SECTION 34
ACCESSORY USES

(As amended by Ordinance No. 480-LL)
(As amended by Ordinance No. 480-QQ)
(As amended by Ordinance No. 480-SS)
(As amended by Ordinance No. 480-UU)
(As amended by Ordinance No. 480-MMM)
(As amended by Ordinance No. 480-OOO)
(As amended by Ordinance 480-QQQ)
(As amended by Ordinance 480-VVV)
(As amended by Ordinance 480-EEEE)
(As amended by Ordinance 480-IIII)
(As amended by Ordinance 480-PPPP)
(As amended by Ordinance 480-QQQQ)
(As amended by Ordinance 480-TTTT)
(As amended by Ordinance 480-UUUU)
(As amended by Ordinance 480-VVVV)
(As amended by Ordinance 480-XXXX)
(As amended by Ordinance 480-ZZZZ)

34.1 AUTHORIZED ACCESSORY USES - In addition to other uses which are customarily incidental to the principal use of the premises, the following accessory uses are specifically authorized in the listed zoning district when constructed or operated in conjunction with an appropriate principal use:

ACCESSORY USE	**District Where Permitted**
a. Barns, stables, granaries, pump houses, water tanks and silos; but not including slaughter houses or processing of agricultural products, animals or poultry.	AG
b. Equipment Sheds (As amended by Ord. 480-MMM, Ord. 480-UUUU.)	AG, RE-5, RE-7, RCS, SF-2
c. Accessory buildings enclosing equipment or activities in conjunction with the permitted principal uses. No accessory use shall be construed to permit the keeping of articles or materials in the open or outside the building unless specifically permitted elsewhere in this ordinance. (As amended by Ord. 480-VVV, Ord. 480-UUUU.)	AG, RE-5, RE-7, RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, MF-1, MF-2
d. Private stables, including boarding of horses, in areas other than the Agricultural District for the keeping of grazing animals, provided (As amended by Ord. 480-MMM, Ord. 480-UUUU): 1. Fences for pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the grazing animal(s) on the premises. 2. The minimum space area upon which such grazing animal(s) may be enclosed, including pasture, pens, corrals, and stables, shall not be less than fifteen thousand (15,000) square feet of useable and accessible area	RE-5, RE-7, SF-1A, SF-1B. SF-2, *(where the lot on which the structure will be located contains the same minimum lot square footage required in the SF-*

per each grazing animal over five hundred (500) pounds and not less than five thousand (5,000) square feet of useable and accessible area of per each grazing animal under five hundred (500) pounds. Portions of the grazing area may be partitioned to separate animals and to allow for pasture recovery. 3. All enclosed sheds and stables for animals as provided under the terms of this subsection shall be placed a minimum of twenty-five (25) feet from the boundary of any adjoining lot or tract which is zoned in a residential category while fences and corrals may be placed at the property line.	*1A and SF-1B zoning category)* SF-30 and SF-20A & B *(where the lot on which the structure will be located contains the same minimum lot square footage required in the SF-1A and SF-1B zoning category)*
e. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses. (As amended by Ord. 480-G, Ord. 480-MMM, Ord. 480-UUUU.) 1. One (1) detached private residential garage not exceeding 1,000 square feet in building area and not part of the main building, shall not be counted toward the sum total of accessory building area, but shall be counted toward the maximum permitted lot coverage. Any such detached garage exceeding 1,000 feet in building area shall be counted in its entirety toward the cumulative permitted accessory building area. Permitted in SF-1A, SF-1B, SF-2, RE-5, RE-7 (480-ZZZZ)	AG, RE-5, RE-7, RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH, DT*, TZD*, EC*
f. Private swimming pool, wading pools, and game courts (lighted and unlighted), provided that if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. All "at grade" swimming pools with a water depth greater than twenty-four (24) inches and "above grade" swimming pools having a water depth twenty-four (24) inches or more, except for portable tot pools, shall be enclosed by a fence and gate of a height so designated by Ordinance 481 as well as the Uniform Building Code (whichever is the most restrictive) of such material and design to discourage unauthorized entry to the facility. Ornamental pools or ponds designed for decorative purposes and having a depth less than twenty-four (24) inches are not subject to a special fencing requirement and may be located within required front or rear yards provided that they maintain a minimum ten foot (10') setback from the closest property line. All other pool(s) may be located in a side or rear yard, but not within a front yard nor forward of the principal building on the lot, and shall not be located closer than five feet (5') to any side or rear property line. (As amended by Ordinance No. 480-C, 480-MMM, 480-QQQ, 480-UUUU.)	AG, RE-5, RE-7, RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH, TZD*, and EC*
g. The following residential accessory structures may be located in the side, rear, or front yard: i. Gazebos, arbors, pergolas, and trellises that are less than 120 square	AG, RE-5, RE-7, RCS, SF-1A, SF-2, SF-1B, SF-30,

