

**TOWN OF FLOWER MOUND, TEXAS**

**ORDINANCE NO. 17-21**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 82, "DEVELOPMENT STANDARDS," AND CHAPTER 98, "ZONING," OF THE TOWN'S CODE OF ORDINANCES, TO AMEND REGULATED USES AND ASSOCIATED DEVELOPMENT STANDARDS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule municipality 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**, the Town Council of the Town of Flower Mound previously adopted Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended, establishing appropriate standards for the development of land within the Town; and,

**WHEREAS**, the Town Council of the Town of Flower Mound previously adopted Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Town of Flower Mound Code of Ordinances, as amended, establishing zoning districts and uses allowed within said districts within the Town; and,

**WHEREAS**, the Town Council finds and determines the Town's regulated uses and associated development standards should be updated to reflect current planning practices and uses; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on February 22, 2021, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on April 5, 2021, with respect to the amendments described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Texas Local Government Code, Chapter 78 of the Town's Land Development Regulations, and all other laws dealing with notice, publication, and procedural requirements for the approval of a Land Development Regulations Amendment; and,

**WHEREAS**, the Town Council finds that the amendments to Chapters 82 and 98 as outlined herein are in the best interest of the Town of Flower Mound and will promote the health, safety, and general welfare of the citizens of the Town of Flower Mound and the general public;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

Section 82-73, "Computing parking and loading requirements," of Article III, "Off-Street Parking and Loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by revising subsection (1) and adding a new subsection (9) to read as follows:

- (1) *Deviation of required spaces.* The amount of parking can be reduced or increased by 20 percent. Deviations for all uses, excluding "Religious Assembly/Institution or Rectory," in excess of 20 percent must be accompanied by a parking study and approved by the town council. Deviations for "Religious Assembly/Institution or Rectory" increasing required spaces in excess of 30 percent, or reducing required spaces in excess of 20 percent, must be accompanied by a parking study and approved by the town council. Any approved parking in excess of 20 percent must be mitigated. Mitigation can be achieved by the use of pervious paving, increased landscaping, increased stormwater treatment, or other method to reduce the impact of the increased parking.

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- (9) *Square feet.* For the purposes of Sec. 82-74, square feet includes all interior square footage not expressly intended for other purposes and all exterior square footage considered programmable open space. For the purpose of this provision, programmable open space shall mean areas that may be reconfigured for the occupation and/or use of patrons and/or employees, such as patio seating."

**SECTION 2**

Section 82-74, "Off-street parking and loading space requirements," of Article III, "Off-Street Parking and Loading," of Chapter 82, "Development Standards," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to rename "Educational, institutional and special uses" to "Educational, institutional, and civic uses," "Church or rectory" to "Religious assembly/institution or rectory," "Miniwarehouse" to "Mini-warehouse," and "Medical office" to "Office, medical and dental;" to update parking for the following use types: "Office, medical and dental" and "Restaurant;" and to establish new use types and parking for "Alcoholic beverage establishment" and "Assembly hall," to be inserted alphabetically to read as follows:

**“Sec. 82-74. - Off-street parking and loading space requirements.**

The following are the off-street parking and loading space requirements:

**SCHEDULE OF PARKING AND LOADING REQUIREMENTS**

Use Type	Parking
***	
<i>Educational, institutional, and civic uses</i>	
Religious assembly/institution or rectory	1 space per 3 seats in main sanctuary
***	
Office, medical and dental	1 space per 200 square feet
***	
<i>Retail uses</i>	
Alcoholic beverage establishment	5 spaces plus 1 space per 1,000 square feet of production area, and 1 space per 75 square feet of remaining square feet (if providing seating)
Restaurant	1 space per 75 square feet (if providing seating)
***	
<i>Personal service uses</i>	
Assembly hall	1 space per 3 seats
***	
Office, general business and professional	1 space per 250 square feet
***	
Mini-warehouse	1 space per 75 storage bays with minimum of 3 spaces

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**SECTION 3**

Section 82-75, “Off-site parking,” of Article III, “Off-Street Parking and Loading,” of Chapter 82, “Development Standards,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by revising subsection (2) to read as follows:

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- (2) *Irrevocable Consent Agreement Form.* For any proposed off-site parking, an “off-site shared parking irrevocable consent form” provided by the Town, shall be executed and delivered to the Town of Flower Mound to ensure all required off-street parking spaces shall remain available throughout the life of the principal use(s).”

#### **SECTION 4**

Section 98-2, “Definitions,” of Article I, “In General,” of Chapter 98, “Zoning,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to create the following new definitions to be inserted alphabetically to read as follows:

\*\*\*\*

*Alcoholic beverage establishment* means any establishment primarily engaged in the selling and/or processing and production of alcoholic beverages, as defined within the Texas Alcoholic Beverage Code, as amended, to the general public. Such establishments are limited to the functions allowed by their Texas Alcoholic Beverage Commission permit and the Town’s local option status. Examples of uses include brewery, distillery, winery, and wine and/or beer retail establishments.

*Alternative financial establishment* means an establishment, other than a “Bank or savings and loan,” engaged in loaning money in exchange for personal checks and/or collateral to consumers. Typical uses include, but are not limited to, credit access businesses, check cashing business, payday advance or loan business, money transfer business, pawn shop, or car title loan business.

\*\*\*

*Birthing center* means a facility or place where a woman is scheduled to give birth following a normal, uncomplicated (low-risk) pregnancy. This term does not include hospital, ambulatory surgical center, a nursing home, or the residence of a woman giving birth. Source: Birth Center Licensing Division, Texas Department of Health.

*Boutique vendor market* means an establishment providing facilities for more than one vendor, primarily for the distribution and sale of food and unique nonfood articles, including custom, high quality merchandise, which may be upcycled or repurposed, directly to consumers. Such establishments shall not be deemed to include a secondhand store or pawn shop.

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*Food truck, accessory,* means onsite accommodations for one (1) Mobile Food Establishment providing food and beverage sales designed and arranged to serve the customers of the primary use.

\*\*\*

*Mailing and shipping service* means an establishment that conducts the retail sale of stationary products, as well as providing packaging, photocopying, printing, and mail services (both U.S. Postal and private postal services). Such establishments do not include freight transportation service or warehousing and wholesale.

\*\*\*

*Office, medical and dental extended care*, means a facility or place where inpatient care is provided to individuals without the need for intensive care units or surgeons, and may be open between the hours of 10:00 PM and 7:00 AM, including operations open 24 hours. This term includes, but is not limited to, birthing centers, urgent cares, and dialysis centers.

\*\*\*

*Pawn shop* means an establishment where money is loaned on the security of personal property pledged in the keeping of the persons engaged in the business (pawnbroker), and goods may be purchased by the pawnbroker on condition that the goods may be redeemed or repurchased by the seller for a fixed price within a fixed period (Per Texas Finance Code), and that have been licensed to transact business by the Consumer Credit Consumer under Chapter 371, Texas Finance Code (per Texas Local Government Code). Such establishments may also engage in the retail sale of primarily used merchandise.

\*\*\*

*Private shop, yard or building*, means facilities that include offices, maintenance yards, and/or storage needed for development of private construction. Such establishments are not engaged in the direct sale of materials to consumers and may include, but are not limited to, construction and trade contractors' storage yards and offices.

\*\*\*

*Religious assembly/institution or rectory* means a use customarily associated with a building where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, including the on-site housing of ministers, rabbis, priests, nuns, and similar staff personnel, is maintained and controlled by a religious body organized to sustain public worship.

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*Riding arena* means an accessory structure located on a residentially-zoned property containing an arena or track designed and used exclusively for the riding, exercising, or training of livestock, as defined by Section 6-1 of Chapter 6, "Animals," of the Town of Flower Mound Code of Ordinances. Riding arenas used for business purposes shall be subject to comply with Section 98-984 – Home Occupation of the Town of Flower Mound Code of Ordinances, and shall not be used for events open to the general public.

*Rodeo grounds* means a commercial structure that is open to the public and contains an arena or track designed and used for the riding, training, or showing of livestock, as defined by Section 6-1 of the Town of Flower Mound Code of Ordinances.

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*Smoking related business* means any establishment whose principal business is the offering of a service relating to, or the selling of, or renting of products or devices defined within Section 18-530 of Article X, "Regulation of smoking in public places," of the Town of Flower Mound Code of Ordinances.

