereby amended by adding the following definition:

Special Function means a gathering, party or other event held on a limited occasion at a single family residence, including but not limited to, wedding/anniversary receptions, graduation/birthday parties, and benefits. Special Functions other than for persons or families that reside at the residence shall only be allowed upon approval of a special exception by the Board of Adjustment.

SECTION 3.

This Ordinance shall be cumulative of all other ordinances of the City of Kennedale, and shall not repeal any of the provisions of such ordinance except in those instances when provisions of such ordinances are in direct conflict with the provisions of this ordinance, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

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

SECTION 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 8.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this ____ day of _____, 2014.

MAYOR

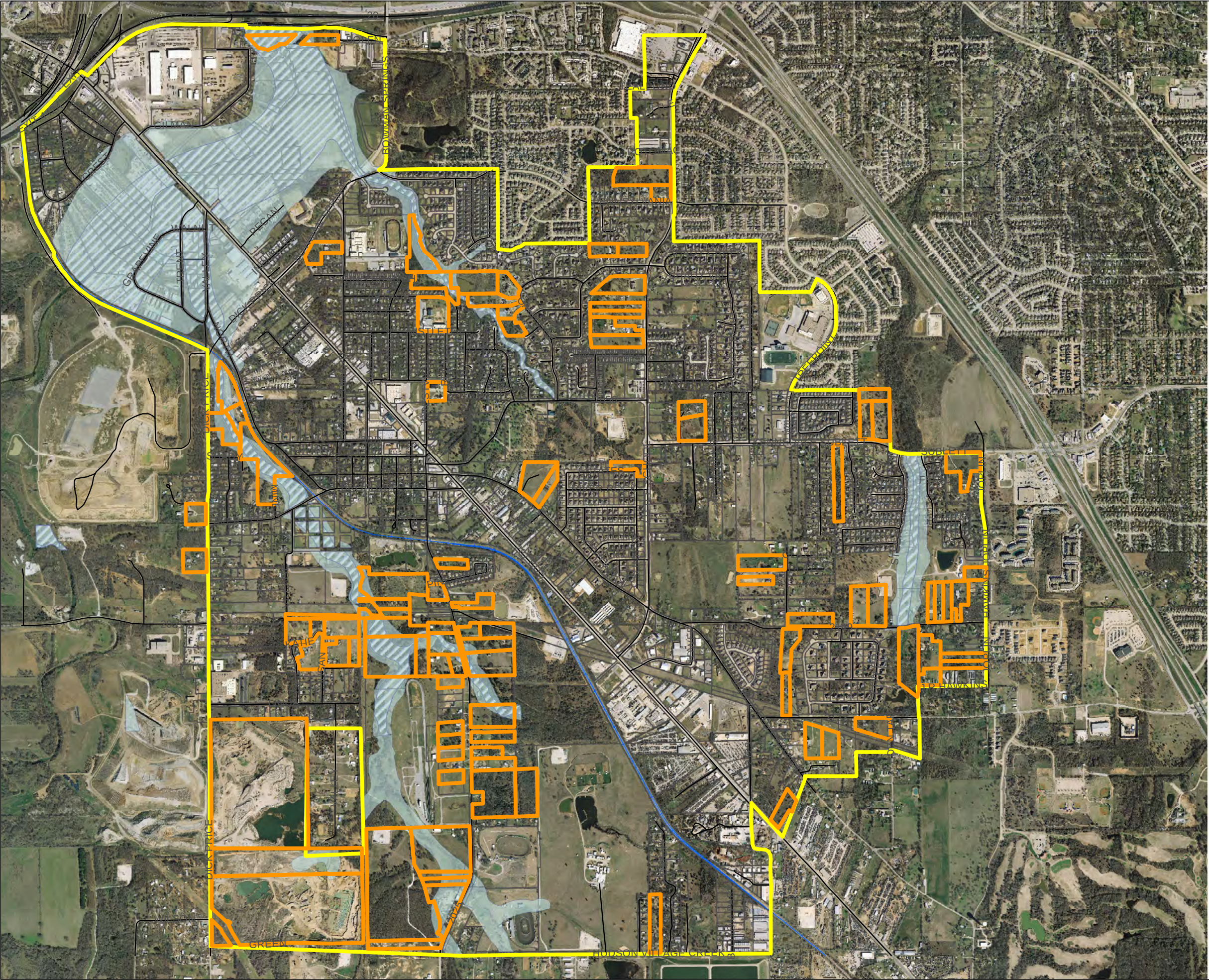
Attest:

CITY SECRETARY

Effective Date: _____

Approved As To Form And Legality:

CITY ATTORNEY



Parcels 2 acres
or larger
in
R zoning districts

Symbols

- Parcels 2 acres or more in R zoning districts
- Kennedale city limits
- Rail line



Date: December 18, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

Case PZ 14-11 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale to amend Section 17-421 "Schedule of uses and off-street parking requirements" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code and Section 17-431 "Definitions" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code.