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feet. ii. Water well houses less than 50 square feet iii. Fountains, ponds, and ornamental pools that are part of the residential landscaping meeting the standards in 34.1 (f) iv. Flag poles subject to maximum permitted district height with no minimum setback from a property line. v. Outdoor fire places. vi. Permanently installed fire pits subject to maintaining a minimum of ten (10) feet from combustible structures as approved by the Fire Marshal. The following residential accessory structures shall only be permitted in the side or rear yard, not forward of the principal building on the lot: i. Batting cages, play structures, and pet houses ii. Breezeways located at or behind the principal structure iii. Decks and play courts iv. Outdoor kitchens (As amended by Ordinance 480-QQQ, 480-UUUU, 480-XXXX)	SF-20A, SF-20B, MF-1, MF-2, MH, DT*, TZD*, and EC*
h. Required off-street parking and loading spaces.	All
i. Home occupation uses, as defined by this ordinance. (As amended by Ordinance 480-MMM, Ordinance 480-UUUU)	AG, RE-5, RE-7,RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH, DT*, TZD*, and EC*
j. Parking and storage of private boats, camper trailers or other recreational vehicles in conformance with Section 35. (As amended by Ordinance 480-MMM, Ordinance 480-UUUU)	AG, RE-5, RE-7, RCS, SF-1A, SF-2, SF-1B, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH
k. Model and/or sample homes for the purpose of promoting sales shall be permitted, providing these structures are located on and within the same tract or subdivision of land being developed for sale. (As amended by Ordinance 480-MMM, Ordinance 480-UUUU)	AG, RE-5, RE-7, RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, MF-1, MH, DT*, TZD*, and EC*
l. Tennis courts, health clubs, and related recreation facilities provided they are for the primary use of guests, customers or persons associated with the principal use.	HC, DT**
m. Retail uses, except for consumable food or beverage products unless they are sold for on-premises consumption by employees or patrons of the principal business. These types of retail sales and products must be reasonably related to the principal uses within the structure provided they do not exceed fifteen (15) percent of the floor area of the building.	O-1, O-2, B-1, B-2, I-1, I-2
n. On site storage of records or file materials which are ancillary to or a portion	O-1, O-2, DT**, B-