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**SECTION 5**

Section 98-2, "Definitions," of Article I, "In General," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to rename "Building materials sales or storage (outdoors)" to "Building materials sales and storage (outdoors)," "Farmer's market" to "Farmers' market," "Miniwarehouse" to "Mini-warehouse," "Office, medical or dental" to "Office, medical and dental," "Retail, single tenant" to "Retail, large tenant," and "Wine retail establishment" to "Wine and/or beer retail establishment," and to update the following definitions to read as follows:

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*Accessory retail and service uses* means retail or service uses, such as pharmacy, newsstand, dining room, and barber or beauty shop, located within an office, apartment, or similar building where such retail and/or service use is designed and arranged to serve the customers of the primary use.

\*\*\*

*Amusement and recreation (indoors)* means an enterprise wholly enclosed in a building offering entertainment or games of skill to the general public for a fee or charge or to members and guests of a private association. Typical uses include, but are not limited to, dancehalls, theatrical productions, bowling alleys, billiard and pool establishments, electronic video game arcades, skating rinks, teen clubs, escape rooms, laser tag arenas, and inflatable bounce house parks.

\*\*\*

*Animal exhibition* means a collection of animals for display to the public, including an aviary. An animal exhibition shall not include the sale, breeding, or butchering of animals. Any animals classified as wild animals, defined in this section, shall be subject to all federal, state, and local licensing requirements.

\*\*\*

*Building materials sales and storage (outdoors)* means an establishment engaged in the retail or wholesale sale of materials used in the construction of buildings or other structures, as well as the storage of construction equipment or materials on lots other than construction sites, wherein any sales, display, or storage activity occurs outside of a fully enclosed building. Typical uses include, but are not limited to, lumberyards, brick and masonry supply yards, and swimming pool and spa sales.

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*Custom personal service* means barber shop, beauty shop, tailor, dressmaker, shoe shop, micro-blading/makeup tattoo salon, or similar shop offering custom service.

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*Electrical energy generating plant* means an electrical power generating plant belonging to a privately owned utility company franchised to serve the town or its portion, where energy is generated by either renewable and/or nonrenewable resources.

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*Farmers' market* means a designated location used primarily for the distribution and sale directly to consumers of food by farmers and other producers.

\*\*\*

Mini-warehouse means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays that are leased to persons exclusively for dead storage of their household goods or personal property.

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*Office, medical and dental*, means an office or group of offices for one or more physicians, surgeons, dentists, or other health care professionals to treat sick or injured patients who do not remain overnight and is open between the hours of 7:00 AM and 10:00 PM.

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*Recycling drop-off center* means a small collection facility where presorted, nonbiodegradable and nonhazardous recyclable materials are accepted from the public. Typical uses include, but are not limited to, neighborhood recycling stations and thrift or charitable store collection trucks.

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*Restaurant, fast food*, means an establishment with a drive-through window and/or drive-in service, where the principal business is the sale of food and beverages in a ready-to-consume state. In no scenario shall this definition determine how impact fees are assessed and applied.

*Restaurant, general*, means an establishment where the principal business is the sale of food and beverages in a ready-to-consume state, and where a drive-through window and/or drive-in service is not provided. In no scenario shall this definition determine how impact fees are assessed and applied.

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*Retail, general (indoors)*, means a retail establishment occupying less than 25,000 square feet of floor area that does not fit the definition of any other land use classification and that does not entail any outdoors sales, service, display, storage, or other activity. Typical uses include, but are not limited to, supermarkets, apparel and accessory stores, camera and photographic supply stores, clothing rental stores, consumer electronics stores, gift, novelty and souvenir shops, luggage and leather goods stores, jewelry stores, music stores, and rental stores.

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*Retail, large tenant*, means a retail establishment, not otherwise defined, occupying 25,000 square feet or more of floor area in an enclosed building, which may also include accessory retail/service uses. Typical large tenant retail uses include, but are not limited to, supermarkets, department stores, home improvement centers, and discount centers.

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*Secondhand store* means an establishment primarily engaged in the retail sale of previously owned merchandise. Any outdoor collection shall be considered a "Recycling drop-off center," and shall comply with all applicable standards.

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*Wine and/or beer retail establishment* means any establishment which derives the majority of its gross revenue from the sale of wine and/or beer to the general public for off-premises personal or household consumption and rendering services incidental to the sale of such goods."

### **SECTION 6**

Section 98-2, "Definitions," of Article I, "In General," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to remove the following definitions, "Church or rectory," "Restaurant, drive-in," and "Supermarket."

### **SECTION 7**

Article I, "In General," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by creating Section 98-3, "Undefined and unlisted uses," to read as follows:

#### **"Sec. 98-3. – Undefined and unlisted uses.**

*Undefined and unlisted uses.* The definition of any word or phrase not listed in this code that is in question shall be interpreted by the development review committee from one of the following sources for the purpose of determining if the use is regulated by this code or not. The priority shall be given to sources based on their numeric order below. If the use is determined to not be permitted by this code, it shall only be permitted through the approval of a Planned Development district that specifically defines and allows the proposed use at the designated location.

- (1) Any Town resolution, ordinance, code, or regulation;
- (2) Any statute or regulation of the state of Texas;
- (3) Legal definitions from Texas common law or a law dictionary;
- (4) A common dictionary.

#### **Secs. 98-4 – 98-30. - Reserved."**

### **SECTION 8**

Portions of Article III, "District regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, are hereby amended by replacing certain sections within Article III to read as follows:

#### **"Sec. 98-272. – Permitted uses.**

The following uses shall be permitted in the A agricultural district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
College or university  
Community center, public

Convent or monastery  
Country club, private, subject to section 98-978  
Crop agriculture  
Day camp for children  
Day care home  
Dwelling, single-family detached  
Fire station  
Food truck, accessory, subject to section 98-991  
Fruit and vegetable stand, subject to section 98-981  
Garage sale, subject to section 98-982  
Golf course, public  
Greenhouse, wholesale  
Home occupation, subject to section 98-984  
Keeping of livestock or poultry, subject to section 98-985  
Local utility line  
Model home, subject to section 98-1000  
Park or playground, public  
Public building, shop or yard  
Railroad track  
Recreation center, public  
Religious assembly/institution or rectory  
School, elementary or secondary  
Sewage pump station  
Small wind energy system (lots 5 acres or more), subject to section 98-1001  
Solar panel systems, subject to section 98-1002  
Stadium or playfield, public  
Swimming pool, private, subject to section 98-996  
Swimming pool, public  
Telephone equipment station  
Water well, storage or pump station

**Sec. 98-273. – Specific uses.**

The following uses shall be permitted in the A agricultural district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186 of this Code, specific use permits:

Accessory dwelling, subject to section 98-983  
Airport or landing field  
Amusement and recreation (indoors), subject to section 98-973  
Amusement and recreation (outdoors)  
Animal control facility  
Animal exhibition  
Boat storage and service  
Boutique vendor market, outdoor, subject to section 98-1006

Caretaker or guard residence, subject to section 98-975  
 Cemetery or mausoleum  
 Communication tower, commercial, subject to section 98-977  
 Day care center  
 Dude ranch  
 Dump or sanitary landfill area  
 Electrical energy generating plant  
 Electrical line/substation, high voltage, subject to section 98-979  
 Exhibition area or fairgrounds  
 Farmers' market, subject to section 98-980  
 Fraternal club or lodge  
 Golf course, private  
 Heliport  
 Helistop  
 Hospital  
 Institution, drug or psychiatric treatment  
 Kennel (In enclosed building only), subject to section 98-986  
 Kennel (with outside runs or pens), subject to section 98-986  
 Livestock auction or feed lot  
 Marina  
 Mining and quarrying  
 Museum, library or art gallery, public  
 Petroleum storage/collection facilities  
 Private franchise utility (not listed)  
 Private shop, yard or building  
 Railroad team track  
 Rodeo grounds  
 School, commercial trade  
 Sewage treatment plant  
 Small wind energy System (lots less than 5 acres), subject to section 98-1001  
 Stable, commercial boarding or rental, subject to section 98-995  
 Swimming pool, commercial (outdoors)  
 Transmission pipeline, subject to section 98-997  
 Veterinary hospital (inside pens), subject to section 98-998  
 Veterinary hospital (outside pens), subject to section 98-999

**Sec. 98-274. – Temporary uses.**

The following uses shall be permitted in the A agricultural district only upon approval of a temporary use permit in accordance with the procedures and standards of section 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Carnival or circus, temporary, subject to section 98-976  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005

Sales trailer, temporary, subject to section 98-993  
 Sales, temporary or seasonal, subject to section 98-992  
 Temporary special event, subject to section 98-976

**Sec. 98-275. – Maximum dimensions.**

- (a) *Maximum lot coverage.* The maximum lot coverage in the A agricultural district shall be 25 percent for all uses, subject to section 98-1029.
- (b) *Maximum floor area ratio.* There shall be no maximum floor area requirement in the A agricultural district.
- (c) *Maximum height.* The maximum height of the buildings and the structures in the A agricultural district shall be three stories or 35 feet for all uses, subject to section 98-1031.

