

ORDINANCE NO. 2022-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS, AMENDING CHAPTER 5 "ZONING USE REGULATIONS", OF THE UNIFIED DEVELOPMENT CODE (UDC) RELATIVE TO AUTOMOTIVE SALES AND SERVICES; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on March 11, 2003, the City Council of the City of Georgetown, Texas, adopted a set of comprehensive development regulations known as the Unified Development Code ("UDC") via Ordinance No. 2003-16, which codified various zoning and subdivision standards; and

WHEREAS, the proposed amendments to the UDC would amend zoning regulations related to the requirement for a special use permit for automotive sales and service uses in certain zoning districts;

WHEREAS, the City Council established the Planning and Zoning Commission pursuant to Chapter 212 of the Texas Local Government Code to provide a report on proposed changes to zoning regulations to City Council as well as perform other duties authorized by State law and the Georgetown City Charter and ordinances; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on the proposed amendments at their June 21, 2022 regular scheduled meeting and recommended to the City Council approval of the amendments.

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

SECTION 1: The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan.

SECTION 2: Chapter 5, Sections 5.01.010 and 5.01.020 relating to "Zoning Use Regulations," of the Unified Development Code (UDC) are hereby amended as shown in Exhibits A and B attached hereto.

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SECTION 3: All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

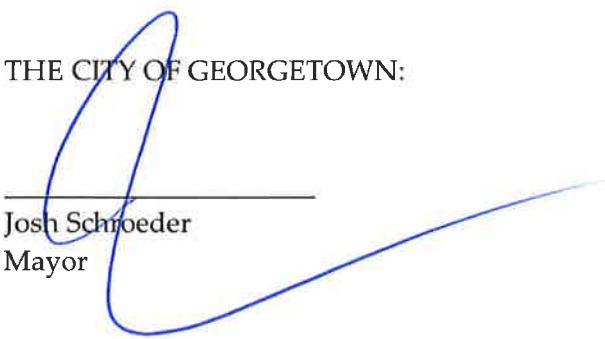
SECTION 4: If any provision of this Ordinance, or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 5: The Mayor is hereby authorized to sign this Ordinance and the City Secretary to attest. This Ordinance shall become effective in accordance with the provisions of State Law and the City Charter of the City of Georgetown.

APPROVED on First Reading this 12th day of July, 2022.

APPROVED AND ADOPTED on Second Reading this 26th day of July, 2022.

THE CITY OF GEORGETOWN:



Josh Schroeder
Mayor

ATTEST:



Robyn Densmore, TRMC
City Secretary

APPROVED AS TO FORM:



Skye Masson
City Attorney

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Exhibit A

Sec. 5.04.010. Commercial Uses Allowed by District.

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

Table 5.04.010: Commercial Uses

Specific Use	AG	RE	RL	RS	TF	TH	MF1	MF2	MH	CN	C1	C3	OF	BP	IN	PF	MUDT	MU	Notes
Overnight Accommodations																			
Bed and Breakfast	S	S	S	S	S	S	S	S	—	L	L	—	—	—	—	—	L		B
Bed and Breakfast with Events	S	S	S	S	S	S	S	S	—	L	L	—	—	—	—	—	L		B, C
Inn	S	—	—	—	—	—	—	—	—	S	P	P	—	—	—	—	P		
Hotel, Boutique	—	—	—	—	—	—	—	—	—	—	P	P	S	S	—	—	S		
Hotel, Full Service	—	—	—	—	—	—	—	—	—	—	P	P	—	L	—	—	S		D
Hotel, Limited Service	—	—	—	—	—	—	—	—	—	—	P	P	—	L	—	—	—		D
Hotel, Extended Stay	—	—	—	—	—	—	—	—	—	—	—	P	—	L	—	—	—		D
Motel	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—		
Campground or RV Park	S	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Food and Beverage Establishments																			
Restaurant, General	—	—	—	—	—	—	—	—	—	L	L	P	L	L	S	L	P		E, A
Restaurant, Drive-through	—	—	—	—	—	—	—	—	—	S	L	P	—	L	S	—	S		E, A
Bar, Tavern or Pub	—	—	—	—	—	—	—	—	—	S	L	L	—	—	—	—	S		F, A
Micro Brewery, Micro Winery, or Micro Distillery	—	—	—	—	—	—	—	—	—	L	L	L	—	—	—	—	L		G, A
Food Catering Services	—	—	—	—	—	—	—	—	—	L	L	P	—	P	P	—	P		
Permanent Mobile or Outdoor Food Vendor	—	—	—	—	—	—	—	—	—	—	S	S	—	S	S	—	S	S	Y
Entertainment and Recreation																			
Live Music or Entertainment	—	—	—	—	—	—	—	—	—	—	L	L	—	—	—	—	L		H
Dance Hall or Nightclub	—	—	—	—	—	—	—	—	—	—	L	L	—	—	—	—	S		F, A
Theater, Movie or Live	—	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	S		I
Membership Club or Lodge	—	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	S		A
Sexually Oriented Business	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	—	—		
Major Event Entertainment	S	—	—	—	—	—	—	—	—	—	—	S	—	—	S	S	—		