1. Staff presentation
2. Public hearing
3. Staff summary and recommendation
4. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: amend the Schedule of Uses and definitions sections of the city code

Location: n/a

Applicant: City of Kennedale

The ordinance under consideration would amend the Schedule of Uses to allow for a transition in the Industrial zoning district to a more light industrial character. Some very intensive industrial uses would no longer be permitted as new uses, but for the most part, heavy industrial uses are not recommended to be removed from the Schedule of Uses entirely. Instead, these uses would (if the ordinance is approved) require a special exception or conditional use permit for new instances of these uses to be permitted. Please note that existing heavy industrial uses would not be eliminated with this change to the Schedule of Uses. Such uses would be considered legal non-conforming uses and could remain in operation. In addition, please note that existing heavy industrial uses that have received a special exception are considered conforming uses, rather than "grandfathered" or legal non-conforming uses.

The attached ordinance for your consideration includes a copy of the table from section 17-421 as an exhibit. Additions or edits to the Schedule of Uses are marked with underlined text, except for uses that are proposed to be eliminated, which are struck out. There are a few changes from the suggestions I brought to you before; the changes were based on comments from staff persons on the Development Review Committee.

Action by the Planning & Zoning Commission.

The city code describes the Commission's role in requests to amend the zoning code [in Sec. 17-429(e)]: after

conducting a hearing, you shall report your recommendation to the City Council. You may recommend approval or denial, with or without prejudice.

For your reference, sample motions are listed below.

Sample motions.

I make a motion to recommend approval of Case PZ 14-10.

I make a motion to recommend denial of Case PZ 14-10.

I make a motion to recommend denial of Case PZ 14-10, without prejudice.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 14-11 ordinance	PZ 14-11 ordinance.docx
2.	PZ 14-11 ordinance Exhibit A	PZ 14-11 ordinance Exhibit A.docx

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 17 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS BY AMENDING SECTION 17-421 "SCHEDULE OF USES AND OFF-STREET PARKING REQUIREMENTS" AND SECTION 17-431 "DEFINITIONS" OF ARTICLE VI "ZONING" OF CHAPTER 17 "PLANNING AND LAND DEVELOPMENT" OF THE KENNEDALE CITY CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, in order to promote the public health, safety and general welfare the City Council desires to adopt the proposed amendment to its city code in order to implement the portions of the comprehensive land use plan pertaining to the Light Industrial character zone; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on December 18, 2014, and the City Council of the City of Kennedale, Texas held a public hearing on [DATE], with respect to the amendments described herein; and

Whereas, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the approval of amending the Schedule of Uses under Section 17-421 of the Kennedale City Code.

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

SECTION 1.

The Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by amending Section 17-421 "Schedule of uses and off-street parking requirements" as shown on Exhibit A, attached to this ordinance.

SECTION 2.

The Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by amending Section 17-431 "Definitions" to add the following definitions.

Cold storage plant means a facility, area, or apparatus where refrigerated or frozen materials, such as food, furs, or other products, are processed, sold, packaged, or kept in protective storage.

Electroplating means the process of applying a metal coating onto an object, through use of an electrochemical process. An electroplating operation may be a captive shop, which is part of a larger plant or operation that electroplates products within the same operation, or may be a job shop, which does electroplating work on products produced by other companies, rather than on its own products.

Light fabrication means the variety of industrial activities involving the manufacture and assembly of items when such activities employ substantially noiseless and inoffensive power sources, use hand labor or quiet machinery and processes, and are free from neighborhood disturbing agents, such as odors, gas, fumes, smoke, cinders, flashing or excessively bright lights, excessive refuse matter, electromagnetic radiation, heat, or vibration.

Machine shop means an establishment, including tool and die shops, that turns, shapes, planes, mills, or otherwise reduces or finishes metal by machine-operated tools.

Metal fabrication means a facility that forms, welds, and assembles metal pieces in order to manufacture, service, or repair sheet metal products, including for the purposes of creating art, but does not conduct metal finishing as that term is defined by the EPA in 40 CFR, Part 433, and where welding may be an incidental activity but is not the primary activity conducted at the facility.