**Shall apply only to non-residential uses and mixed use buildings in the zoning district

of the office or business activities conducted within the principal office use (an example of this activity would be the file storage and records required by a title company operation).	1, I-1
o. Retail activity of a service nature designed to provide direct service support to the businesses and employees who occupy the remainder of the office complex. This would be limited to those activities which are clearly supportive of office operations, such as food service in the nature of cafeterias or snack bars, news stands or gift shops providing reading material and small, consumable sundries, pharmacies or drug stores, particularly when co-located with medical or medical related office facilities, office supply stores or outlets providing support to businesses within the complex itself (stores operating under this provision shall not be limited only to sales within the office complex, but should clearly be aimed at marketing primarily within the immediate vicinity of the complex site).	O-1, O-2, B-1
p. Feeding pen (not commercial) accessory to farm use	AG
q. Such other service activities as are clearly found to be directed at supporting the employees or business operations of the office complex. In no event shall the area allocated to retail sales exceed fifteen (15) percent of the net usable square footage of each office structure. All retail operations undertaken pursuant to this provision shall involve no outdoor storage or sales and all signage for such activities shall be contained wholly within the office structure in which the retail operation is established. No outside advertising shall be permitted.	O-1, O-2, B-1
r. Office or administrative areas and activities supportive of the permitted principal uses.	I-1, I-2, B-1, B-2
s. The resale of used merchandise conducted by a retail sales establishment when such resale is clearly secondary to and related to the sale of new merchandise. The resale of used merchandise shall be limited in that used merchandise displayed for sale may not exceed 20% of the total merchandise displayed for sale.	C-2, C-3, C-4, B-1, B-2, DT**, I-1, I-2
t. Public, semi-public and private parks; recreation and open space including playgrounds, parkways, greenbelts, ponds and lakes, botanical gardens, pedestrian paths, bicycle paths, equestrian bridle trails, nature centers, bird and wildlife sanctuaries.	ALL
u. One temporary construction facility by a Developer, including manufactured housing, not to exceed two thousand (2,000) square feet, only during actual construction for a period not to exceed two (2) years from the date of issuance of the building permit for the temporary construction facility and located on property being developed. The actual construction period for the development shall mean the period from the date of issuance of the first permit for construction until the date of final acceptance of the improvements or issuance of a certificate of occupancy. Temporary construction facilities must be at least two hundred (200) feet from any occupied residence. (As	ALL

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amended by Ordinance No. 480-IIII)	
v. Temporary concrete batching or transient mix plant for ninety (90) days plus one (1) thirty (30) day extension. (As amended by Ordinance No. 480-D.)	ALL
w. Noncommercial and nonresidential antennas: All antennas must be inspected and permitted by the building official in accordance with the city's building code. The height of antennas shall be measured in the same manner as the height of a building as determined in accordance with Section 4.2. Antennas installed for the purpose of municipal communications are exempted from the requirements of this section. (As amended by Ord. No. 480-J and Ord. No. 480-MMM.)	

(1) Noncommercial television satellite dishes and noncommercial radio and television receiving antennas (As amended by Ordinance No. 480-UUUU):				AG, RE-5, RE-7, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF-20B, R-PUD, MF-1, MF-2, MH, DT**, TZD**. RCS, EC** **PLOT PLAN REQUIRED**
Satellite dishes (1 per site)	Max.Ht.	Dish Size (Max.Diameter)	Location	
Type:	35'			
Roof Mount		10'	Rear of roof not visible from public R.O.W. in front of dwelling	
	35'			
Pole Mount	15'	10'		
Ground Mount		10'	Rear yard: ≥ 10' from rear property line & ≥ 10' from side property line or behind the principal dwelling but not in the side yard (not visible from public R.O.W. in front of dwelling)	
TV Receiving Antenna (1 per site)				
	35'			
Roof Mount		N/A		
	35'			
Pole Mount 35'		N/A	Rear of roof	
			Behind the principal dwelling, but not in the side yard	
(2) Noncommercial radio transmitting antennas limited to 65' in height. Must be located behind the principal dwelling, but not within the rear yard setback. Must be no closer to a property line than the maximum height of the antenna. (Complaints concerning electrical, radio, or television signal interference shall be referred to the FCC.) (As amended by Ordinance No. 480-VVV, Ordinance No. 480-UUUU.)				AG, RE-5, RE-7, SF-1A, SF-1B, SF-30, SF-20A, SF-20B, R-PUD, MF-1, MF-2, MH **PLOT PLAN REQUIRED**
(Previous subparagraph (3) deleted in its entirety and renumbered as below by Ordinance No. 480-W.)				