Exhibit A

Event Facility	S	—	—	—	—	—	—	—	—	S	S	L	—	—	—	L	S		W
Athletic Facility, Indoor or Outdoor	—	—	—	—	—	—	—	—	—	—	—	L	—	—	P	L	—		J
Commercial Recreation	—	—	—	—	—	—	—	—	—	—	L	L	—	—	—	—	S		J, A
Driving Range	L	—	—	—	—	—	—	—	—	—	—	L	—	—	P	—	—		J
Firing Range, Indoor	S	—	—	—	—	—	—	—	—	—	—	S	—	—	S	—	—		
Firing Range, Outdoor	S	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Health Services																			
Home Health Care Services	—	—	—	—	—	—	—	—	—	L	L	P	P	P	—	—	P		K, A
Medical or Dental Office	—	—	—	—	—	—	—	—	—	L	L	P	P	—	P	—	P		K, A
Medical or Dental Clinic	—	—	—	—	—	—	—	—	—	—	L	P	P	—	P	—	S		K, A
Urgent Care Facility	—	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	S		K, A
Professional and Business Offices																			
General Office	—	—	—	S	—	—	—	—	—	L	L	P	P	P	P	—	L		K, A
Integrated Office Center	—	—	—	—	—	—	—	—	—	—	L	P	S	P	P	—	L		K, A
Data Center	—	—	—	—	—	—	—	—	—	—	—	L	L	P	P	—	—		L
Consumer Retail Sales and Services																			
General Retail	—	—	—	—	—	—	—	—	—	L	L	P	—	L	—	—	L		M, A
Agricultural Sales	P	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	—		A
Landscape Supply Sales/Garden Center	P	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	—		A
Farmer's Market	P	—	—	—	—	—	—	—	—	L	L	P	—	—	—	—	P		A
Flea Market	S	—	—	—	—	—	—	—	—	—	—	S	—	—	—	—	—		
Artisan Studio and Gallery	P	—	—	—	—	—	—	—	—	—	L	P	—	—	P	—	P		A
Personal Services	—	—	—	—	—	—	—	—	—	L	L	P	P	L	—	—	P		N, A
Personal Services, Restricted	—	—	—	—	—	—	—	—	—	—	S	P	—	—	—	—	S		
Dry Cleaning Service, Drop-off Only	—	—	—	—	—	—	—	—	—	L	L	P	P	L	—	—	P		N, A
Laundromat	—	—	—	—	—	—	—	—	—	L	L	P	—	—	—	—	P		N, A
Printing, Mailing and Reproduction Services	—	—	—	—	—	—	—	—	—	L	L	P	P	L	—	—	P		N, A
Fitness Center	—	—	—	—	—	—	—	—	—	L	L	P	—	L	—	—	S		O, A
Banking and Financial Services	—	—	—	—	—	—	—	—	—	—	L	P	P	—	—	—	P		A
Consumer Repair	—	—	—	—	—	—	—	—	—	L	L	P	—	—	—	—	P		A