Mining, extraction operation means an establishment that extracts, removes, or stockpiles naturally occurring earth materials, including soil, sand, gravel, coal, or other materials found in the earth, and also including the excavation of materials for ponds or lakes. Such activities incidental to an approved plat or excavation permit, incidental to construction with a building permit, or for governmental or utility construction projects such as streets, alleys, drainage, gas, electrical, water, and telephone facilities and similar projects, or the extraction, removal, or stockpiling of earth materials incidental to construction of landscaping, retaining walls, fences, and similar activities consistent with the land use allowed at the site of removal, or gas drilling and production are not considered mining or extraction operations under this definition.

Packaging operation means an establishment encompassing the activities involved in combining a product with its packaging on a packaging line.

Vehicle conversion facility means an establishment that, before the retail sale of a motor vehicle: (a) assembles, installs, or affixes a body, cab, or special equipment to a chassis; or (b) substantially adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle other than a motor home, ambulance, or fire-fighting vehicle.

Welding shop means an establishment whose primary function is to perform the joining together of metal pieces or parts through riveting, welding, flame-cutting, or other fire or spark-producing operation, otherwise known as "hot work." A welding operation may include related operations such as joining, cutting, and soldering. A welding shop may be a captive shop, which is part of a larger plant or operation that welds products within the same operation, or may be a job shop, which conducts welding on products produced by other companies, rather than on its own products.

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 4.

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

SECTION 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 8.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS DAY OF [DATE].

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

Exhibit "A"

Proposed changes to the Schedule of Uses are marked as follows.

~~Strike through~~ means the use will no longer be permitted with the zoning district indicated.

Underline means the Schedule of Uses has been amended to change the permitted status of the land use. For example, the use may have been allowed by right but will now require a special exception, or it may not have been permitted before but is permitted now.

Uses with no changes are marked with a gray background.

Sec. 17-421. - Schedule of uses and off-street parking requirements.

- (a) *Schedule of uses and off-street parking established.* Land and buildings in each of the following classified districts may be used for any of the following listed uses but no land shall hereinafter be used and no building or structure shall hereinafter be occupied, used, erected, altered, removed, placed, demolished, or converted which is arranged or designed to be used for other than those uses specified for the district in which it is located as set forth by the following schedule of uses:

X	Designates use permitted in district
	Designates use prohibited in district
S	Use permitted with special exception
CUP	Designates use permitted with conditional use permit

Note: Gross floor area is abbreviated as g.f.a. Also, any numbers in parenthesis represents a footnote and all footnotes are found at the end of this schedule of uses.

	AG	R-1	R-2	R-3	OT	D	MF	MH	C-0	C-1	C-2	I	PARKING
Residential Use:													
Single-family dwelling	X	X	X	X	X	X	X	X			(1)	(1)	2/Dwelling unit
Two-family dwelling						X	X						2/Dwelling unit
Three-family dwelling							X						2/Dwelling unit
Four-family dwelling							X						2/Dwelling unit
Apartment or multi-family building							X						2.5/Dwelling unit
Manufactured home								X					2/Dwelling unit
Industrialized housing	X	X	X	X	X	X	X	X					2/Dwelling unit
Manufactured home park								X					2/Dwelling unit

Townhouse							X							2/Dwelling unit
Condominium							X							2/Dwelling unit
Recreational vehicle park								X						1/Dwelling unit
Boarding (rooming) house							X							1/Dwelling unit
Child day care home	X	X	X	X	X	X	X	X						2/Dwelling unit
Group home	S	S	S	S	S	S	X	S						2/Dwelling unit
Group day care home	S	S	S	S	S	S	S	S						Specified by
Special Exception														
Halfway house	S	S	S	S	S	S	X	S						1/2 Occupants
Guest house/servant quarters	S	S	S	S	S	S	S	S						1/Dwelling unit
Basketball court (private)	X	X	X	X	X	X	X	X			<u>X</u>	<u>X</u>		<u>4 per court</u>
Tennis court (private)	X	X	X	X	X	X	X	X			<u>X</u>	<u>X</u>		<u>1 per court</u>
Swimming pool (private)	X	X	X	X	X	X	X	X			<u>X</u>	<u>X</u>		<u>None</u> <u>10 minimum</u>
Home occupation (2)	X	X	X	X	X	X	X	X						None
Agriculture/Ranch Uses:														
Farm or ranch	X	S	S	S	S									2/Dwelling unit
Farmer's market	S									<u>X</u>	X	X		2/Stall
Grainery or gin ⁽⁶⁾	S											<u>S</u>		1/2,000 Site area