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**Sec. 98-302. – Permitted uses.**

The following uses shall be permitted in the SF-E, single-family estate district, subject to compliance with any applicable conditions and all other provisions of this chapter.

Accessory use, general, subject to section 98-972  
 Community center, public  
 Convent or monastery  
 Country club, private, subject to section 98-978  
 Crop agriculture  
 Day care home  
 Dwelling, single-family detached  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Home occupation, subject to section 98-984  
 Keeping of livestock or poultry, subject to section 98-985  
 Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996

Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

**Sec. 98-303. – Specific uses.**

The following uses shall be permitted in the SF-E, single-family estate district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits.

Accessory dwelling, subject to section 98-983  
 Cemetery or mausoleum  
 College or university  
 Communication tower, commercial, subject to section 98-977  
 Day camp for children  
 Day care center  
 Electrical line/substation, high voltage, subject to section 98-979  
 Hospital  
 Museum, library or art gallery, public  
 Private franchise utility (not listed)  
 Stadium or playfield, public  
 Transmission pipeline, subject to section 98-997

**Sec. 98-304. - Temporary uses.**

The following uses shall be permitted in the SF-E, Single-family Estate District only upon approval of a temporary use permit in accordance with the procedures and standards of Section 6.14, Temporary use permits.

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-332. - Permitted uses.**

The following uses shall be permitted in the SF-30 single-family district-30, subject to compliance with any applicable conditions and all other provisions of this chapter.

Accessory use, general, subject to section 98-972  
 Community center, public  
 Day care home  
 Dwelling, single-family detached  
 Fire station  
 Garage sale, subject to section 98-982

Golf course, public  
 Home occupation, subject to section 98-984  
 Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-334. - Temporary uses.**

The following uses shall be permitted in the SF-30 single-family district-30 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-362. - Permitted uses.**

The following uses shall be permitted in the SF-15 single-family district-15, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Community center, public  
 Day care home  
 Dwelling, single-family detached  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Home occupation, subject to section 98-984  
 Local utility line  
 Model home, subject to section 98-1000

Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-364. - Temporary uses.**

The following uses shall be permitted in the SF-15 single-family district-15 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-392. - Permitted uses.**

The following uses shall be permitted in the SF-10 single-family district-10, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Community center, public  
 Day care home  
 Dwelling, single-family detached  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Home occupation, subject to section 98-984  
 Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public

Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-394. - Temporary uses.**

The following uses shall be permitted in the SF-10 single-family district-10 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-422. - Permitted uses.**

The following uses shall be permitted in the SF-A single-family attached district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Community center, public  
 Convent or monastery  
 Day care home  
 Dwelling, single-family attached  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station

Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-424. - Temporary uses.**

The following uses shall be permitted in the SF-A single-family attached district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-432. - Permitted uses.**

The following uses shall be permitted in the SF-5 single family district-5, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Community center, public  
 Day care home  
 Dwelling, single-family detached  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Home occupation, subject to section 98-984  
 Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Solar panel systems, subject to section 98-1002  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station

Water well, storage or pump station

**Sec. 98-433. - Specific uses.**

The following uses shall be permitted in the SF-5 single family district-5 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

- Cemetery or mausoleum
- College or university
- Communication tower, commercial, subject to section 98-977
- Convent or monastery
- Country club, private, subject to section 98-978
- Day care center
- Electrical line/substation, high voltage, subject to section 98-979
- Museum, library or art gallery, public
- Private franchise utility (not listed)
- Stadium or playfield, public
- Transmission pipeline, subject to section 98-997

**Sec. 98-434. - Temporary uses.**

The following uses shall be permitted in the SF-5 single family district-5 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Sales trailer, temporary, subject to section 98-993
- Temporary special event, subject to section 98-976

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**Sec. 98-452. - Permitted uses.**

The following uses shall be permitted in the 2F duplex district, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory use, general, subject to section 98-972
- Community center, public
- Convent or monastery
- Day care home
- Dwelling, duplex
- Fire station
- Garage sale, subject to section 98-982
- Golf course, public

Local utility line  
 Model home, subject to section 98-1000  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-454. – Temporary uses.**

The following uses shall be permitted in the 2F duplex district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-482. - Permitted uses.**

The following uses shall be permitted in the MF multifamily district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Boardinghouse or rooming house  
 Community center, public  
 Convent or monastery  
 Day care home  
 Dwelling, multifamily  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Local utility line  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track

Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Swimming pool, private, subject to section 98-996  
 Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-484. - Temporary uses.**

The following uses shall be permitted in the MF multifamily district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-512. - Permitted uses.**

The following uses shall be permitted in the MH mobile home district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972  
 Community center, public  
 Convent or monastery  
 Day care home  
 Dwelling, mobile home, subject to section 98-987  
 Fire station  
 Garage sale, subject to section 98-982  
 Golf course, public  
 Local utility line  
 Mobile home park, subject to section 98-987  
 Park or playground, public  
 Public building, shop or yard  
 Railroad track  
 Recreation center, public  
 Religious assembly/institution or rectory  
 School, elementary or secondary  
 Sewage pump station  
 Swimming pool, private, subject to section 98-996

Swimming pool, public  
 Telephone equipment station  
 Water well, storage or pump station

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**Sec. 98-514. - Temporary uses.**

The following uses shall be permitted in the MH mobile home district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales trailer, temporary, subject to section 98-993  
 Temporary special event, subject to section 98-976

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**Sec. 98-542. - Permitted uses.**

The following uses shall be permitted in the O office district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory retail/service uses  
 Accessory use, general, subject to section 98-972  
 Art supply store  
 Bank or savings and loan  
 Book or stationary store or newsstand  
 Cleaning/laundry pickup station only  
 College or university  
 Community center, public  
 Custom personal service  
 Fire station  
 Florist  
 Golf course, public  
 Local utility line  
 Mailing and shipping service  
 Office, general business and professional  
 Office, medical and dental  
 Optical sales  
 Park or playground, public  
 Parking lot, commercial  
 Personal improvement services  
 Public building, shop or yard  
 Railroad track  
 Religious assembly/institution or rectory

Restaurant, general  
School, business  
School, elementary or secondary  
Sewage pump station  
Swimming pool, public  
Telephone equipment station  
Travel bureau or consultant

**Sec. 98-543. - Specific uses.**

The following uses shall be permitted in the O office district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Amusement and recreation (indoors), subject to section 98-973  
Bus station or terminal  
Cemetery or mausoleum  
Cleaning/laundry shop with pickup station  
Communication tower, commercial, subject to section 98-977  
Dancing, drama, or music school or studio  
Day care center  
Drugstore or pharmacy  
Electrical line/substation, high voltage, subject to section 98-979  
Extended stay hotel, subject to section 98-1004  
Food truck, accessory, subject to section 98-991  
Fraternal club or lodge  
Health club or athletic club  
Helistop  
Hospital  
Hotel or motel, subject to section 98-1003  
Institution, drug or psychiatric treatment  
Laboratory, medical and dental  
Laboratory, scientific and research  
Mortuary or funeral home  
Museum, library or art gallery, public  
Nursing or congregate care facility  
Office, medical and dental extended care  
Parking structure, commercial  
Private franchise utility (not listed)  
Studio, television or radio  
Theater  
Transmission pipeline (98-997)  
Veterinary hospital (inside pens), subject to section 98-998  
Water well, storage or pump station

**Sec. 98-544. - Temporary uses.**

The following uses shall be permitted in the O office district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Building material yard and construction office
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Sales, temporary or seasonal, subject to section 98-992
- Temporary special event, subject to section 98-976

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**Sec. 98-572. - Permitted uses.**

The following uses shall be permitted in the R-1 retail district-1, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory retail/service uses
- Accessory use, general, subject to section 98-972
- Alcoholic beverage establishment, subject to section 98-1009
- Antique shop
- Art gallery or handicraft sales
- Art supply store
- Bakery or confectionery shop, retail
- Bank or savings and loan
- Book or stationary store or newsstand
- Boutique vendor market, indoor, subject to section 98-1006
- Cleaning/laundry pickup station only
- Cleaning/laundry shop with pickup station
- Community center, public
- Custom personal service
- Dancing, drama, or music school or studio
- Drugstore or pharmacy
- Fire station
- Florist
- Laboratory, medical and dental
- Laundry, self-service
- Local utility line
- Mailing and shipping service
- Office, general business and professional
- Office, medical and dental
- Optical sales
- Park or playground, public
- Parking lot, commercial

