

**CITY OF ENNIS, TEXAS
UNIFIED DEVELOPMENT ORDINANCE**

Article V – Use Standards

5.1 TABLE OF ALLOWED USES 5-2

5.1.1 Purpose 5-2

5.1.2 Explanation of Use Table Abbreviations 5-2

5.1.3 Use Table Organization 5-3

5.1.4 Classification of New and Unlisted Uses 5-3

5.1.5 Table of Allowed Uses 5-5

5.2 ADDITIONAL USE STANDARDS 5-14

5.2.1 Applicability 5-14

5.2.2 Residential Uses 5-14

5.2.3 Group Living Uses 5-18

5.2.4 Commercial Uses: 5-18

5.2.5 Industrial Uses 5-21

5.3 ACCESSORY USES AND STRUCTURES 5-25

5.3.1 Purpose 5-25

5.3.2 Approval Procedure 5-26

5.3.3 Interpretation of Unidentified Accessory Uses and Structures 5-26

5.3.4 Table of Accessory Uses and Structures 5-27

5.3.5 General Standards for All Accessory Uses and Structures 5-28

5.3.6 Additional Accessory Use Standards 5-29

5.4 TEMPORARY USES AND STRUCTURES 5-33

5.4.1 Purpose 5-33

5.4.2 Approval Procedure 5-33

5.4.3 Table of Temporary Uses and Structures 5-34

5.4.4 General Standards for all Temporary Uses and Structures 5-35

5.4.5 Additional Standards for Temporary Uses and Structures 5-35

CITY OF ENNIS, TEXAS
UNIFIED DEVELOPMENT ORDINANCE
Article V – Use Standards

5.1 TABLE OF ALLOWED USES

5.1.1 Purpose

Table 5.1-1: Table of Allowed Uses below list the uses allowed within all base and special zoning districts. Accessory and temporary uses are summarized in Tables 5.3-1: Accessory Uses and Structures and Table 5.4-1, Temporary Uses and Structures. All uses are defined in **Article XI: Definitions**. Approval of a use listed in this article, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property or structure for any other use not specifically allowed in this article and approved under the appropriate process is prohibited.

5.1.2 Explanation of Use Table Abbreviations

- (1) PERMITTED BY-RIGHT USES: “■” in a cell indicates that the use is permitted by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of **Article VI: Building and Urban Design Standards**.
- (2) USES REQUIRING A SPECIFIC USE PERMIT: “□” in a cell indicates that, in the respective zoning district, the use is allowed only if issued a Specific Use Permit, in accordance with the procedures of Section 3.3.3, Specific Use Permits (SUP). Uses requiring a Specific Use Permit are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of **Article VI: Building and Urban Design Standards**.
- (3) PROHIBITED USES: A blank cell indicates that the use is prohibited in the respective zoning district.
- (4) ADDITIONAL USE STANDARDS: Regardless of whether a use is allowed by right, or permitted with a Specific Use Permit, there may be supplemental standards that are applicable to the use. The applicability of these standards is noted through a cross-reference in the last column of the table. An asterisk [*] in a cell indicates that the use, whether permitted by right or as a special use, is permitted subject to additional use standards in that district. Cross-references refer to Section 5.2, Additional Use Standards, Section 5.3.6, Additional Accessory Use Standards, and Section 5.4.5, Additional Standards for Temporary Uses and Structures.
- (5) ALLOWED LAND USES IN PLANNED DEVELOPMENT DISTRICTS: Land uses in a Planned Development district are permitted as follows:
 - (a) If the PD Concept Plan specifically references a base zoning district:
 - i. Any land use permitted by right in the applicable underlying base zoning district, as amended, may be permitted.
 - ii. Any land use requiring a Specific Use Permit in the applicable underlying base zoning district, as amended, is only allowed if a Specific Use Permit is issued for the use.
 - iii. Any land use prohibited in the underlying base zoning district, as amended, is

also prohibited in the PD district unless no base zoning district is chosen and a new set of land uses is defined and specified.

- (b) The PD district may list the permitted, prohibited, and Specific Use Permit uses separately.
- (c) A combination of the above.

5.1.3 Use Table Organization

In Table 5.1-1, land uses and activities are classified into general “use categories” and specific “use types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within these use categories, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool and are not regulatory.