Micro-winery, with vineyard	X													1/300 G.F.A. of area open to public, plus 1/2,000 sq. ft. of site area not open to public; 1/2,000 sq. ft. of site area if not open to public
Orchard	X	X	X	X	X	X	X	X		X	X	X		1/Employee
Produce stand	S								X	X	X	<u>X</u>		1/200 G.F.A.
Rodeo ground, arena (public)	S											S		Specified by Special Exception
Stable, private	X	S	S	S	S	S	S	S		S	S	S		None
Stable, public	X										<u>S</u>	S		1/2 Stalls
Vineyard	X													1/300 G.F.A. of area open to public, plus 1/2,000 sq. ft. of site area not open to public; 1/2,000 sq. ft. of site area if not open to public
Winery, with vineyard	X													1/300 G.F.A. or see subsection 17-416(e), whichever is greater

Utility/Solid Waste Uses:													
Cable TV lines	X	X	X	X	X	X	X	X	X	X	X	X	None
Electric substations	S	S	S	S	S	S	S	S	S	S	S	X	None
Gas regulations/gate station	S	S	S	S	S	S	S	S	S	S	S	X	None
Gathering station	S	S	S	S	S	S	S	S		S	S	S	None
Microwave tower	S	S	S	S	S	S	S	S	S	S	S	X	None
Radio & television tower	S	S	S	S	S	S	S	S	S	S	S	X	None
Railroad freight terminal												<u>X</u> <u>S</u>	1/Employee
Railroad yard												<u>X</u> <u>S</u>	1/Employee
Recycling collection facility										S	S	S	1/Employee
Refuse transfer station	S											S	1/Employee
Sewer lift station	X	X	X	X	X	X	X	X	X	X	X	X	None
Telephone exchange	S	S	S	S	S	S	X	X	X	X	X	X	None
Utility poles and lines	X	X	X	X	X	X	X	X	X	X	X	X	None
Utility mains and lines	X	X	X	X	X	X	X	X	X	X	X	X	None
Wastewater treatment plant	S	S	S	S	S	S	S	S	S	S	S	X	2 Minimum
Water pump station	X	X	X	X	X	X	X	X	X	X	X	X	None
Water storage tank	X	X	X	X	X	X	X	X	X	X	X	X	None
Water treatment plant	S	S	S	S	S	S	S	S	S	S	S	X	2 Minimum

Water well	S	S	S	S	S	S	S	S	S	S	S	S	S	None
Government & Institutional Uses:														
Athletic field or stadium	S	S	S	S	S	S	S	S	S	S		X	X	1/4 Seats
Auditorium or amphitheater											X	X	X	1/4 Seats
Basketball courts (public)	S	S	S	S	S	S	S	S	S	S		X	X	<u>4 per court</u>
Baseball/softball (public)	S	S	S	S	S	S	S	S	S	S		X	X	<u>4 per field</u>
Cemetery or mausoleum	S	S	S	S	S	S	S	S	S	S	S	S	S	None
Church or rectory	X	X	X	X	X	X	X	X	X	X	X	X	X	1/4 Seats
College or university		S	S	S	S	S	S	S	S	X	X	X	X	1/3 Students
Community center	S	S	S	S	S	S	X	X	X	X	X	X	X	1/200 G.F.A.
Convalescent center							X				X			1/3 Beds
Fire station	X	X	X	X	X	X	X	X	X	X	X	X	X	2/Bay
Government office										X	X	X	X	1/300 G.F.A.
Hospital	S	S	S	S	S	S	S	S	S	S		X	X	1/Bed
Library	X	X	X	X	X	X	X	X	X	X	X	X	X	1/300 G.F.A.
Museum or art gallery	S	S	S	S	S	S	S	S	S	X	X	X	X	1/200 G.F.A.
Park or playground	X	X	X	X	X	X	X	X	X	X	X	X	X	1/2000 Site area