Exhibit A

Small Engine Repair	—	—	—	—	—	—	—	—	—	—	—	P	—	P	P	—	—		
Funeral Home	—	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	—		A
Kennel	L	—	—	—	—	—	—	—	—	—	L	—	—	L	—	—			P
Veterinary Clinic, Indoor Pens Only	P	—	—	—	—	—	—	—	—	—	L	P	—	—	—	—	P		A
Veterinary Clinic, Indoor or Outdoor Pens	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Self Storage, Indoor	—	—	—	—	—	—	—	—	—	—	S	S	—	—	P	—	—		Q
Self Storage, Outdoor	—	—	—	—	—	—	—	—	—	—	—	S	—	—	L	—	—		Q
Commercial Sales and Services																			
Commercial Document Storage	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	—	—		
Event Catering and Equipment Rental Services	—	—	—	—	—	—	—	—	—	—	—	P	—	P	P	—	—		
Furniture Repair and Upholstery	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—		
Heavy Equipment Sales and Repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—		
Pest Control or Janitorial Services	—	—	—	—	—	—	—	—	—	—	L	L	—	—	P	—	—		R,A
Office/Showroom	—	—	—	—	—	—	—	—	—	—	—	L	—	P	P	—	—		AA
Wholesale Showrooms	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—		
Greenhouse, Wholesale	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Stone, Mulch or Dirt Sales Yards	P	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—		
Manufactured Housing Sales	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		
Automotive Sales and Services																			
Automobile Sales, Rental or Leasing Facility	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		S
Commercial Vehicle Sales, Rental or Leasing Facility	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		X
Automobile Parts and Accessories Sales, Indoor	—	—	—	—	—	—	—	—	—	—	S	P	—	—	—	—	—		A
Automobile Parts and Accessories Sales, Outdoor	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		
Automobile Repair and Service, Limited	—	—	—	—	—	—	—	—	—	—	—	P	—	—	P	—	—		
Automobile Repair and Service, General	—	—	—	—	—	—	—	—	—	—	—	S	—	—	S	—	—		V
Fuel Sales	—	—	—	—	—	—	—	—	—	—	—	S	S	—	S	S	—	—	T

Exhibit A

Fuel Sales with more than ten multi-fuel dispensers	—	—	—	—	—	—	—	—	—	—	—	S	—	—	S	—	—		Z
Car Wash	—	—	—	—	—	—	—	—	—	—	S	S	—	S	S	—	—		U
Recreational Vehicle Sales, Rental or Service	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		
Towing Services and Impound Lots	—	—	—	—	—	—	—	—	—	—	—	—	—	—	L	—	—		AB

Sec. 5.04.010. Commercial Uses Allowed by District.

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

Table 5.04.010: Commercial Uses- Automotive Sales and Services

Specific Use	AG	RE	RL	RS	TF	TH	MF1	MF2	MH	CN	C1	C3	OF	BP	IN	PF	MUDT	MU	Notes
Automotive Sales and Services																			
Automobile Sales, Rental or Leasing Facility	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		S
Commercial Vehicle Sales, Rental or Leasing Facility	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		X
Automobile Parts and Accessories Sales, Indoor	—	—	—	—	—	—	—	—	—	—	S	P	—	—	—	—	—		A
Automobile Parts and Accessories Sales, Outdoor	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		
Automobile Repair and Service, Limited	—	—	—	—	—	—	—	—	—	—	—	P	—	—	P	—	—		
Automobile Repair and Service, General	—	—	—	—	—	—	—	—	—	—	—	S	—	—	S	—	—		V
Fuel Sales	—	—	—	—	—	—	—	—	—	—	S	S	—	S	S	—	—		T
Fuel Sales with more than ten multi-fuel dispensers	—	—	—	—	—	—	—	—	—	—	—	S	—	—	S	—	—		Z
Car Wash	—	—	—	—	—	—	—	—	—	—	S	S	—	S	S	—	—		U
Recreational Vehicle Sales, Rental or Service	—	—	—	—	—	—	—	—	—	—	—	S	—	—	P	—	—		
Towing Services and Impound Lots	—	—	—	—	—	—	—	—	—	—	—	—	—	—	L	—	—		AB

Exhibit A

(Ord. No. 2014-30, § 2(Exh. A), 5-27-2014; Ord. No. 2015-48, § 2(Exh. A), 9-22-2015; Ord. No. 2015-49, § 2(Exh. A), 9-22-2015; Ord. No. 2017-41, § 2(Exh. A), 6-13-2017; Ord. No. 2017-67, § 2(Exh. A), 10-10-2017; Ord. No. 2018-61, § 2(Exh. A), 10-9-2018; Ord. No. 2019-30, § 2(Exh. A), 5-14-2019; Ord. No. 2020-08, § 2(Exh. B), 1-28-2020)

EXHIBIT B

Sec. 5.04.020. Commercial Use Limitations.