- Personal improvement services
- Public building, shop or yard
- Railroad track
- Religious assembly/institution or rectory
- Restaurant, general
- Retail general (indoors)
- Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010
- Sewage pump station
- Swimming pool, public
- Telephone equipment station
- Travel bureau or consultant

**Sec. 98-573. - Specific uses.**

The following uses shall be permitted in the R-1 retail district-1 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

- Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009
- Amusement and recreation (indoors), subject to section 98-973
- Assembly hall
- Boutique vendor market, outdoor, subject to section 98-1006
- Cemetery or mausoleum
- Cleaning/laundry shop with onsite plant
- Communication tower, commercial, subject to section 98-977
- Day care center
- Electrical line/substation, high voltage, subject to section 98-979
- Food truck, accessory, subject to section 98-991
- Health club or athletic club
- Hospital
- Laboratory, scientific and research
- Mortuary or funeral home
- Museum, library or art gallery, public
- Office, medical and dental extended care
- Parking structure, commercial
- Private franchise utility (not listed)
- Restaurant, fast food
- Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010
- Secondhand store
- Transmission pipeline, subject to section 98-997
- Veterinary hospital (inside pens), subject to section 98-998
- Water well, storage or pump station

**Sec. 98-574. - Temporary uses.**

The following uses shall be permitted in the R-1 retail district-1 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Building material yard and construction office
- Carnival or circus, temporary, subject to section 98-976
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Refreshment stand, subject to section 98-991
- Sales, temporary or seasonal, subject to section 98-992
- Temporary special event, subject to section 98-976

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**Sec. 98-602. - Permitted uses.**

The following uses shall be permitted in the R-2 retail district-2, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory retail/service uses
- Accessory use, general, subject to section 98-972
- Alcoholic beverage establishment, subject to section 98-1009
- Antique shop
- Art gallery or handicraft sales
- Art supply store
- Auto parts and accessory sales (indoors)
- Bait and sporting goods sales
- Bakery or confectionery shop, retail
- Bank or savings and loan
- Book or stationary store or newsstand
- Boutique vendor market, indoor, subject to section 98-1006
- Cleaning/laundry pickup station only
- Cleaning/laundry shop with pickup station
- College or university
- Community center, public
- Convenience store
- Custom personal service
- Dancing, drama, or music school or studio
- Drugstore or pharmacy
- Fire station
- Florist
- Food truck, accessory, subject to section 98-991
- Fraternal club or lodge
- Hardware store

Health club or athletic club  
Laboratory, medical and dental  
Laboratory, scientific and research  
Laundry, self-service  
Local utility line  
Mailing and shipping service  
Mortuary or funeral home  
Office, general business and professional  
Office, medical and dental  
Optical sales  
Park or playground, public  
Parking lot, commercial  
Personal improvement services  
Pet store, subject to section 98-988  
Plant nursery or garden shop  
Public building, shop or yard  
Railroad track  
Religious assembly/institution or rectory  
Repair services, limited  
Restaurant, fast food  
Restaurant, general  
Retail general (indoors)  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Secondhand store  
Sewage pump station  
Telephone equipment station  
Theater  
Travel bureau or consultant

**Sec. 98-603. - Specific uses.**

The following uses shall be permitted in the R-2 retail district-2 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009  
Amusement and recreation (indoors), subject to section 98-973  
Animal control facility  
Assembly hall  
Auto repair garage  
Boutique vendor market, outdoor, subject to section 98-1006  
Car wash, automatic  
Car wash, full service

Car wash, self-service  
 Cemetery or mausoleum  
 Cleaning/laundry shop with onsite plant  
 Communication tower, commercial, subject to section 98-977  
 Convenience store with gasoline sales  
 Day care center  
 Electrical line/substation, high voltage, subject to section 98-979  
 Hospital  
 Hotel or motel, subject to section 98-1003  
 Kennel (In enclosed building only), subject to section 98-986  
 Motor vehicle fuel service station  
 Museum, library or art gallery, public  
 Office, medical and dental extended care  
 Parking structure, commercial  
 Private franchise utility (not listed)  
 Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
 Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
 Swimming pool, public  
 Transmission pipeline, subject to section 98-997  
 Veterinary hospital (inside pens), subject to section 98-998  
 Water well, storage or pump station

**Sec. 98-604. - Temporary uses.**

The following uses shall be permitted in the R-2 retail district-2 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Building material yard and construction office  
 Carnival or circus, temporary, subject to section 98-976  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Refreshment stand, subject to section 98-991  
 Sales, temporary or seasonal, subject to section 98-992  
 Temporary special event, subject to section 98-976

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**Sec. 98-632. - Permitted uses.**

The following uses shall be permitted in the C-1 commercial district-1, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory retail/service uses

Accessory use, general, subject to section 98-972  
Alcoholic beverage establishment, subject to section 98-1009  
Animal control facility  
Antique shop  
Art gallery or handicraft sales  
Art supply store  
Auto parts and accessory sales (indoors)  
Bait and sporting goods sales  
Bakery or confectionery shop, retail  
Bank or savings and loan  
Book or stationary store or newsstand  
Boutique vendor market, indoor, subject to section 98-1006  
Cabinet and upholstery shop  
Cleaning/laundry pickup station only  
Cleaning/laundry shop with onsite plant  
Cleaning/laundry shop with pickup station  
College or university  
Community center, public  
Convenience store  
Custom personal service  
Dancing, drama, or music school or studio  
Drugstore or pharmacy  
Fire station  
Florist  
Food truck, accessory, subject to section 98-991  
Fraternal club or lodge  
Golf course, public  
Hardware store  
Health club or athletic club  
Kennel (In enclosed building only), subject to section 98-986  
Laboratory, medical and dental  
Laboratory, scientific and research  
Laundry, self-service  
Lithographic or print shop  
Local utility line  
Mailing and shipping service  
Mortuary or funeral home  
Museum, library or art gallery, public  
Office, general business and professional  
Office, medical and dental  
Office, medical and dental extended care  
Optical sales  
Park or playground, public  
Parking lot, commercial  
Parking structure, commercial  
Personal improvement services

Pet store, subject to section 98-988  
Plant nursery or garden shop  
Public building, shop or yard  
Railroad track  
Recreation center, public  
Religious assembly/institution or rectory  
Repair services, limited  
Restaurant, fast food  
Restaurant, general  
Retail general (indoors)  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, business  
School, elementary or secondary  
Secondhand store  
Sewage pump station  
Swimming pool, commercial (outdoors)  
Swimming pool, public  
Telephone equipment station  
Theater  
Travel bureau or consultant  
Veterinary hospital (inside pens), subject to section 98-998

**Sec. 98-633. - Specific uses.**

The following uses shall be permitted in the C-1 commercial district-1 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009  
Amusement and recreation (indoors), subject to section 98-973  
Amusement and recreation (outdoors)  
Assembly hall  
Auto leasing or rental  
Auto repair garage  
Boutique vendor market, outdoor, subject to section 98-1006  
Car wash, automatic  
Car wash, full service  
Car wash, self-service  
Cemetery or mausoleum  
Communication tower, commercial, subject to section 98-977

Convenience store with gasoline sales  
 Day camp for children  
 Day care center  
 Electrical energy generating plant  
 Electrical line/substation, high voltage, subject to section 98-979  
 Exhibition area or fairgrounds  
 Feed store  
 Hospital  
 Institution, drug or psychiatric treatment  
 Mini-warehouse  
 Motor vehicle fuel service station  
 Nursing or congregate care facility  
 Private franchise utility (not listed)  
 Recycling drop-off center, subject to section 98-990  
 Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
 School, commercial trade  
 Smoking related business, subject to section 98-1008  
 Stadium or playfield, public  
 Studio, television or radio  
 Transmission pipeline, subject to section 98-997  
 Water well, storage or pump station

**Sec. 98-634. - Temporary uses.**

The following uses shall be permitted in the C-1 commercial district-1 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Building material yard and construction office  
 Carnival or circus, temporary, subject to section 98-976  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Refreshment stand, subject to section 98-991  
 Sales, temporary or seasonal, subject to section 98-992  
 Temporary special event, subject to section 98-976

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**Sec. 98-662. - Permitted uses.**

The following uses shall be permitted in the C-2 commercial district-2, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory retail/service uses  
 Accessory use, general, subject to section 98-972