5.1.4 Classification of New and Unlisted Uses

The city recognizes that new types of land uses will arise and forms of land use not anticipated in this Ordinance may seek to locate in the city. When application is made for a use category or use type that is not specifically listed in the appropriate use table, the Administrator shall make a determination as to the appropriate classification of any new or unlisted form of land use in the following manner:

- (1) The Administrator shall provide an interpretation as to the zoning classification into which such use should be placed. In making such interpretation, the Administrator shall consider all relevant characteristics of the proposed use, including but not limited to the following:
 - (a) The actual or projected characteristics of the proposed use
 - (b) The volume and type of sales, retail, wholesale, etc. for commercial uses
 - (c) The size and type of items sold and nature of inventory on the premises
 - (d) The type and number of customers and employees
 - (e) The hours of operation
 - (f) The size and arrangement of buildings and parking on the site
 - (g) The amount of parking needed and estimate of trips generated by the proposed use
 - (h) Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution
 - (i) Any dangerous, hazardous, toxic, or explosive materials used in the processing
 - (j) The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process inventory and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders)
 - (k) The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes
 - (l) Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power

- structures and communications towers or facilities
- (m) The effect on adjacent properties created by the proposed use type, which should not be greater than that of other use types in the zoning district
- (2) Standards for new and unlisted uses may be interpreted as those of a similar use.
 - (3) Appeal of the Administrator's decision shall be made to the Zoning Board of Adjustment following procedures of Section 3.3.10, Zoning Variances and Appeals.
 - (4) The Administrator may periodically request amendments to this Ordinance to incorporate newly listed uses into **Article V: Use Standards** and **Article XI: Definitions**.

5.1.5 Table of Allowed Uses

Table 5.1-1: Allowed Uses

■ = Permitted by Right □ = Permitted with a Specific Use Permit Blank Cell = Not Permitted * = Additional Standards Apply

Use Category	Use Type	Residential Districts										Commercial Districts			Industrial Districts		Public/Civic Districts		Special Districts			Additional Standards		
		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU		KC			
																			C	T	N		C	T
Residential Uses																								
Household Living	Dwelling, single-family detached	■	■	■	■	■	■	■											■	■		■		
	Dwelling, Duplex					■*	■	■	■	■												Sec. 5.2.2 (1)		
	Dwelling, townhouse (SF attached or multi-family)						■	■	■	■									■		■*	■		
	Dwelling, live/work						□	□	□	□				□					■*	■*		■*	■*	
	Dwelling, multi-family (4 DU/lot or fewer)					■*		■	■	■										■		■	■	
	Dwelling, multi-family (more than 4 DU/lot)					■*			■*	■*										■*	■*		■*	■*
	HUD-Code manufactured home										■													
	RV Park										□												□	*
Group Living	Assisted living facility (≤6 residents)	■	■	■	■	■	■	■	■	■								■		■	■		■	
	Assisted living facility (≥ 6 residents)	□	□	□	□	□	□	□	□	□								■		□	□	□	□	
	Community, group or foster home	■	■	■	■	■	■	■	■	■								■		■	■		■	
	Independent senior living facility								■*	■*								■*		■*	■*		■*	
	Nursing home									■*								■*		■*			■*	
Public and Institutional Uses																								
Civic and Cultural Facilities	Art gallery, museum, or special purpose recreational institution												■	■	■			■	■	■			■	
	Civic, social, philanthropic, or fraternal organizations												■	■	■			■	■	■	■		■	■
	Labor or political organizations												■	■	■			■	■	■	■		■	■
	Business or professional												■	■	■			■	■	■	■		■	■

Table 5.1-1: Allowed Uses

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Use Category	Use Type	Residential Districts										Commercial Districts			Industrial Districts		Public/Civic Districts		Special Districts					Additional Standards
		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC		
																			C	T	N	C	T	
	organizations																							
	Religious Assembly and Institutions	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Parks and Recreation Facilities	Community Garden	■	■	■	■	■	■	■	■	■							■	■		■	■	■	■	
	Farmers' Market	■										■		■			■	■	■	■		■	■	
	Park or playground	■	■	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	
	Nature preserve	■	■	■	■	■	■	■	■	■			■				■	■		■	■			
	Recreation Center	■	■										■	■	■			■		■			■	
Health and Human Services	Clinics and labs												■	■	■	■		■		■			■	
	Nursing and other rehabilitative services												■	■	■	■		■		■			■	
	Hospital												■	■	■			■		■				
	Social assistance and welfare services												□		■			■						
	Funeral homes and services (with or without cremation services)												□	□	■				□					
	Cemetery	■																■	■					
Public and other government functions	Legislative and executive functions												■	■	■			■		■			■	
	Courts (local, state, and federal)												■	■	■			■		■			■	
	Correctional institutions																	■						
	Public safety facility												■	■	■			■		■			■	
	Other government functions												■	■	■			■		■			■	
Educational service establishments (public and private)	Child day care	■						□	□	■	■	■	■	■	■		■		■	■		■	■	
	Nursery and pre-school	■						□	□	■	■	■	■	■	■		■		■	■		■	■	
	Elementary and Middle Schools	■	■	■	■	■	■	■	■	■						■			■	■		■	■	
	Senior and High Schools									■	■					■	■	■				■		
	Colleges and Universities															■	■	■						
	Technical, trade, and specialty schools															■	■	■					■	