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

A. Building Size Limitation.

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

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

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

B. Bed and Breakfast.

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

1. All Districts.

- a. No more than eight guestrooms per property shall be allowed, and if more than one building is located on a Bed and Breakfast property, no more than six guestrooms shall be allowed in any one building.
- b. No food preparation, except beverages, is allowed within individual guestrooms. No stove, range, hot plate, toaster oven, or microwave shall be allowed in any guestrooms; however, a small microwave is permitted in outbuilding guest rooms.
- c. Preparation and service of food shall conform to all applicable regulations of the State of Texas and Williamson County.
- d. The owner shall keep a current guest register including names, contact information, and dates of occupancy for all guests.
- e. On-site parking (except driveways) shall not be located in the front yard and shall be screened from the view of adjacent residences to a height of six feet by a solid screening fence or dense shrubs and vegetation. Temporary fences shall not be permitted.
- f. Guestroom rentals shall not be allowed for more than 15 consecutive days.

2. Residential Districts.

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

- a. The operator of the Bed and Breakfast must be a full-time resident of the main dwelling on the property in which the Bed and Breakfast establishment is located.
- b. Signage shall be restricted to one sign attached to the wall of the main dwelling that is a maximum of 12 square feet and one monument sign no larger than six square feet. However, the total signage on the site shall not exceed 15 square feet. No additional advertising of any kind is allowed on site.
- c. Carriage houses, garage apartments, secondary free-standing houses, or similar dwellings that contain a full service kitchen and are proposed to be used for Bed and Breakfast

EXHIBIT B

operations shall remove the food preparation facilities prior to commencement of operation as a Bed and Breakfast.

C. **Bed and Breakfast with Events.**

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

1.All Districts.

- a. All provisions of Subsection B., above, shall also apply to Bed and Breakfasts with Events.
- b. The following additional conditions and limitations shall apply to Bed and Breakfasts with Events in all permitted Districts:
 - i. The Bed and Breakfast owner shall attend all events held on the property.
 - ii. The event hours, including set up and take down, shall be limited to the following:
 - Sunday through Thursday, 9:00 a.m. to 9:00 p.m.
 - Friday and Saturday (and Sunday if it is a holiday weekend), 9:00 a.m. to 11:00 p.m.
 - iii. Outdoor event areas shall not be located in the front yard and shall be screened from the view of adjacent properties to a height of six feet by a solid screening fence or dense shrubs and vegetation. Temporary fencing is not permitted.

2.Residential Districts.

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

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

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

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

E. **Restaurant.**

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

1.Restaurants in the CN District are subject to the following:

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

EXHIBIT B

- b. A drive-thru restaurant shall require approval of a Special Use Permit.

2. Restaurants permitted in the OF and BP Districts are subject to the following:

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

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

A bar, tavern, pub, dancehall, or nightclub is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

- 1. The establishment shall be located no less than 300 feet from a church, public or private school or public hospital, subject to the measurements of the City Code of Ordinances.
- 2. Reserved.
- 3. The establishment is subject to the provisions of Chapter 6.40, Alcoholic Beverages, of the City Code of Ordinances.

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

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

- 1. A micro brewery, micro winery, or micro distillery shall be located no less than 300 feet from a church, public or private school or public hospital subject to the measurements of the City Code of Ordinances.
- 2. A micro brewery, micro winery, or micro distillery is subject to the provisions of Chapter 6.40, Alcoholic Beverages, of the City Code of Ordinances.

H. **Live Music or Entertainment.**

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

- 1. The entertainment use must be secondary to the primary use in the C-1 and MU-DT Districts.
- 2. Any outdoor entertainment area shall be clearly shown on a Site Plan and shall be set back a minimum of 50 feet from the property line of residentially-zoned property.
- 3. Live music or entertainment uses are subject to the provisions of Chapter 8.16, Noise, of the Georgetown Municipal Code.