Police station	S	S	S	S	S	S	S	S	S	X	X	X	X	2 Visitor spaces
Post office	X	X	X	X	X	X	X	X	X	X	X	X	X	1/400 G.F.A.
Prison or penitentiary													S	1/6 Cells
Sanitarium													S	1/6 Beds
School (nursery or kindergarten)	S	S	S	S	S	S	S	S	S	X	X	X	X	1/10 Children
School (trade or business)										S	S	X	X	1/3 Students
School (elementary or middle)	X	X	X	X	X	X	X	X	X	X	X	X	X	1/10 Students
School (high school)	X	X	X	X	X	X	X	X	X	X	X	X	X	1/3 Students
Soccer fields (public)	S	S	S	S	S	S	S	S	S	S		X	X	
Swimming pool (public)	S	S	S	S	S	S	S	S	S	S		X	X	10 Minimum
Tennis court (public)	S	S	S	S	S	S	S	S	S	S		X	X	2/Court
Commercial Uses:														
Amusement park (outside)												X	X	1/500 Site area
Animal shelter	S											X	X	1/500 G.F.A.
Antique shop										X	X	X	X	1/200 G.F.A.
Apparel or clothing store										CUP	X	X		1/200 G.F.A.
Appliance repair shop											X	X	X	1/400 G.F.A.

Appliance store (retail)									X	X	X	X	1/400 G.F.A.
Arcade										X	X	X	1/200 G.F.A.
Art supply store									X	X	X	X	1/300 G.F.A.
Athletic or fitness club										X	X	X	1/200 G.F.A.
Auction										X	X	X	1/200 G.F.A.
Audio store (retail)									X	X	X	X	1/200 G.F.A.
Auto inspection station										S	X	X	2/Service Bay
Auto paint & body shop											X	X	1/200 G.F.A.
Auto parts store									S	X	X	X	1/300 G.F.A.
Auto rental									S	S	X	X	1.25/Rental car
Auto repair garage											X	X	3/Service bay
Auto sales lot											X	X	1/1000 Site area
Bakery (retail)									X	X	X	S	1/200 G.F.A.
Bank or financial institution										X	X	<u>X</u>	1/300 G.F.A.
Bed & breakfast accommodations	S	S	S	S	S	S	S	X	S	X	X		1/Guest room
Barber or beauty shop	S	S	S	S	S	S	S	S	X	X	X		3/Chair
Bicycle sales and repair									X	X	X	<u>X</u>	1/300 G.F.A.
Boat sales											X	X	1/400 G.F.A.
Boat storage											X	X	1/1000 Site area

Book store										CUP	X	X		1/200 G.F.A.
Bowling alley											X	X	X	6/Lane
Brewery												X	X	See subsection 17-416(e)
Building materials/lumber yard												X	X	1/500 G.F.A.
Bus terminal											X	X	X	1/300 G.F.A.
Business office											X	X	X	1/300 G.F.A.
Cabinet shop											S	X	X	1/400 G.F.A.
Camera store (retail)										X	X	X		1/200 G.F.A.
Car wash											S	X	X	1/Wash Bay
Carnival or circus											S	S	S	Specified by Special Exception
Carpet store (retail)										X	X	X	<u>X</u>	1/400 G.F.A.
Cemetery monument sales												X	X	1/400 G.F.A.
Child care center or facility											X	X	X	1/6 Children
Christmas tree sales	S									S	S	X	X	1/1000 Site area
Computer store (retail/service)										X	X	X		1/200 G.F.A.
Contractor yard (outside storage)												X	X	1/2000 Site area
Convenience stores											X			1/400 G.F.A.

Dental clinic or office										X	X		1/200 G.F.A.
Department store									X	X	X		1/200 G.F.A.
Electrical sales & service									S	X	X	X	1/400 G.F.A.
Electronics store (retail)									X	X	X		1/200 G.F.A.
Employment agency										X	X		1/200 G.F.A.
Farm implement sales											X	X	1/400 G.F.A.
Feed store											X	X	1/400 G.F.A.
Feed store with animal sales											S	S	1/400 G.F.A.
Firewood sales	S										X	X	1/1000 Site area
Florist shop									X	X	X		1/300 G.F.A.
Flea market (inside)											S	S	1/200 G.F.A.
Flea market (outside)											S	S	1/1000 Site area
Fraternity/sorority lodge										X	X		1/200 G.F.A.
Furrier										S	<u>S</u>	<u>S</u>	1/400 G.F.A.
Furniture store (retail)									X	X	X		1/400 G.F.A.
Game hall										S	X	X	1/100 G.F.A.
Gift or novelty shop									CUP	X	X		1/200 G.F.A.
Golf course	X	S	S	S	S	S	S	S			X	X	2/Green
Golf course, miniature											X	X	1.5/Hole