Commercial Uses

Table 5.1-1: Allowed Uses

■ = Permitted by Right □ = Permitted with a Specific Use Permit Blank Cell = Not Permitted * = Additional Standards Apply

Use Category	Use Type	Residential Districts										Commercial Districts			Industrial Districts		Public/Civic Districts		Special Districts					Additional Standards		
		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC				
																			C	T	N	C	T			
Agricultural Uses	Crop production	■	■												■											
	Support functions for agriculture	■	■												■											
	Greenhouse, nursery, floriculture	■	■												■											
Animal production and ranching	Cattle ranches	■	■																							
	Sheep and goat farming	■	■																							
	Fish hatcheries and aquaculture	■													■											
	Apiculture	■	■																							
	Horse and equine farming	■	■																							
Animal related services	Veterinary clinic	■											■*	■*	■*						■*			■*		Sec. 5.2.4 (1)
	Kennels, commercial	■	□											■*	■*											Sec.5.2.4 (2)
	Stables, commercial	■	□																							
	Pet and animal-related sales and services (including grooming and care)													■*	■*	■*						■*		■*	■*	Sec. 5.2.4 (3)
	Any animal related service with outdoor pens or runs	■	□												□	□										
Auto-related sales and service	Motor vehicle sales, new														■	■										
	Motor vehicle sales, used														□	■										
	Large vehicle sales and service														□	■										
	Specialty vehicle sales, new														□	■										
	Specialty vehicle sales, used															■										
	Auto repair and service, minor													■*		■*	■*					■*		■*		Sec. 5.2.4 (4)
	Auto repair and service, major													□		■*	■*									Sec. 5.2.4 (5)
	Car and truck wash													■*		■*	■									Sec. 5.2.4 (6)
	Auto-related parts and accessory sales													■*		■	■					■*		■*		Sec. 5.2.4 (7)

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		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC					
																				C	T	N	C	T			
	Any retail use with gasoline sales pumps												■*		■	■					■*			□*			Sec. 5.2.4 (8)
Retail Sales	Furniture and home furnishings														■	■					■			■			
	Building materials, Home and Garden Centers														■	■					■						
	Swimming pool, spa, and accessory sales and service												■		■	■					■			■			
	Department store, superstore, or warehouse club														■						■						
	Electronics and appliances												■		■						■			■			
	Durable consumer goods sales (computers, clothing, art supplies, florist, shoes, jewelry, etc.)												■		■						■			■			
	Grocery store or supermarket (includes beer and wine sales as accessory use)												■		■						■			■			
	Convenience store (includes beer and wine sales as accessory use)												■		■						■			■			
	Beer and wine sales												□		□						□			□			
	Pharmacy or drug store												■	■	■				■		■			■			
	Cosmetics and beauty supplies												■		■						■			■		■	
	Firearm sales														■	■					■						
	Pawn shop														■												
	Used goods sales														■												
	Specialty retail and paraphernalia sales														□*												Sec. 5.2.4 (9)
Any retail sales use with outdoor storage													■*		■*	■					■*			■*		Sec. 5.2.4 (10)	
Any retail sales use with drive-thru facilities													■		■						■*			■*		Sec. 5.2.4 (11)	