Alcoholic beverage establishment, subject to section 98-1009  
Amusement and recreation (indoors), subject to section 98-973  
Amusement and recreation (outdoors)  
Animal control facility  
Antique shop  
Art gallery or handicraft sales  
Art supply store  
Auto leasing or rental  
Auto parts and accessory sales (indoors)  
Auto repair garage  
Bait and sporting goods sales  
Bakery or confectionery shop, retail  
Bakery or confectionery, wholesale  
Bank or savings and loan  
Book or stationary store or newsstand  
Boutique vendor market, indoor, subject to section 98-1006  
Boutique vendor market, outdoor, subject to section 98-1006  
Building material sales or storage (indoors)  
Bus station or terminal  
Cabinet and upholstery shop  
Car sales, new or used  
Car wash, automatic  
Car wash, full service  
Cleaning, dyeing or laundry plant  
Cleaning/laundry pickup station only  
Cleaning/laundry shop with onsite plant  
Cleaning/laundry shop with pickup station  
College or university  
Community center, public  
Convenience store  
Convent or monastery  
Custom personal service  
Dance hall  
Dancing, drama, or music school or studio  
Drugstore or pharmacy  
Feed store  
Fire station  
Florist  
Food processing  
Food truck, accessory, subject to section 98-991  
Fraternal club or lodge  
Golf course, public  
Greenhouse, wholesale  
Hardware store  
Health club or athletic club  
Hotel or motel, subject to section 98-1003

Kennel (In enclosed building only), subject to section 98-986  
Laboratory, medical and dental  
Laboratory, scientific and research  
Laundry, self-service  
Lithographic or print shop  
Local utility line  
Mailing and shipping service  
Maintenance service  
Mortuary or funeral home  
Motor vehicle fuel service station  
Museum, library or art gallery, public  
Office, general business and professional  
Office, medical and dental  
Office, medical and dental extended care  
Optical sales  
Park or playground, public  
Parking lot, commercial  
Parking structure, commercial  
Personal improvement services  
Pet store, subject to section 98-988  
Plant nursery or garden shop  
Public building, shop or yard  
Railroad track  
Recreation center, public  
Religious assembly/institution or rectory  
Repair services, limited  
Restaurant, fast food  
Restaurant, general  
Retail general (indoors)  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, business  
School, elementary or secondary  
Secondhand store  
Sewage pump station  
Swimming pool, commercial (outdoors)  
Swimming pool, public  
Telephone equipment station  
Theater  
Tool rental (domestic equipment)

Travel bureau or consultant  
Vehicle and equipment sales or rental  
Veterinary hospital (inside pens), subject to section 98-998

**Sec. 98-663. – Specific uses.**

The following uses shall be permitted in the C-2 commercial district-2 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009  
Assembly hall  
Car wash, self-service  
Caretaker or guard residence, subject to section 98-975  
Cemetery or mausoleum  
Communication tower, commercial, subject to section 98-977  
Convenience store with gasoline sales  
Day camp for children  
Day care center  
Electrical energy generating plant  
Electrical line/substation, high voltage, subject to section 98-979  
Exhibition area or fairgrounds  
Extended stay hotel, subject to section 98-1004  
Helistop  
Hospital  
Institution, drug or psychiatric treatment  
Mini-warehouse  
Nursing or congregate care facility  
Office—showroom/warehouse  
Private franchise utility (not listed)  
Recycling drop-off center, subject to section 98-990  
Retail, general (outdoors)  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
School, commercial trade  
Smoking related business, subject to section 98-1008  
Stadium or playfield, public  
Studio, television or radio  
Transmission pipeline, subject to section 98-997  
Water well, storage or pump station

**Sec. 98-664. – Temporary uses.**

The following uses shall be permitted in the C-2 commercial district-2 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Building material yard and construction office
- Carnival or circus, temporary, subject to section 98-976
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Refreshment stand, subject to section 98-991
- Sales, temporary or seasonal, subject to section 98-992
- Temporary special event, subject to section 98-976

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### **Sec. 98-692. - Permitted uses.**

The following uses shall be permitted in the I-1 industrial district-1, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory retail/service uses
- Accessory use, general, subject to section 98-972
- Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009
- Alternative financial establishment, subject to section 98-1007
- Amusement and recreation (indoors), subject to section 98-973
- Amusement and recreation (outdoors)
- Animal control facility
- Auto leasing or rental
- Auto painting or body shop
- Auto parts and accessory sales (indoors)
- Auto parts and accessory sales (outdoor display)
- Auto repair garage
- Auto storage or auction
- Bait and sporting goods sales
- Bakery or confectionery, wholesale
- Bank or savings and loan
- Boat storage and service
- Bottling works
- Building material sales or storage (indoors)
- Bus station or terminal
- Cabinet and upholstery shop
- Car sales, new or used
- Car wash, automatic
- Car wash, full service
- Cleaning, dyeing or laundry plant
- Cleaning/laundry pickup station only

Cleaning/laundry shop with onsite plant  
College or university  
Community center, public  
Convent or monastery  
Country club, private, subject to section 98-978  
Dance hall  
Feed store  
Fire station  
Florist  
Food processing  
Fraternal club or lodge  
Golf course, public  
Greenhouse, wholesale  
Hardware store  
Hospital  
Hotel or motel, subject to section 98-1003  
Kennel (In enclosed building only), subject to section 98-986  
Kennel (with outside runs or pens), subject to section 98-986  
Laboratory, medical and dental  
Laboratory, scientific and research  
Lithographic or print shop  
Local utility line  
Mailing and shipping service  
Maintenance service  
Manufacturing, light  
Motor vehicle fuel service station  
Museum, library or art gallery, public  
Office, general business and professional  
Office—showroom/warehouse  
Park or playground, public  
Parking lot, commercial  
Parking structure, commercial  
Personal improvement services  
Plant nursery or garden shop  
Public building, shop or yard  
Railroad freight or passenger station  
Railroad team track  
Railroad track  
Recreation center, public  
Religious assembly/institution or rectory  
Repair services, limited  
Restaurant, fast food  
Restaurant, general  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to

section 98-1010  
 Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
 Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
 School, business  
 School, elementary or secondary  
 Sewage pump station  
 Swimming pool, commercial (outdoors)  
 Swimming pool, public  
 Telephone equipment station  
 Theater  
 Tool rental (domestic equipment)  
 Vehicle and equipment sales or rental  
 Veterinary hospital (inside pens), subject to section 98-998  
 Veterinary hospital (outside pens), subject to section 98-999  
 Warehousing and wholesale, general

**Sec. 98-693. - Specific uses.**

The following uses shall be permitted in the I-1 industrial district-1 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment, subject to section 98-1009  
 Boutique vendor market, indoor, subject to section 98-1006  
 Building material sales or storage (outdoors)  
 Car wash, self-service  
 Caretaker or guard residence, subject to section 98-975  
 Cemetery or mausoleum  
 Communication tower, commercial, subject to section 98-977  
 Day camp for children  
 Day care center  
 Electrical energy generating plant  
 Electrical line/substation, high voltage, subject to section 98-979  
 Exhibition area or fairgrounds  
 Extended stay hotel, subject to section 98-1004  
 Food truck, accessory, subject to section 98-991  
 Golf course, private  
 Heliport  
 Helistop  
 Institution, drug or psychiatric treatment  
 Laboratory, manufacturing  
 Marina  
 Mini-warehouse  
 Nursing or congregate care facility

- Parking lot, trucks or trailers (transport)
- Private franchise utility (not listed)
- Private shop, yard or building
- Recycling drop-off center, subject to section 98-990
- Repair services, general
- Retail, general (outdoors)
- Retail, large tenant (100,000 square feet or more), subject to section 98-1010
- Rodeo grounds
- School, commercial trade
- Sewage treatment plant
- Sexually oriented business, subject to section 98-994
- Stadium or playfield, public
- Studio, television or radio
- Theater, drive-in
- Tire retreading or capping
- Transmission pipeline, subject to section 98-997
- Water well, storage or pump station

**Sec. 98-694. - Temporary uses.**

The following uses shall be permitted in the I-1 industrial district-1 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Building material yard and construction office
- Carnival or circus, temporary, subject to section 98-976
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Sales, temporary or seasonal, subject to section 98-992
- Temporary special event, subject to section 98-976

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**Sec. 98-722. - Permitted uses.**

The following uses shall be permitted in the I-2 industrial district-2, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009
- Accessory retail/service uses
- Accessory use, general, subject to section 98-972
- Airport or landing field
- Animal control facility
- Auto painting or body shop
- Auto repair garage