Golf driving range	X										X	X	1/Driving tee
Grocery store									X	X	X		1/200 G.F.A.
Gun shooting range (indoor)	S										S	X	1/500 G.F.A.
Gunsmith shop									X	X	X	X	1/300 G.F.A.
Hardware store									X	X	X	<u>X</u>	1/400 G.F.A.
Heating/AC sales & service										X	X	X	1/400 G.F.A.
Heavy equipment sales											X	X	1/1000 Site area
Hobby shop									X	X	X		1/200 G.F.A.
Hotel or motel									S	S	X	X	1/Guest room
Impounded vehicle storage facility												S	
Insurance sales office										X	X		1/400 G.F.A.
Jewelry store									X	X	X		1/200 G.F.A.
Kennel	S									S	<u>S</u>	<u>S</u>	1/400 G.F.A.
Laboratory, medical or dental										S	X	X	1/400 G.F.A.
Large retail facility ⁴									CUP	CUP	CUP	CUP	1/200 G.F.A.
Laundry or dry cleaners									X	X	X	X	1/400 G.F.A.
Lawnmower sales & service										S	X	X	1/400 G.F.A.
Leather goods shop (retail)									X	X	X	X	1/400 G.F.A.
Lithographic shop										X	X	X	1/300 G.F.A.

Locksmith shop											X	X	X	1/300 G.F.A.
Meat, poultry & fish market									S		X	X	X	1/300 G.F.A.
Medical clinic or office											X	X		1/300 G.F.A.
Micro-brewery											X	X	X	1/300 G.F.A.
Micro-winery, without vineyard											X	X	X	1/300 G.F.A.
Mini-warehouse												X	X	1/500 G.F.A.
Manufactured home sales lot												X	X	1/1000 Site area
Massage establishment												S	S	1/200 G.F.A.
Mortuary or funeral home											S	X	X	1/Sanctuary Seats
Motorcycle sales												X	X	1/200 G.F.A.
Movie theater (drive-in)												X	X	1/Employee
Movie theater (indoor)									CUP		X	X	<u>S</u>	1/3 Seats
Musical instrument store									X		X	X		1/200 G.F.A.
Newspaper office											X	X		1/200 G.F.A.
Newsstand									CUP		X	X		1/200 G.F.A.
Nightclub or dance hall											S	X	X	1/100 G.F.A.
Office supply store									X		X	X		1/200 G.F.A.
Optical clinic or office											X	X		1/200 G.F.A.
Optical dispensary store									X		X	X		1/200 G.F.A.

Paint sales store (retail)									X	X	X	<u>X</u>	1/200 G.F.A.
Paintball sports, survival games	S										X	X	1/500 Site area
Parking lot (commercial, for fee)	S									S	S	X	
Pawnshop										S	X		1/200 G.F.A.
Pet grooming shop									S	X	X		1/200 G.F.A.
Pet shop									X	X	X		1/200 G.F.A.
Pharmacy or drug store									X	X	X	<u>X</u>	1/200 G.F.A.
Photography studio									CUP	X	X		1/200 G.F.A.
Picture framing shop									X	X	X		1/200 G.F.A.
Plant nursery	S										X	X	1/400 G.F.A.
Plumbing sales and service										X	X	X	1/400 G.F.A.
Pool or billiard hall										S	X	<u>S</u>	1/100 G.F.A.
Print shop									S	X	X	X	1/400 G.F.A.
Private club (serving alcohol)										S	X	X	1/100 G.F.A.
Professional offices										X	X	X	1/300 G.F.A.
Racquetball court										X	X	X	2/Court
Real estate or leasing office	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)		X	X	X	1/300 G.F.A.
Recording studio										X	X	<u>X</u>	1/300 G.F.A.
Recreational vehicle sales											X	X	

Recreational vehicle storage											X	X	1/400 G.F.A.
Rental store										X	X	X	1/400 G.F.A.
Restaurant or cafe (inside)									X	X	X	X	1/3 Seats
Restaurant (drive-in)									X	X	X	X	1/100 G.F.A.
Restaurant (kiosk)									X	X	X	X	1/100 G.F.A.
Retail sales, alcohol									X	X	<u>X</u>		1/200 G.F.A.
Secondhand store									X	X	X	X	1/200 G.F.A.
Service station										X	<u>X</u>	<u>X</u>	4 Minimum
Sexually oriented business											X	X	1/100 G.F.A.
Shoe or boot store									X	X	X		1/200 G.F.A.
Sign shop										X	X	X	1/400 G.F.A.
Skating rink										X	X	X	1/400 G.F.A.
Snow cone stand									S	X	X		2 Minimum
Sporting goods store									X	X	X		1/200 G.F.A.
Tack store										X	X	X	1/400 G.F.A.
Tailor or seamstress shop										X	X		1/300 G.F.A.
Tanning salon									S	X	X	X	1/200 G.F.A.
Tattoo shop										S	X	<u>S</u>	1/200 G.F.A.
Taxidermist											S	<u>S</u>	1/400 G.F.A.
Tire sales, repair, & installation										S	X	X	1/400 G.F.A.