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		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC						
																				C	T	N	C	T				
Financial and Real Estate Services	Banks, investment, or financial institution (without drive thru service)												■	■	■							■			■			
	Banks, investment, or financial institution (with drive thru service)												■	■	■								■*			■*		Sec. 5.2.4 (11)
	Alternative Finance institution														□*													Sec. 5.2.4 (12)
	Real estate services												■	■	■								■			■	■	
	Property management services												■	■	■								■			■	■	
Rental and Leasing	Car rental														■	■												
	RV, trailers, and truck rental														□	■												
	Recreational and consumer goods rental												■		■								■			■		
	Commercial and industrial machinery leasing and rental														□	■												
	Video, music, or software rental												■		■								■			■		
Food and Beverage Services	Bar or drinking establishment																					□*						Sec. 5.2.4 (13)
	Full-service restaurant												■	■	■								■			■		
	Café or self-service restaurant												■	■	■								■			■		
	Restaurant with take-out or delivery only												■	■	■								■			■		
	Snack, coffee, juice, ice cream, or specialty food sales												■	■	■								■	■		■	■	
	Catering service														■	■										■	■	
	Any food and beverage establishment with drive-thru facility												■	■	■								■*			■*		Sec. 5.2.4 (11)
	Any food and beverage establishment with outdoor or sidewalk												■	■	■								■			■	■	Sec. 5.2.4 (14)

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		A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC			
																			C	T	N	C	T		
Entertainment Uses (Outdoor)	Marina or yachting club	□																							
	Golf course	■	■	■	■	■	■	■	■	■	■	■	■	■	■				■	■	■	■			
	Country club	■												■	■			■	■	■	■	■			
	Shooting club (outdoor)	□													■										
	Miniature golf establishment	□													■				■	■					
Other Commercial Uses	Surface parking lots												■*	■*	■*	■*	■*	■*		■*			■*	■*	Sec.5.2.4 (18)
	Structured parking													■				■		■*	■*		■*		Sec. 5.2.4 (19)
	Sexually oriented business														□										Sec. 5.2.4 (20)
Industrial Uses																									
Manufacturing	Food and beverage processing														■	■									
	Microbrewery, micro distillery, winery																			■*			■*		Sec. 5.2.5 (1)
	Paper and printing materials																						■*		Sec. 5.2.5 (2)
	Furniture and related products																						■*		Sec. 5.2.5 (2)
	Machinery, appliance, electrical equipment, electronics, and components																						■*		Sec. 5.2.5 (2)
	Transportation equipment and automobiles																								
	Miscellaneous manufacturing (jewelry, toys, games, office supplies, custom crafts, etc.)																						■*		Sec. 5.2.5 (2)
	Chemicals, and metals, machinery, and heavy manufacturing																								
Wholesale trade (not resale)	Durable goods																								
	Nondurable goods																								
Warehouse	Cold storage plant																								

5.2 ADDITIONAL USE STANDARDS

5.2.1 Applicability

The standards in this section apply as noted in *Tables 5.1-1: Allowed Uses*.

5.2.2 Residential Uses

- (1) Single Family Dwelling
 - (a) Single family dwellings shall be occupied by not more than one Family as defined in this Ordinance.
- (2) Dwelling, Duplex
 - (a) In the NC Zoning district, these uses shall only be permitted on lots designated as NC-D on the Zoning Map
 - (b) Duplex dwellings shall comply with the design standards for development in the Neighborhood Conservation district in **Article VI: Building and Urban Design Standards**.
- (3) Dwelling, Town House (single-family attached or multifamily):
 - (a) The Townhouse is a small- to medium-sized building (under 6,000 sq.ft.) composed of 2 – 4 attached dwelling units with either each dwelling unit on its own fee-simple lot (single-family attached) or all units on one lot (multifamily).
 - (b) Townhomes shall comply with the standards for residential building types in **Article VI: Building and Urban Design Standards**.
- (4) Dwelling, Live/Work:
 - (a) The Live/Work Building is a small to medium-sized (under 6,000 sq.ft.) attached or detached structure that consists of one dwelling unit above and/or behind a flexible ground floor space that can be used for office, personal service, or retail uses.
 - (b) In a mixed-use development or building, a live/work dwelling is considered a non-residential use.
 - (c) The non-residential square footage within a live/work unit shall be limited to a maximum of 6,000 sq.ft.
- (5) Dwelling, Multi-family (4 DU/lot or fewer)
 - (a) In the NC Zoning district, these uses shall only be permitted on lots designated as NC-MF1 on the Zoning Map and shall comply with the design standards for development in the Neighborhood Conservation district in **Article VI: Building and Urban Design Standards**.
- (6) Dwelling, Multifamily:
 - (a) All multi-family dwellings shall comply with the standards for residential building types in **Article VI: Building and Urban Design Standards**.
 - (b) In the NC Zoning district, these uses shall only be permitted on lots designated as NC-MF2 on the Zoning Map and shall comply with the design standards for development in the Neighborhood Conservation district in **Article VI: Building and Urban Design Standards**.
- (7) RV Parks:
 - (a) Permit and Fee: All RV Parks shall only be operated with a permit and associated

fees as established in the city's annual fee schedule.