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

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

J. **Athletic Facilities, Commercial Recreation and Driving Ranges.**

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

EXHIBIT B

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

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

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

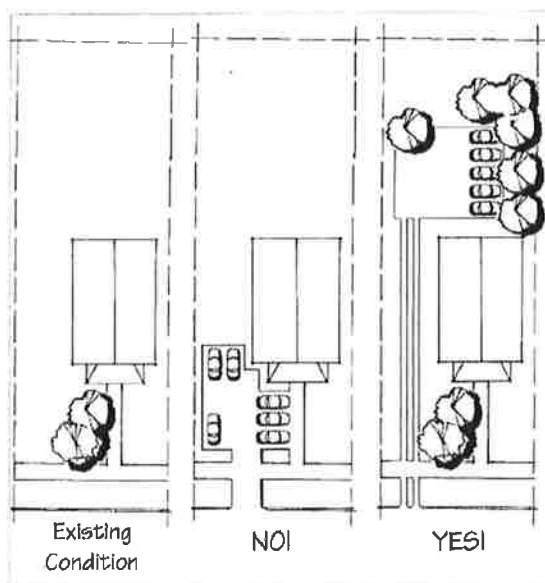
- a. Each building is limited to a maximum of 40,000 square feet.
- b. Parking for a building over 20,000 square feet in Area 1 of the Downtown Overlay District shall meet a parking ratio of one to 1,500 square feet of gross floor area (GFA).

2. General Office in the RS District.

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

- a. Only a house meeting the following criteria is eligible to apply for a Special Use Permit, pursuant to Section 3.07, for an office use in the RS District:
 - i. The house is located in the RS District;
 - ii. The house existed on or before February 26, 2008 (the date adopting the ordinance); and
 - iii. The house has a side lot line immediately adjacent to property zoned as C-1, C-3 or IN District that is used for commercial or industrial uses and developed without a bufferyard.
 - iv. A residential side lot line of less than 30 percent (30%) shall not qualify as a side lot line for the above adjacency requirement.
 - v. Any question of applicability of this section shall be determined by the Director.
- b. In addition to the requirements for Special Use Permits set forth in Section 3.07, an applicant for a Special Use Permit under this section shall also submit a Site Plan pursuant to the requirements of Section 3.09. Further, an interior layout of the building shall be submitted with the Special Use Permit application.
- c. Off-street parking shall be provided at one and one-half spaces per habitable room. For the purposes of this section, a habitable room includes foyers and lofts if used for reception areas, work stations, offices, conference rooms, etc, but excludes restrooms, kitchens, porches (enclosed or open), and utility rooms. This parking requirement is in place of the parking requirement in Table 9.02.030. All parking shall be paved and approaches shall be concrete.

EXHIBIT B



Do not use a front yard for parking. Instead, use a long driveway, or alley access, that leads to parking located behind a building.

- d. Parking shall not be permitted in the front yard. An exception to this provision may be considered with the Special Use Permit related to preserving Protected and Heritage Trees or to recognize existing garages or parking areas. Parking shall be screened from view of the right-of-way in accordance with the requirements set forth in Chapter 8.
- e. A solid screening wall or fence or dense shrubs and vegetation at least six feet in height shall be required along the side and rear property lines adjacent to property zoned RS, Residential. However, the wall or fence may be reduced in height if buildings on site reduce the impact of the office use, including parking, and as the fence approaches the right-of-way.
- f. A Building Permit may be required prior to issuance of a Certificate of Occupancy.
- g. The use of the property for medical offices providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by doctors or similar practitioners of medical and healing arts for humans, licensed for such practice by the state shall be considered on a case-by-case basis with the Special Use Permit. Dental offices, out-patient clinics, and outpatient emergency centers are not permitted uses.
- h. The use of the property for counseling in an office setting by a psychologist or psychiatrist is a permitted office use.
- i. The City Council may consider approval of a lesser office use that would occupy only a portion of a house. If only a portion of the structure is used, reduced standards may be applied, especially for a "live/work" use of a house.
- j. A Special Use Permit issued under this section shall contain the following special conditions, at a minimum. The City Council may include other special conditions of the permit on a case-by-case basis.
 - i. The office use shall be conducted entirely within the main structure or integral part thereof and have no outdoor storage of any kind.