Auto storage or auction  
Bakery or confectionery, wholesale  
Boat storage and service  
Bottling works  
Building material sales or storage (indoors)  
Building material sales or storage (outdoors)  
Bus station or terminal  
Cabinet and upholstery shop  
Car wash, automatic  
Car wash, full service  
Cleaning/laundry pickup station only  
Cleaning/laundry shop with onsite plant  
College or university  
Convent or monastery  
Country club, private, subject to section 98-978  
Exhibition area or fairgrounds  
Feed store  
Fire station  
Florist  
Food processing  
Fraternal club or lodge  
Golf course, public  
Greenhouse, wholesale  
Hospital  
Hotel or motel, subject to section 98-1003  
Kennel (In enclosed building only), subject to section 98-986  
Kennel (with outside runs or pens), subject to section 98-986  
Laboratory, medical and dental  
Laboratory, scientific and research  
Lithographic or print shop  
Local utility line  
Mailing and shipping service  
Maintenance service  
Manufacturing, general  
Manufacturing, light  
Mini-warehouse  
Motor vehicle fuel service station  
Office, general business and professional  
Office—showroom/warehouse  
Park or playground, public  
Parking lot, commercial  
Parking lot, trucks or trailers (transport)  
Parking structure, commercial  
Personal improvement services  
Private shop, yard or building  
Public building, shop or yard

Railroad freight or passenger station  
Railroad team track  
Railroad track  
Religious assembly/institution or rectory  
Repair services, general  
Restaurant, general  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, commercial trade  
Sewage pump station  
Sewage treatment plant  
Stadium or playfield, public  
Swimming pool, public  
Telephone equipment station  
Theater, drive-in  
Tire retreading or capping  
Vehicle and equipment sales or rental  
Veterinary hospital (inside pens), subject to section 98-998  
Veterinary hospital (outside pens), subject to section 98-999  
Warehousing and wholesale, general  
Welding or machine shop

**Sec. 98-723. - Specific uses.**

The following uses shall be permitted in the I-2 industrial district-2 only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment, subject to section 98-1009  
Asphalt/concrete batching plant (permanent)  
Boutique vendor market, indoor, subject to section 98-1006  
Car wash, self-service  
Caretaker or guard residence, subject to section 98-975  
Cemetery or mausoleum  
Communication tower, commercial, subject to section 98-977  
Day camp for children  
Day care center  
Drag strip or commercial racing  
Dump or sanitary landfill area  
Electrical energy generating plant

Electrical line/substation, high voltage, subject to section 98-979  
 Extended stay hotel, subject to section 98-1004  
 Food truck, accessory, subject to section 98-991  
 Golf course, private  
 Heliport  
 Helistop  
 Laboratory, manufacturing  
 Livestock auction or feed lot  
 Manufacturing, hazardous/objectionable  
 Marina  
 Mining and quarrying  
 Museum, library or art gallery, public  
 Petroleum storage/collection facilities  
 Private franchise utility (not listed)  
 Recycling drop-off center, subject to section 98-990  
 Retail, general (outdoors)  
 Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
 Rodeo grounds  
 Sexually oriented business, subject to section 98-994  
 Shooting range, commercial  
 Studio, television or radio  
 Transmission pipeline, subject to section 98-997  
 Water well, storage or pump station  
 Wrecking or salvage yard

**Sec. 98-724. - Temporary uses.**

The following uses shall be permitted in the I-2 industrial district-2 only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Building material yard and construction office  
 Carnival or circus, temporary, subject to section 98-976  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Sales, temporary or seasonal, subject to section 98-992  
 Temporary special event, subject to section 98-976

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**Sec. 98-752. - Permitted uses.**

The following uses shall be permitted in the WR water recreation district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory use, general, subject to section 98-972

Alcoholic beverage establishment, subject to section 98-1009  
Amusement and recreation (indoors), subject to section 98-973  
Amusement and recreation (outdoors)  
Bait and sporting goods sales  
Boat storage and service  
Book or stationary store or newsstand  
Bus station or terminal  
Car wash, automatic  
Car wash, full service  
Community center, public  
Convenience store  
Country club, private, subject to section 98-978  
Crop agriculture  
Custom personal service  
Day camp for children  
Day care home  
Drugstore or pharmacy  
Dwelling, single-family detached  
Fire station  
Garage sale, subject to section 98-982  
Golf course, public  
Home occupation, subject to section 98-984  
Hospital  
Hotel or motel, subject to section 98-1003  
Local utility line  
Marina  
Motor vehicle fuel service station  
Museum, library or art gallery, public  
Nursing or congregate care facility  
Park or playground, public  
Personal improvement services  
Public building, shop or yard  
Railroad track  
Recreation center, public  
Religious assembly/institution or rectory  
Restaurant, general  
Sewage pump station  
Solar panel systems, subject to section 98-1002  
Swimming pool, private, subject to section 98-996  
Swimming pool, public  
Telephone equipment station  
Theater  
Travel bureau or consultant  
Water well, storage or pump station

**Sec. 98-753. - Specific uses.**

The following uses shall be permitted in the WR water recreation district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

- Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009
- Car wash, self-service
- Caretaker or guard residence, subject to section 98-975
- Cemetery or mausoleum
- Communication tower, commercial, subject to section 98-977
- Convenience store with gasoline sales
- Electrical line/substation, high voltage, subject to section 98-979
- Exhibition area or fairgrounds
- Extended stay hotel, subject to section 98-1004
- Fraternal club or lodge
- Golf course, private
- Helistop
- Private franchise utility (not listed)
- Sewage treatment plant
- Stadium or playfield, public
- Swimming pool, commercial (outdoors)
- Transmission pipeline, subject to section 98-997

**Sec. 98-754. - Temporary uses.**

The following uses shall be permitted in the WR water recreation district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

- Asphalt/concrete batch plant, temporary, subject to section 98-974
- Field office, temporary
- Government office/classroom, temporary, subject to section 98-1005
- Refreshment stand, subject to section 98-991
- Sales, temporary or seasonal, subject to section 98-992
- Sales trailer, temporary, subject to section 98-993
- Temporary special event, subject to section 98-976

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**Sec. 98-782. - Permitted uses.**

The following uses shall be permitted in the REC recreational district, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory use, general, subject to section 98-972
- Airport or landing field
- Alcoholic beverage establishment, subject to section 98-1009

Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009  
Amusement and recreation (indoors), subject to section 98-973  
Amusement and recreation (outdoors)  
Boutique vendor market, indoor, subject to section 98-1006  
Boutique vendor market, outdoor, subject to section 98-1006  
Day camp for children  
Dude ranch  
Farmers' market, subject to section 98-980  
Fire station  
Food truck, accessory, subject to section 98-991  
Hospital  
Local utility line  
Public building, shop or yard  
Railroad track  
Restaurant, general  
Sewage pump station  
Sewage treatment plant  
Swimming pool, commercial (outdoors)  
Swimming pool, public  
Telephone equipment station  
Water well, storage or pump station

**Sec. 98-783. - Specific uses.**

The following uses shall be permitted in the REC recreational district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Bait and sporting goods sales  
Boat storage and service  
Caretaker or guard residence, subject to section 98-975  
Cemetery or mausoleum  
Communication tower, commercial, subject to section 98-977  
Country club, private, subject to section 98-978  
Electrical energy generating plant  
Electrical line/substation, high voltage, subject to section 98-979  
Exhibition area or fairgrounds  
Extended stay hotel, subject to section 98-1004  
Golf course, public  
Heliport  
Hotel or motel, subject to section 98-1003  
Marina  
Museum, library or art gallery, public  
Personal improvement services  
Petroleum storage/collection facilities  
Private franchise utility (not listed)

Railroad team track  
 Rodeo grounds  
 Shooting range, commercial  
 Stable, commercial boarding or rental, subject to section 98-995  
 Theater  
 Theater, drive-in  
 Transmission pipeline, subject to section 98-997

**Sec. 98-784. - Temporary uses.**

The following uses shall be permitted in the REC recreational district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Refreshment stand, subject to section 98-991  
 Sales, temporary or seasonal, subject to section 98-992  
 Temporary special event, subject to section 98-976

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**Sec. 98-842. - Permitted uses.**

The following uses shall be permitted in the CC campus commercial district, subject to compliance with any applicable conditions and all other provisions of this chapter:

Accessory retail/service uses  
 Accessory use, general, subject to section 98-972  
 Alcoholic beverage establishment, subject to section 98-1009  
 Amusement and recreation (indoors), subject to section 98-973  
 Art gallery or handicraft sales  
 Art supply store  
 Bakery or confectionery shop, retail  
 Bank or savings and loan  
 Book or stationary store or newsstand  
 Cleaning/laundry pickup station only  
 Cleaning/laundry shop with pickup station  
 College or university  
 Community center, public  
 Custom personal service  
 Dancing, drama, or music school or studio  
 Fire station  
 Florist  
 Food truck, accessory, subject to section 98-991