* Shall apply only to approved single-family residential uses in the DT, TZD, and EC zones
**Shall apply only to non-residential uses and mixed use buildings in the zoning district

<table>
<tr><td colspan="4">(3) Nonresidential satellite dishes accessory to the principal permitted use on site.</td><td rowspan="4">O-1, O-2, C-1, C-2, C-3, C-4, B-1, B-2, I-1, I-2, HC, S-P-2, S-P-1, CS, NR-P.U.D.
PLOT PLAN REQUIRED</td></tr>
<tr><td><u>Type:</u></td><td><u>Max.Ht.</u></td><td><u>Dish Size</u>
(Max.Diameter)</td><td><u>Location</u></td></tr>
<tr><td>Roof Mount</td><td>35'</td><td>10'</td><td>Rear of roof not visible from public R.O.W. in front of principal structure</td></tr>
<tr><td>Pole Mount
Ground Mount</td><td>35'
15'</td><td>10'
10'</td><td>Rear yard: <u>≥</u> 10' from rear property line & <u>≥</u> 10' from side property line or behind the principal structure but not in the side yard (not visible from public R.O.W. in front of principal structure)</td></tr>
<tr><td colspan="4">x. Shopping carts. Cart collection areas in parking lots shall not be placed in any required parking space. Shopping carts shall not be stored outdoors for any site approved after September 4, 2001 unless screened from the public right-of-way by a four (4) foot masonry wall.</td><td>CS, C-1, C-2, C-3, C-4, S-P-1, S-P-2, and PUD, DT**</td></tr>
<tr><td colspan="4">y. Outdoor display of prepackaged ice machines and vending machines may be stored outdoors provided that the machine(s) are not clearly visible from the public right-of-way or adjacent residential property. Signage on prepackage ice and vending machines shall not be readily identifiable by type or product name from adjacent public streets.</td><td>CS, C-1, C-2, C-3, C-4, S-P-1, S-P-2, and PUD, DT**</td></tr>
<tr><td colspan="4">z. Outdoor commercial displays (See section 34.3 for specific regulations).</td><td>CS, C1, C2, C3, C4, I-1, I-2, B-1, B-2, HC, DT</td></tr>
<tr><td colspan="4">aa. Yard or garage sales, subject to the following requirements:

1) No more than 2 garage sales within any 12 month period may occur.
2) The duration of the sale shall not exceed 72 hours.

(As amended by Ordinance No. 480-UUUU, Ordinance No. 480-VVVV)</td><td>AG, RE-5, RE-7, RCS, SF-1A, SF- 1B, SF-2, SF-20A, SF-20B, SF-30, MF-1, MF-2, TZD*, EC*</td></tr>
<tr><td colspan="4">bb. Fund raising/ sales. This activity may take place if the sole purpose is for raising funds to support community service organizations, public charities, or non-profit organizations and the following conditions are met:

1. The solicitation or sales activity is restricted to privately owned land;
2. The solicitation or sales activity is restricted to an area that will not impede the normal flow of vehicular and customer traffic so as to create a traffic hazard, or other hazard to the public;</td><td>CS, C1, C2, C3, C4, I-1, I-2, B-1, B-2, HC, DT</td></tr>
</table>

* Shall apply only to approved single-family residential uses in the TZD, and EC zones
Shall apply only to non-residential uses and mixed use buildings in the zoning district * Specific Use Permit Required