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- ii. Office uses are not permitted in any accessory building.
- iii. Uses accessory to office uses are prohibited, except a conference room may be established for an on-site office.
- iv. On-site sales are prohibited.
- v. Outdoor storage is prohibited; however, the interior of any accessory structures may be used for storage related to the office uses.
- vi. The number of workers shall be limited to the number of habitable rooms (excluding restrooms, kitchens, porches (enclosed or open), and utility rooms) within the house. Foyers and lofts shall be counted as habitable rooms if used for reception areas, work stations, conference rooms, etc.
- vii. No exterior evidence of the office use shall be allowed, except for one non-internally illuminated sign attached to the principal structure that is no larger than two square feet. No additional advertising of any kind is allowed on site.
- viii. Business hours and regular deliveries by commercial vehicle (excluding 18 wheeled vehicles, which are prohibited) shall be limited to 8:00 a.m. to 6:00 p.m.
- ix. A Temporary Use Permit in accordance with Section 3.11 is required for any party, reception, event, or similar function that is anticipated to draw more than 15 total guests to the Office (including tenants). Parties, receptions, events or similar functions, subject to the Temporary Use Permit provision, shall be limited to a total of six such functions per calendar year. Such events shall be limited to the interior of the structure.
- x. The Special Use Permit shall be null and void if the structure is damaged by natural or accidental causes to the extent of more than 50 percent (50%) of the value of the structure on the date of the damage and if it is not rebuilt in kind within 14 months or the use of the structure for Office uses has been discontinued for a period of 12 months or more. The 14-month period does not include the period of time necessary to conclude any litigation related to such calamity.
- xi. Increased run-off resulting from conversion to office use shall be detained on-site or shall be diverted from adjacent property in conformance with the stormwater drainage requirements of this Code.
- xii. The total impervious cover shall not exceed the requirements of the RS District.

L. Data Center.

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

M. General Retail.

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

1. In the BP District.

- a. The gross floor area shall not exceed 2,500 square feet.
- b. The retail use shall clearly be secondary and supportive to the primary use.

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

2.In the MU-DT District.

- a. A Special Use Permit is required for any retail building exceeding 40,000 square feet.
- b. Parking for a building over 20,000 square feet in Area 1 of the Downtown shall meet a parking ratio of one to 1,500 square feet of gross floor area (GFA).

N. Personal Services in the BP District.

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

- 1.The gross floor area shall not exceed 2,500 square feet.
- 2.The establishment shall clearly be secondary and supportive to the primary use.
- 3.The personal service use shall not be located in a building which contains no other uses; however, a Special Use Permit may be considered if it is determined that a free standing personal service operation would be beneficial to a planned business park development.

O. Fitness Center.

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

- 1.In the CN District, the hours of operation shall be limited from 6:00 a.m.—10:00 p.m.
- 2.In the BP District, a fitness center shall meet all of the provisions of Section 5.04.020.M.1.

P. Kennel.

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

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

Q. Self-Storage, Indoor and Outdoor.

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

- 1.Self-storage facilities shall be limited to the storage use only, with the exception of an accessory leasing office, accessory retail sales, and/or single living quarters for security purposes, and shall not be used for operating any other business. In no instance shall individual storage units be used as a business storefront or used as a residence or overnight accommodation.
- 2.Indoor self-storage facilities shall operate completely within a building or structure.
- 3.Indoor self-storage facilities located in a C-1 District shall be limited to climate controlled facilities accessed solely from shared interior hallways
- 4.Storage bay doors shall not face a public right-of-way unless set back a minimum of 40 feet from the property line.
- 5.Chain-link fencing shall not be located in a front setback or street setback.

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6. Each individual storage unit shall be directly accessible from an apron consisting of an approved paved surface.
7. Where gated, a minimum of 60 feet of driveway shall be provided between the public right-of-way and the front gate of the self-storage facility.
8. Outdoor storage shall not include the storage of wrecked or inoperable vehicles.
9. No outdoor self-storage shall be permitted within a required setback.
10. No outdoor self-storage shall be allowed in required off-street parking areas. Areas intended for outdoor self-storage shall be paved and painted to distinguish them from required off-street parking areas.
11. Outdoor self-storage shall be screened from any public right-of-way by an eight-foot tall screening wall constructed of brick, stone, reinforced concrete or other similar two-sided masonry materials as approved by the Director.