Heliport  
Helistop  
Hotel or motel, subject to section 98-1003  
Laboratory, medical and dental  
Laboratory, scientific and research  
Lithographic or print shop  
Local utility line  
Mailing and shipping service  
Museum, library or art gallery, public  
Office, general business and professional  
Office, medical and dental  
Office, medical and dental extended care  
Optical sales  
Park or playground, public  
Parking lot, commercial  
Parking structure, commercial  
Personal improvement services  
Public building, shop or yard  
Railroad track  
Recreation center, public  
Restaurant, general  
Retail general (indoors)  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, business  
Sewage pump station  
Studio, television or radio  
Swimming pool, commercial (outdoors)  
Telephone equipment station  
Theater  
Travel bureau or consultant

**Sec. 98-843. - Specific uses.**

The following uses shall be permitted in the CC campus commercial district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009

Amusement and recreation (outdoors)  
Boutique vendor market, indoor, subject to section 98-1006  
Boutique vendor market, outdoor, subject to section 98-1006  
Car wash, automatic  
Car wash, full service  
Communication tower, commercial, subject to section 98-977  
Convenience store  
Convenience store with gasoline sales  
Day care center  
Drugstore or pharmacy  
Electrical energy generating plant  
Electrical line/substation, high voltage, subject to section 98-979  
Extended stay hotel, subject to section 98-1004  
Health club or athletic club  
Hospital  
Institution, drug or psychiatric treatment  
Office—showroom/warehouse  
Private franchise utility (not listed)  
Recycling drop-off center, subject to section 98-990  
Restaurant, fast food  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, commercial trade  
Secondhand store  
Transmission pipeline, subject to section 98-997  
Water well, storage or pump station

**Sec. 98-844. - Temporary uses.**

The following uses shall be permitted in the CC campus commercial district only upon approval of a temporary use permit in accordance with the procedures and standards of 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
Building material yard and construction office  
Field office, temporary  
Government office/classroom, temporary, subject to section 98-1005  
Temporary special event, subject to section 98-976

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**Sec. 98-872. - Permitted uses.**

The following uses shall be permitted in the CI campus industrial district, subject to compliance with any applicable conditions and all other provisions of this chapter:

- Accessory retail/service uses
- Accessory use, general, subject to section 98-972
- Alcoholic beverage establishment with production area greater than 6,000 square feet, subject to section 98-1009
- Amusement and recreation (indoors), subject to section 98-973
- Amusement and recreation (outdoors)
- Bakery or confectionery, wholesale
- Bank or savings and loan
- Bottling works
- Building material sales or storage (indoors)
- Bus station or terminal
- Cabinet and upholstery shop
- Cleaning, dyeing or laundry plant
- Cleaning/laundry pickup station only
- College or university
- Community center, public
- Fire station
- Florist
- Food processing
- Heliport
- Helistop
- Hospital
- Hotel or motel, subject to section 98-1003
- Laboratory, medical and dental
- Laboratory, scientific and research
- Lithographic or print shop
- Local utility line
- Mailing and shipping service
- Maintenance service
- Manufacturing, light
- Museum, library or art gallery, public
- Office, general business and professional
- Office, medical and dental extended care
- Office—showroom/warehouse
- Park or playground, public
- Parking lot, commercial
- Parking structure, commercial
- Personal improvement services
- Public building, shop or yard
- Railroad freight or passenger station
- Railroad team track

Railroad track  
Restaurant, general  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 25,000 and 49,999 square feet), subject to section 98-1010  
Retail, large tenant (between 50,000 and 74,999 square feet), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010  
School, business  
School, commercial trade  
Sewage pump station  
Studio, television or radio  
Swimming pool, commercial (outdoors)  
Telephone equipment station  
Theater  
Tool rental (domestic equipment)  
Warehousing and wholesale, general

**Sec. 98-873. - Specific uses.**

The following uses shall be permitted in the CI campus industrial district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 90-186, specific use permits:

Alcoholic beverage establishment, subject to section 98-1009  
Boutique vendor market, indoor, subject to section 98-1006  
Car wash, automatic  
Communication tower, commercial, subject to section 98-977  
Day care center  
Electrical energy generating plant  
Electrical line/substation, high voltage, subject to section 98-979  
Extended stay hotel, subject to section 98-1004  
Food truck, accessory, subject to section 98-991  
Health club or athletic club  
Institution, drug or psychiatric treatment  
Parking lot, trucks or trailers (transport)  
Private franchise utility (not listed)  
Private shop, yard or building  
Recycling drop-off center, subject to section 98-990  
Repair services, general  
Restaurant, fast food  
Retail, large tenant (100,000 square feet or more), subject to section 98-1010  
Retail, large tenant (between 75,000 and 99,999 square feet), subject to section 98-1010

Sewage treatment plant  
 Transmission pipeline, subject to section 98-997  
 Water well, storage or pump station

**Sec. 98-874. - Temporary uses.**

The following uses shall be permitted in the CI campus industrial district only upon approval of a temporary use permit in accordance with the procedures and standards of section 78-87 of this Code, temporary use permits:

Asphalt/concrete batch plant, temporary, subject to section 98-974  
 Building material yard and construction office  
 Field office, temporary  
 Government office/classroom, temporary, subject to section 98-1005  
 Temporary special event, subject to section 98-976

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**SECTION 9**

Subsection (c), "Schedule of Use Regulations," of Section 98-952, "Use Classification," of Subdivision II, "Regulations," of Division 2, "Uses," of Article IV, "Supplementary District Regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to read as follows:

\*\*\*\*

- (c) *Schedule of use regulations.* The following use regulations schedule summarizes the use regulations of the districts. In the event of any conflict between the use regulations schedule and the text of the zoning district regulations, the text shall control. Uses that were established prior to the adoption of this chapter or its predecessors, but that are now inconsistent with the requirements of this chapter, shall be permitted if such uses meet the requirements of article V, chapter 78 of this Code, nonconformities, for a valid nonconforming use. The use regulations schedule shall be interpreted as follows:

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- (6) *Circumstantial Specific Uses.* Uses identified in a particular district column with a "P/S" shall require a Specific Use Permit in accordance with the procedures and standards of the relevant section from Subdivision III. – Special Use Conditions of this division."

**SECTION 10**







Utility and Public Services Uses	A	S F E	S F- 5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	C I	I1	I2	W R	R E C	P D	C B D
***																							
Private franchise utility (not listed)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	*
***																							
Telephone equipment station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
***																							
Transportation-Related Uses	A	S F E	S F- 5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	C I	I1	I2	W R	R E C	P D	*
***																							
Railroad Track	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
Retail Uses	A	S F E	S F- 5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	C I	I1	I2	W R	R E C	P D	*
Alcoholic beverage establishment (98-1009)												P	P	P	P	P	S	S	S	P	P	P	*
Alcoholic beverage establishment with production area greater than 6,000 square feet (98-1009)												S	S	S	S	S	P	P	P	S	P	P	*
***																							
Boutique vendor market, indoor (98-												P	P	P	P	S	S	S	S		P	P	*







Day camp for children	P	S														S	S			S	S	P	P	P	*							
Drag strip or commercial racing																					S				S	*						
Dude ranch	S																						P	P	*							
***																																
Rodeo grounds	S																				S	S		S	S	*						
Shooting range, commercial																						S		S	S	*						
***																																
Theater, drive-in																					S	P		S	S	*						
Automobile and Related Service Uses	A	S	S	SF	SF	SF	S	2	M	M	O	R	R	C	C	C	C	C	C	C	I	I	I	W	R	R	C	P	D	C	B	D
Auto leasing or rental														S	P								P			P	*					
Auto painting or body shop																						P	P			P	*					
***																																
Auto parts and accessory sales (outdoor display)																							P			P	*					
***																																
Auto storage or auction																						P	P			P	*					
***																																
Tire retreading or capping																						S	P			P	*					
Wrecking or salvage yard																						S			S	*						

Heavy Commercial Uses	A	S F E	S F-5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	Cl	I1	I2	W R	R E C	P D	C B D	
Building material sales and storage (outdoors)																		S	P			S	*	
***																								
Laboratory, manufacturing																		S	S			S	*	
***																								
Mini-warehouse														S	S			S	P			P	*	
***																								
Private shop, yard or building	S																	S	S	P		P	*	
Repair services, general																		S	S	P		S	*	
***																								
Industrial Uses	A	S F E	S F-5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	Cl	I1	I2	W R	R E C	P D	C B D	
Asphalt/concrete batching plant (permanent)																			S				S	*
***																								
Bottling works																		P	P	P			P	*
***																								
Manufacturing hazardous/offensive																			S			S	*	
***																								

Agriculture and Extractive Uses	A	S F E	S F-5	SF 30	SF 15	SF 10	S F A	2 F	M F	M H	O	R 1	R 2	C 1	C 2	C C	Cl	I1	I2	W R	R E C	P D	C B D
***																							
Livestock auction or feed lot	S																		S			S	*
Mining and quarrying	S																		S			S	*
Petroleum storage/colle ction facilities	S																		S		S	S	*
***																							

**SECTION 11**

Subsection (c), "Schedule of Use Regulations," of Section 98-952, "Use Classification," of Subdivision II, "Regulations," of Division 2, "Uses," of Article IV, "Supplementary District Regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to remove the following use types in the Schedule of Use Regulations chart, "Aviary," "Caretaker or guard residence (mobile home) (98-975)," "Off-street parking, accessory," "Recreation Center," "Church or rectory," "Private utility shop, yard or building," "Convenience store with beer/wine sales," "Private club (98-989)," "Restaurant, drive-in," "Retail, single tenant (less than 25,000 sq. ft.)," "Supermarket," "Supermarket with beer/wine sales," and "Wine retail establishment."