3. The organization has permission of the owner or lessee of the land; and 4. The duration of the fund raising activity shall not exceed seven (7) consecutive days; provided that the fund raising and sales that take place inside a permanent structure shall not be subject to this limitation.	
cc. Mass gathering events. This activity is authorized as an accessory use if it occurs: 1. in a permanent structure designed, constructed and approved by the Fire Marshal for the occupancy load of the event, with sufficient permanent sanitary facilities, as required by the Uniform Building Code and sufficient parking facilities as required by this ordinance; 2. on a tract of land which is at least 10 acres in size, and the mass gathering area is at least 200 feet from the adjacent property, and the site will accommodate the required parking of cars of attendees on-site; or 3. if the event is attended by less than 1,000 people in a day and the promoter has registered with the Director of Public Safety and submitted the following information: Name, address, telephone number, type of event, start and finish time for the event, the number of people expected to be in attendance, and the location for parking.	ALL
dd. Sale of alcoholic beverages. 1. No alcoholic beverage use shall be located within three hundred (300) feet of a church, public school or public hospital. Such measurement shall be made in accordance with the requirements set forth in Section 109.33 of the Texas Alcoholic Beverage Code. (As amended by Ordinance 480-VVV.)	O-2, C-1, C-2, C-3, C-4, HC, (S-P-1, S-P-2, PUD which permits C-2, C-3, C-4, HC uses,) DT**, ECZ**
ee. Portable on demand (POD) storage units for temporary residential storage during moving meeting the following standards: i. A permit shall be required for PODs used for residential moving. In addition to general application information, a permit application for PODs shall indicate the location of the PODs on the lot. ii. PODs shall be placed on the driveway at the furthest point from the street iii. PODs cannot be placed on any public right-of-way or in grassy areas in the front yard iv. Each residential lot shall be limited to two (2) PODs at a time; no more than twice per calendar year to be placed no longer than ten (10) consecutive days each time (As amended by Ordinance 480-QQQ, Ordinance 480-UUUU)	AG, RE-5, RE-7, RCS, SF-1A, SF-2, SF-1B, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH, DT*, TZD*, and EC*

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ff. Portable on demand (POD) storage units for use during residential remodeling and construction meeting the following standards: v. PODs shall be placed on the driveway at the furthest point from the street vi. PODs cannot be placed on any public right-of-way or in the front yard vii. A permit shall be required with the building permit for remodeling/construction and each permit shall be valid for the duration of a maximum of 90 days that may be renewed no more than twice in 30-day increments. viii. An application for the building permit shall indicate the location of the POD units on the lot. ix. PODs shall be removed within seven (7) days of final inspection of the structure. (As amended by Ordinance 480-QQQ, Ordinance 480-UUUU)	AG, RE-5, RE-7, RCS, SF-1A, SF-2, SF-1B, SF-30, SF-20A, SF-20B, MF-1, MF-2, MH, DT*, TZD*, and EC*
gg. Catering and/or food preparation operations may sell food products produced on premises for retail purchase at their principal production site if this is an accessory use to their principal business of providing prepared food product services for off-premises consumption.	I-1, I-2
hh. Rain barrels • Maximum Size: Less than 100-gallon per barrel and 250-gallon system ** Anything above 100-gallons or 250-gallon system would be considered an Above Ground Rainwater Cisterns* • Maximum Height: 6-feet • Location: Anywhere not visible from right-of-way <u>Other Requirements</u> • No signage shall be permitted on the rain barrel where it is visible to the public from the right-of-way • The property owner shall ensure the rain water collection system does not become a source of water for pests, such as mosquitoes; Ensure the collection system is built in a manner that prevents openings to the system that would encourage pests and can be inspected by the applicant on a frequent basis for breaks, tears or other openings that could allow pests to enter the container. (As amended by Ordinance No. 480-QQQQ)	All Residential Zoning Districts excluding open space lots
ii. Level 1, Level 2, or Level 3/Rapid Charge electric vehicle charging space(s) for private use. • In residential districts, must be located inside of a garage. • In non-residential districts, must be located inside of a parking garage and not visible from the public right-of-way. (480-TTTT)	ALL