Title & abstract office										X	X		1/200 G.F.A.
Tool & equipment rental											X	X	1/400 G.F.A.
Trailer sales & rental											<u>CUP</u>	X	1/1000 Site area
Travel agency										X	X		1/300 G.F.A.
Truck rental											<u>CUP</u>	X	1/400 G.F.A.
Truck repair											<u>CUP</u>	X	1/400 G.F.A.
Truck sales											<u>CUP</u>	X	1/1000 Site area
Truck wash											<u>CUP</u>	X	2/Wash bay
Upholstery shop										X	X	X	1/400 G.F.A.
Vehicle storage facility												S	Specified by Special Exception
Vehicular racing facility											S	S	Specified by Special Exception
Veterinary clinic										X	X	X	1/300 G.F.A.
Veterinary hospital											S	S	1/300 G.F.A.
Video store									CUP	X	X	X	1/200 G.F.A.
Washateria (self-service)							X	X		X	X	X	1/Wash machine
Winery, without vineyard											X	X	See subsection 17-416(e)

Industrial Uses:													
Airport											S	S	Specified by Special Exception
Ammonia manufacturing												<u>S</u>	See subsection-17-416(e)
Amusement complex												<u>S</u>	1 per 4 occupant load
Apparel manufacturing												<u>S</u>	See subsection 17-416(e)
Appliance manufacturing												<u>S</u>	See subsection 17-416(e)
Artificial limb manufacturing												<u>S</u>	See subsection 17-416(e)
Asphalt batching plant												S	See subsection 17-416(e)
Bakery, commercial												X	See subsection 17-416(e)
Bleach manufacturing												S	See subsection-17-416(e)
Bookbinding & publishing											S	X	See subsection 17-416(e)
Bottling plant											S	<u>S</u>	See subsection 17-416(e)
Box manufacturing												X	See subsection 17-416(e)

Brick or tile manufacturing												<u>S</u>	See subsection 17-416(e)
Canning operation												<u>S</u>	See subsection 17-416(e)
Carpet manufacturing												<u>S</u>	See subsection 17-416(e)
Chemical storage or manufacturing												S	See subsection 17-416(e)
Chlorine manufacturing												S	See subsection 17-416(e)
Cold storage plant												X	See subsection 17-416(e)
Composite manufacturing												S	See subsection 17-416(e)
Composting (commercial)	S											S	See subsection 17-416(e)
Concrete batching plant											S	<u>S</u>	See subsection 17-416(e)
Concrete product casting plant												X	See subsection 17-416(e)
Contractor yard (outside storage)											X	X	See subsection 17-416(e)
Creamery												X	See subsection 17-416(e)
Creosote manufacturing												S	See subsection 17-416(e)
Distribution center (small)										S	X	X	See subsection

													17-416(e)
Distribution center (large)											S	X	See subsection 17-416(e)
Distillation plant												S	See subsection 17-416(e)
Dyeing plant												<u>S</u>	See subsection 17-416(e)
Electrical components manufacturing												X	See subsection 17-416(e)
Electroplating ⁽⁵⁾												<u>S</u>	See subsection 17-416(e)
Envelope manufacturing												X	See subsection-17-416(e)
Explosives manufacturing												S	See subsection 17-416(e)
Fertilizer manufacturing	S											S	See subsection-17-416(e)
Fiberglass manufacturing												S	See subsection-17-416(e)
Fireworks manufacturing												S	See subsection-17-416(e)
Food processing												X	See subsection 17-416(e)
Foundry												S	See subsection 17-416(e)
Freight terminal, motor												<u>S</u>	See subsection-17-416(e)

freight terminal, railroad												<u>S</u>	See subsection- 17-416(e)
Furniture manufacturing											S	<u>S</u>	See subsection 17-416(e)
Garment manufacturing												<u>S</u>	See subsection- 17-416(e)
Glass manufacturing												<u>S</u>	See subsection 17-416(e)
Glue manufacturing												S	See subsection 17-416(e)
Grainery or gin ⁽⁶⁾												<u>S</u>	See subsection 17-416(e)
Gypsum manufacturing												S	See subsection- 17-416(e)
Heliport or helistop											S	S	See subsection 17-416(e)
Ice cream plant												X	See subsection 17-416(e)
Ice plant												X	See subsection 17-416(e)
Incinerator												S	See subsection- 17-416(e)
Insecticide processing												S	See subsection- 17-416(e)
Junk yard												S	See subsection 17-416(e)
Laundry plant												X	See subsection-