R. **Pest Control or Janitorial Services.**

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

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

S. **Automobile Sales, Rental or Leasing Facility.**

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

1. **Lighting.**

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

2. **Auto Repair and Service.**

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

3. **Screening from Residential.**

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

4. **Outdoor Display and Storage.**

- a. Display and storage areas shall be clearly shown on the Site Plan and identified on the site.
- b. Outdoor display of vehicles shall be set back a minimum of 25 feet from all lot lines abutting residentially zoned or developed property.

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- c. Temporary overflow vehicle storage is allowed on paved surfaces only. This temporary storage shall not impede the traffic flow of the site or eliminate required parking spaces.
- d. Permanent and temporary tent canopies may be erected over areas used for automobile sales display and shall not be considered buildings, but may not encroach into building setbacks, required parking spaces or drive aisles. All necessary building permits shall be required, but a revision to an existing Site Plan shall not be required if the tent canopy is located over an existing display area. All safety issues regarding fire and building codes shall be addressed.

5. Signage for Automobile Sales Facilities.

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

- a. High profile monument signs are encouraged for sites with multiple corporate tenants consistent with Section 10.06.030.G. Auto dealerships may have an increased height for a high profile monument sign located along the I.H. 35 frontage road of up to 35 feet. No more than one sign shall be permitted at the 35-foot height. No additional height shall be permitted. The structure of high profile monument signs shall be constructed of stone or brick materials and be colors compatible with those utilized on the primary building's facade.
- b. Additional high profile monument signage shall be allowed for those sites with multiple corporate tenants. The maximum amount of additional signage shall be limited to an increase of ten percent (10%) of the total pole sign square footage permitted in Chapter 10. The maximum high profile monument sign height that utilizes the increased size shall be limited to 28 feet. The minimum road frontage of 600 feet for a high profile monument sign is reduced to 250 feet for this section and the spacing of 600 feet between high profile monument signs shall be reduced to 250 feet for this section.
- c. A maximum of two high profile monument or pole signs per site are permitted for sites with multiple corporate tenants with the maximum sign height of 25 feet and a maximum of 100 square feet per sign.
- d. For those sites with multiple corporate tenants the allowed wall signage may be increased ten percent (10%) to accommodate the additional tenant.
- e. In accordance with Section 10.03, entrance and interior directional signs that comply with the provisions of Chapter 10 of this Code shall not be counted toward the total allowed signage for the site.
- f. No signs, balloons, banners, etc. shall be located within the public right-of-way.
- g. Balloons.
 - i. For the purposes of this section, balloons shall not be deemed as fluttering/undulating/moving signs pursuant to Section 10.04.
 - ii. Balloons shall be tethered, attached, or anchored so as not to create any safety hazards by blowing into signs, utility lines, lights, etc.
 - iii. Balloons and their tethering mechanism shall not exceed 35 feet in height.
 - iv. Balloons for vehicle sales facilities shall not exceed a total of 50 balloons per 100 feet of I.H. 35 road frontage.
- h. Reserved.

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T. Fuel Sales.

A fuel sales establishment is permitted in accordance with Table 5.04.010, subject to the standards of Section 3.07 – Special Use Permit, and subject to the following standards and limitations:

1. The use shall generally not abut a single family residential zoned or used property without attention to the impact of screening, buffering, and lighting to the adjacent residential uses .
2. Proximity to other developed or entitled fuel sales facilities shall be examined as part of the Special Use Permit process to avoid clustering of uses along a corridor, intersection, or neighborhood.
3. No more than four multi-fuel dispensers (eight fuel positions) shall be permitted except where one of the following conditions is met:
 - a. The property is located on a corner of a major arterial roadway and a major collector or higher level roadway as classified in the Overall Transportation Plan (OTP); or
 - b. The proposed fuel sales establishment is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more; or
 - c. The property is adjacent to the SH 130 Toll or IH-35 roadways.
4. When one of the conditions outlined in Subsection (1) above is met, in no case shall a fuel sales establishment be permitted more than ten multi-fuel dispensers or 20 fuel positions.
5. When a fuel sales establishment in the Local Commercial (C-1) zoning district is designed for four multi-fuel dispensers (eight fuel positions), the canopy and arrangement of such multi-fuel dispensers shall be designed in a relatively square pattern as opposed to a linear distribution of the multi-fuel dispensers, as depicted below (where X = one multi-fuel dispenser = two fuel positions):