* Shall apply only to approved single-family residential uses in the TZD and EC zones

jj. Domestic employee or family quarters for residents employed on the premises or family members of the owner of the premises shall not be rented or otherwise used as a separate domicile and provided that the quarters are accessory to and subordinate to the principal single family use and structure. Such quarters must be attached to or internal within the principal residential dwelling. Only one (1) domestic employee or family quarters may be permitted as part of the principal residential unit under this provision. (480-ZZZZ)	AG, RE-5, RE-7, RCS, SF-1A, SF-1B, SF-2, SF-30, SF-20A, SF20B, *R-PUD, EC*, DT*, ***Shall apply only to approved single-family residential uses in the R-PUD, EC, DT zone.***
kk. Domestic employee or family quarters for residents employed on the premises or family members of the owner of the premises shall not be rented or otherwise used as a separate domicile and provided that the quarters are accessory to and subordinate to the principal single family use and structure, where such quarter is part of a detached residential garage and the floor area of the quarters shall not exceed fifty percent (50%) of the building area of the garage if attached to the garage or one-hundred percent (100%) of the building area of the garage if above the first floor of the garage. The building area (footprint) of the quarters shall not exceed 1,000 square feet nor shall the building area count toward the cumulative permitted area of accessory building permitted by the underlying zoning district. Only one (1) domestic employee or family quarters may be permitted as part of the principal residential unit under this provision. (480-ZZZZ)	AG, RE-5, RE-7, SF-1A, SF-1B, SF-2.

34.2 ACCESSORY BUILDING - The following regulations shall govern the location and use of any accessory building: (As amended by Ordinance No. 480-C.)

a. Accessory buildings having a permanent foundation shall be erected no closer than ten feet (10') to a property line located in the rear yard, unless otherwise permitted by the underlying district minimum yard requirements. Those buildings not on a permanent foundation may be placed as close as five feet (5') to a property line located in the rear yard unless otherwise permitted by the underlying district minimum yard requirements. All other structures greater than eight (8) feet in height shall be a minimum of 10 feet from the property line. (As amended by Ordinance No. 480-XXXX.)

b. Separation requirements between accessory and principal buildings shall be determined by the most recently adopted International Residential Code (IRC). (As amended by Ordinance No. 480-VVV.)

c. No accessory building shall be constructed upon a lot until the construction of the principal building or use has actually been commenced, and no accessory building shall be used unless the main building in a lot is completed and used.

d. No accessory building shall be used for dwelling purposes other than by domestic employees employed entirely on the premises or by family members and only in compliance with individual district regulations.

e. Accessory buildings shall not exceed one story or fourteen feet (14') in height.

f. No accessory building shall be located forward of the principal building on the lot.

34.3 OUTDOOR COMMERCIAL DISPLAYS - The following regulations shall govern the type and location of outdoor commercial display items at permanent business locations:

a. Items or merchandise which may be stored and displayed outside of a permanent business location without screening includes the following items and similar types of items:

    1) living plant materials;
    2) bundled firewood;
    3) merchandise associated with the holidays; and
    4) mechanical equipment associated with lawn and garden care and maintenance if such display shall be in conjunction with a promotional event and such equipment shall not be stored outside more than three (3) continuous days and must be removed and returned indoors at the end of each business day.

b. No other items or merchandise shall be stored outside unless screened in accordance with the requirements of Section 39.

c. No more than 50% of the pedestrian path, sidewalk or hard surface area located parallel to the front of the building intended for the egress of pedestrians along the front of the building shall be used for storage, provided that the remaining pedestrian path, sidewalk or hard surface area shall be not less than 5' in width (See Exhibit 34-A).

d. The storage area shall not exceed 30% of the linear frontage of the principal building (See Exhibit 34-A).

e. The merchandise for sale shall not be located further than 15' from the principal building.

f. The merchandise for sale shall not be located within required landscaped areas, required parking areas, fire lanes, fire access ways, or exit ways and is located on an all weather surface.

g. The display of merchandise shall be maintained in a neat, orderly manner and not be stacked higher than a height of four (4) feet. Height regulations shall not apply to living plant materials or the sale of Christmas trees.