													17-416(e)
Light fabrication plant											S	X	See subsection 17-416(e)
Machine shop											S	X	See subsection 17-416(e)
Marble manufacturing												X	See subsection-17-416(e)
Mattress manufacturing												X	See subsection-17-416(e)
Meat, poultry & fish-processing											S	X	See subsection-17-416(e)
Metal fabrication												<u>S</u>	See subsection 17-416(e)
Metal plating ⁽⁵⁾												<u>S</u>	See subsection 17-416(e)
Metal stamping and extrusion												<u>S</u>	See subsection 17-416(e)
Mining, extraction operation												S	See subsection-17-416(e)
Monument works												X	See subsection 17-416(e)
Packaging operation											S	<u>S</u>	See subsection 17-416(e)
Paint manufacturing												X	See subsection-17-416(e)
Pallet manufacturing												X	See subsection 17-416(e)

Paper mill												X	See subsection- 17-416(e)
Paper products- manufacturing												X	See subsection- 17-416(e)
Pesticide processing												S	See subsection- 17-416(e)
Petroleum products- (wholesale)												S	See subsection- 17-416(e)
Petroleum refinery or- storage												S	See subsection- 17-416(e)
Pharmaceutical manufacturing												X	See subsection 17-416(e)
Planing mill												X	See subsection 17-416(e)
Plastic product manufacturing												S	See subsection 17-416(e)
Pottery manufacturing												X	See subsection 17-416(e)
Radio transmitting station										S	S	S	See subsection 17-416(e)
Recycling processing plant												S	See subsection- 17-416(e)
Rendering plant												S	See subsection- 17-416(e)
Rock crushing plant												S	See subsection- 17-416(e)
Salvage yard												S	See subsection

													17-416(e)
Smelter plant												S	See subsection- 17-416(e)
Tanning plant												S	See subsection 17-416(e)
Television transmitting station										S	S	S	See subsection 17-416(e)
Temporary construction office	S	S	S	S	S	S	S	S		S	S	X	See subsection 17-416(e)
Textile manufacturing												X	See subsection 17-416(e)
Tire manufacturing												S	See subsection- 17-416(e)
Tire recapping plant												S	See subsection- 17-416(e)
Vehicle conversion facility											X	X	See subsection 17-416(e)
Warehouse											S	X	See subsection 17-416(e)
Welding shop ⁽⁵⁾											S	X	See subsection 17-416(e)

Notes to schedule of uses:

- (1) Allowed with mini-warehouse use only.
- (2) Home occupations are permitted when in accordance with section 17-423 hereof. Home occupations not specifically permitted in section 17-423 may be permitted only with a specific use permit.
- (3) Allowed for a period of one (1) year or until the development is sold out, whichever is longer.

- (4) A facility offering retail sales and/or services, whether occupied by one (1) or multiple tenants, that is comprised of more than fifty thousand (50,000) square feet of floor area, which includes gross floor area, outdoor storage areas, and any outside area that provides associated services to the public, including, without limitation, outdoor merchandise display. The floor area does not include outdoor motor vehicle parking or loading areas. In addition to other parking regulations that apply, parking for a large retail facility is permitted only as an accessory use, and is allowed only when immediately adjacent to a large retail facility that is located within the corporate limits of the city.
- (5) A captive shop shall not require a special exception if (a) the shop does not take up more than twenty-five (25) percent of the gross floor area of the establishment and (b) the business establishment is not located adjacent to a property zoned for residential use or adjacent to a residential use that existed prior to the establishment of the business at that location.
- (6) A grainery shall be permitted by right in an "I" Industrial zoning district if: (1) the operations are entirely enclosed in a structure of 5,000 square feet or less, and (2) the facility and operations no noise, odors, dust, or pollutants are emitted. In addition, no tractor-trailers or other such oversize vehicles are permitted on site.