**SECTION 12**

Section 98-980, "Farmer's market," of Subdivision III, "Special Use Conditions," of Division 2, "Uses," of Article IV, "Supplementary District Regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended and renamed to read as follows:

**"Sec. 98-980. - Farmers' market.**

- (a) All Farmers' markets shall be located in covered spaces providing shelter for vendors and shall provide for adequate off-street parking. No more than 49 percent of the display area shall be devoted to the sale of nonfood articles. All vendors shall abide by the provisions of applicable town ordinances and regulations and applicable state laws and regulations related to Farmers' markets, including Texas Administrative Code, Title 25, Chapter 229, Subchapter FF.

- (b) A Farmers' market may be permitted by the town to operate on any property owned by the town notwithstanding the district regulations applicable to said property."

### **SECTION 13**

Section 98-990, "Recycling dropoff center," of Subdivision III, "Special Use Conditions," of Division 2, "Uses," of Article IV, "Supplementary District Regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended and renamed to read as follows:

#### **"Sec. 98-990. - Recycling drop-off center.**

A recycling drop-off center may be permitted as an accessory use, as allowed by Sec. 98-952(c), subject to section 82-272 outdoor storage areas and the following conditions:

- (1) The use shall not occupy more than 500 square feet and shall not occupy any parking area required for the primary use.
- (2) The use shall employ no mechanical sorting or processing equipment.
- (3) The use shall be maintained free of litter, debris, and residue on a daily basis.
- (4) Containers shall be durable and covered.
- (5) The name and phone number of a responsible party shall be clearly posted on the collection bin on a sign no greater than 10 square feet in size."

### **SECTION 14**

Section 98-991, "Refreshment stand," of Subdivision III, "Special Use Conditions," of Division 2, "Uses," of Article IV, "Supplementary District Regulations," of Chapter 98, "Zoning," of Subpart B, "Land Development Regulations," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended and renamed to read as follows:

#### **"Sec. 98-991. - Refreshment stand or Food truck, accessory.**

- (a) *Generally.*
- (1) It shall be the responsibility of the applicant to comply with all provisions of this section.
  - (2) All other applicable permits must be obtained.

- (3) Additional parking may be required as determined by the development review committee.
  - (4) A refreshment stand or Food truck, accessory, and all appurtenances thereto, shall comply with all applicable requirements of the district in which it is located. Such facility shall not be required, however, to meet the landscaping, exterior masonry, or underground utility requirements of the applicable zoning district.
  - (5) A refreshment stand or Food truck, accessory, may be located on parking spaces, provided that such spaces are not necessary to meet the minimum parking requirements of the other uses on the lot or parcel.
  - (6) A refreshment stand or Food truck, accessory, shall not be located within, nor encroach upon, a fire lane, maneuvering aisle, vehicle stacking space, or required landscaping areas of the lot or parcel upon which the facility is placed. The location of such facility shall comply with all visibility obstruction regulations of the town.
  - (7) A site plan shall be submitted providing a well delineated "safety" area to keep vehicles from entry into the stand and table area; such site plan shall be reviewed and approved by the building official and the fire marshal.
  - (8) A refreshment stand or Food truck, accessory, shall be located on an approved surface of either asphalt or concrete.
  - (9) A refreshment stand or Food truck, accessory, shall meet all health requirements promulgated by the state department of health and set forth in article III of chapter 18 of this Code.
- (b) *Refreshment stand.*
- (1) A temporary use permit for a refreshment stand may be issued by the building official, subject to compliance with conditions related to refreshment stands.
  - (2) A portable building may be used on a temporary basis as a refreshment stand for a period not to exceed six months on the same lot or parcel within any consecutive 12-month period, measured from the date of the issuance of the temporary permit.
  - (3) A deposit in a sum listed in appendix A of this Code shall be required at the time the temporary permit for the refreshment stand is obtained

to ensure the removal of the stand if the use is discontinued and the stand is not removed from the site within ten days of the expiration or abandonment of the permit. Such deposit will be refunded once the stand has been removed, and all other requirements have been met.”

### **SECTION 15**

Subdivision III, “Special Use Conditions,” of Division 2, “Uses,” Article IV, “Supplementary District Regulations,” of Chapter 98, “Zoning,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to create new Sections 98-100, “Boutique vendor market,” 98-1007, “Alternative financial establishment,” 98-1008, “Smoking related business,” 98-1009, “Alcoholic beverage establishment,” and 98-1010, “Retail, large tenant,” to read as follows:

#### **“Sec. 98-1006. – Boutique vendor market.**

It shall be the responsibility of the applicant to comply with all provisions of this section.

- (1) Land uses not permitted within the base zoning district or planned development may not operate as a vendor within the market.
- (2) All outdoor boutique vendor markets shall provide a permanent covered structure for seventy (70) percent of the maximum number of vendors to be expected.
- (3) All other applicable permits must be obtained.

#### **Sec. 98-1007. – Alternative financial establishment.**

Alternative financial establishments meeting the definition of a “Credit Access Business,” as defined by the V.T.C.A., Finance Code § 393.601, shall be required to meet Chapter 18, Article XI – Credit Access Business of the Town of Flower Mound Code of Ordinances, as amended.

#### **98-1008. –Smoking related business.**

The sale of devices defined within Section 18-530 of Article X, “Regulation of smoking in public places,” of the Town’s Code of Ordinances, within 1,000 feet of any school is hereby prohibited. The measurement of distance between the place of business where such devices are sold and the school shall be:

- (1) In a direct line from the property line of the school to the property line of the place of business, and in a direct line across intersections; or
- (2) If the place of business is located on or above the fifth story of a multistory

building, in a direct line from the property line of the school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which such devices are sold from.

**98-1009. - Alcoholic beverage establishment.**

Alcoholic beverage establishments shall meet the requirements of Chapter 18, Article IX – Alcoholic beverages; generally, of the Town of Flower Mound Code of Ordinances, as amended.

**98-1010. - Retail, large tenant.**

- (1) A Specific Use Permit shall be required, as noted in Sec. 98-952(c), for new construction.
- (2) A Specific Use Permit shall be required, as noted in Sec. 98-952(c), for remodeling and/or expanding a tenant space where the total square footage established would require a Specific Use Permit as new construction.

**Secs. 98-1011—98-1020. - Reserved.”**

**SECTION 16**

Section 98-1032, “Accessory Buildings,” of Division 3, “Dimensional Regulations,” of Article IV, “Supplementary District Regulations,” of Chapter 98, “Zoning,” of Subpart B, “Land Development Regulations,” of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by revising subsection (a)(2) to read as follows:

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- (2) “*Barns, stables, and riding arenas.* In SF-E single-family estate and A agricultural zoning districts, barns and/or stables directly associated with the support of a bona fide agricultural use of the property and/or riding arenas, shall be limited in area to that allowed by the building code for their use and construction type, but in no case shall the combined floor area of the primary use and all accessory buildings exceed the maximum percentage of lot coverage allowed for in an A or SF-E zoning district. In SF-E and A zoning districts, barns, stables, and/or riding arenas shall be limited to a height of not more than twenty feet to the top of the roof. Such barns, stables, and/or riding arenas shall not be located within 50 feet of any property line.”

**SECTION 17**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, 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 18**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, 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, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

### **SECTION 19**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

### **SECTION 20**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Code of Ordinances as amended or revised herein, or any other ordinances affecting the matters regulated herein which 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 21**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 22**

This Ordinance shall be in full force and effect from and after the date of its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 5TH DAY OF APRIL, 2021.**

**APPROVED:**

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**Steve Dixon, MAYOR**

**ATTEST:**

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**Theresa Scott, TOWN SECRETARY**