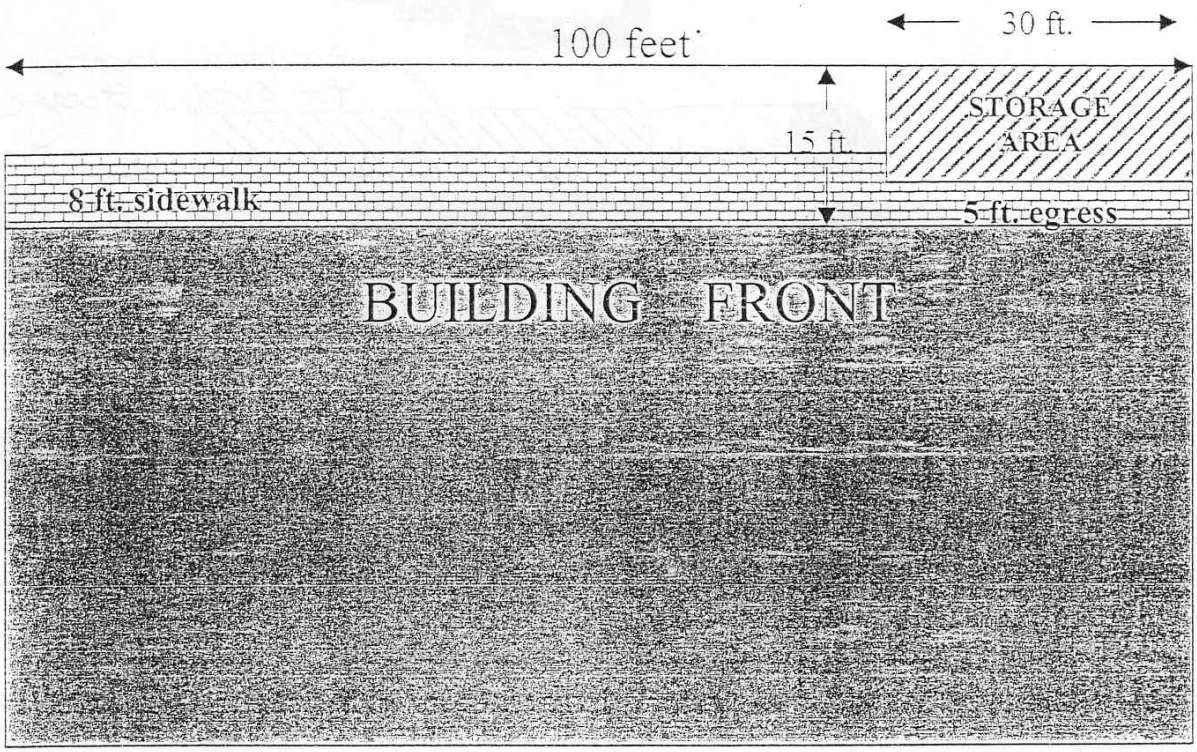
h. Packaged materials displayed outdoors shall not be readily identifiable by type or product name from adjacent public streets or adjacent residential property by reason of package labels, sales tag markers, signs or otherwise.

i. The display of such merchandise must not impede traffic flow or block site distance on the street.

34.4 SPECIFIC REQUIREMENTS FOR ALCOHOLIC BEVERAGE SALES (As amended by Ordinance No. 480-OOO)

a. No restaurants with sale of alcoholic beverages shall be issued a Certificate of Occupancy if it is located within three hundred (300) feet of a church, public school or public hospital. Such measurement shall be made in accordance with the requirements set forth in Section 109.33 of the Texas Alcoholic Beverage Code.

EXHIBIT 34-A
ACCEPTABLE LOCATION FOR OUTDOOR COMMERCIAL DISPLAYS



- Seasonal Storage area not to exceed 30% of the linear frontage of the primary building.
- Seasonal Storage area not to extend 15' from the principal building.
- Sidewalks along building fronts shall contain a 5' wide egress.