Acceptable C-1 Pump Arrangement:		Unacceptable C-1 Pump Arrangement:			
X	X	X	X	X	X
X	X				

6. No more than four multi-fuel dispensers (eight fuel positions) shall be located within 100 feet of a single-family residential zoned property.
7. An eight-foot masonry wall shall be required at the property line of residentially-zoned property, in addition to the required bufferyards in Chapter 8.
8. Fuel positions, vacuum, air, and water stations as well as other similar equipment are prohibited between the principal structure and the property line of a residentially-zoned property and shall comply with the building setbacks in all other circumstances.
9. The bottom of the canopy shall be a minimum of 13 feet six inches in height.
10. In addition to the requirements in Section 7.04, any freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.
11. No full-service or self-service car wash is allowed with the fuel sales use. Only an accessory one-bay automatic car wash is allowed.

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U. Car Wash.

The consideration of a car wash is permitted in accordance with Table 5.04.010, subject to the standards of section 3.07 – Special Use Permit, and following standards and limitations:

- 1.A self-service car wash facility may contain a maximum of four self-service bays.
- 2.A fuel sales use is not allowed with either a full-service or self-service car wash.
3. The use shall not abut a single family residential zoned or used property.
4. Proximity to other developed or entitled car wash facilities shall be examined as part of the Special Use Permit process to avoid clustering of uses along a corridor, intersection, or neighborhood.

V. Automobile Repair and Service, General.

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

W. Event Facility.

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

- 1.A Special Use Permit is required in the C-3 and PF Districts for Event Facilities designed to host events with more than 300 attendees. A Special Use Permit is required in the AG, CN, C-1 and MU-DT districts for all Event Facilities.
- 2.Any outdoor live music or entertainment area shall be shown on a Site Plan and shall be set back a minimum of 50 feet from the property line of a residentially zoned property.
- 3.Any live music or entertainment in association with an event is subject to the provisions of Chapter 8.16 "Noise" of the Georgetown Municipal Code.

X. Commercial Vehicle Sales, Rental or Leasing Facility.

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

1. Lighting.

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

2.Screening from Residential.

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

3.Outdoor Display and Storage.

- a. Display and storage areas shall be clearly shown on the Site Plan and identified on the site.
- b. Outdoor display of commercial vehicles shall be set back a minimum of 25 feet from all lot lines abutting residentially zoned or developed property.

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

4.Accessory Uses.

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

Y. Permanent Mobile or Outdoor Food Vendor.

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

- 1.The Mobile or Outdoor Food Vendor(s) shall be a primary use on the property.
- 2.Each Mobile or Outdoor Food Vendor shall have a City approved connection to City approved electric, water and wastewater services.
- 3.A Mobile Food Park Manager shall be designated for the property.
 - a. The Mobile Food Park Manager shall be available by phone while the vendor(s) is open for business. A telephone number and email address for the Mobile Food Park Manager shall be posted on a sign no larger than one square foot. The sign shall be posted on a location visible to the patrons.
 - b. The Mobile Food Park Manager shall be responsible for the general management of the park, including but not limited to addressing inquiries, questions, and concerns, ensuring property maintenance, enforcing hours of operation, and other operational matters.
- 4.Parking shall be provided in accordance with Chapter 9 of this Code.
- 5.Toilet facilities and trash receptacles shall be provided on the property in compliance with all applicable City regulations.
- 6.Amenities including but not limited to tables, chairs and shade structures may be permitted on the property subject to compliance with this Code.
- 7.All vendors, amenities and other site improvements shall be identified on the Special Use Permit Concept Plan and Site Development Plan in accordance with this Code.

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

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

AA. Office/Showroom.

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

- 1.Warehousing facilities shall be incidental to the primary use and shall not exceed 50 percent (50%) of the total floor area.

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2.Outdoor storage may be permitted in accordance with Section 5.09 of this Code.

AB. Towing Services and Impound Lots.

A Towing Services and Impound Lot use may be permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

- 1.All motorized vehicles, to include operable or repairable motor vehicles that have been towed, repossessed, or otherwise in the care and custody of the operator of the lot, shall be on an approved paved surface.
- 2.Any other outdoor storage may be permitted in accordance with Section 5.09 of this Code.