- i. Required Duration: Each permit shall be issued for the calendar year, or part thereof and expire on the thirty-first (31st) day of December every year with the right to renew the permit yearly provided the RV Park is in compliance with this section and any conditions of SUP approval.
 - ii. Application: In addition to requirements for an SUP in Section 3.3.3., all applications for an RV Park shall include a scaled plot plan showing all streets (public or private), driveways, utilities, RV lots/pads/stands, accessory buildings, fences, etc.
- (b) Development Standards:
- i. Private Streets: Private streets shall be provided and shall extend continuously from the public street so as to provide suitable access to all RV lots and other facilities or uses permitted in the RV Park, as well as provide adequate connection to future streets at the boundaries of the RV Park property line. Private Streets shall meet the following standards:
 - ii. Shall be a minimum of 24 feet in width.
 - iii. Intersections shall be at right angles. Intersection offsets of less than 125 feet shall be avoided. Intersections of more than two streets shall also be avoided.
 - iv. Dead end streets shall be a maximum of 600 feet in length and shall provide a paved vehicular turnaround of at least 80 feet in diameter.
 - v. Shall be constructed of all-weather dust free materials which shall be durable and designed by an engineer to withstand all fire and emergency apparatuses in addition to accommodating appropriate drainage improvements.
 - vi. If the private street connects two public streets, it shall be located in such a way as to discourage cut-through traffic.
 - vii. Driveways, approaches, right-of-way, turning radii, etc., shall meet the City of Ennis Infrastructure Design Standards.
- (c) Water Utilities: Each pad/lot/stand within an RV Park shall be provided with a connection to city water supply if available at the site. It shall be installed as follows:
- i. Water supply system shall meet all city ordinances and codes.
 - ii. A master meter shall be installed to serve the RV Park.
 - iii. A reduced pressure principal backflow preventer (RPZ) will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) anti-siphon device must be placed at each of the connections for each RV pad/stand/lot.
 - iv. Water riser service branch lines shall extend at least twelve (12) inches above ground level.
 - v. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
 - vi. A shut-off valve below the frost line shall be provided near each water riser pipe.
 - vii. The owner/operator shall maintenance responsibility for the water system within the RV Park with the city's responsibility ending at the master meter.
- (d) Wastewater Facilities: Each RV lot/stand/pad shall be provided with a connection to the City of Ennis wastewater service, if available. If city wastewater service is not available, then a permit from the Texas Commission

on Environmental Quality (TCEQ) shall be obtained prior to placement of an on-site sewage facility. The city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

- i. The wastewater system and materials must be installed in accordance with applicable codes adopted by the city.
 - ii. Each RV lot/pad/stand must include a four-inch diameter wastewater riser and shall extend above grade by three (3) to four (4) inches. The wastewater riser pipe shall be located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a Recreational Vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.
 - iii. The wastewater connection to each RV lot/pad/stand shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
 - iv. Surface drainage shall be diverted away from the riser.
 - v. The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the property line.
- (e) Electrical Service: Each lot/pad/stand within the RV Park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with all adopted city codes and ordinances. The electrical service shall be installed as follows:
- i. A master electric meter shall be installed to serve the RV Park.
 - ii. The location of all underground lines shall be clearly marked by surface signs at approved intervals.
 - iii. Power supply to each lot/pad/stand shall be a minimum of one 30-amp and one 50-amp power supply.
 - iv. Outlets (receptacles or pressure connectors) shall be housed in an approved weather proof outlet.
- (f) RV Lot/Pad/Stand Standards:
- i. Each RV lot/pad/stand shall consist of an area that is a minimum of thirty (30) feet in width by sixty-five (65) feet in depth.
 - ii. All lots shall be connected to utilities as specified in this section.
 - iii. All lots shall abut and have access to a private street within the RV Park.
 - iv. All lots shall provide adequate foundation for parking the RV and one additional space for a vehicle on an asphalt or concrete surface. The remainder of the lot shall be maintained as grass or other all-weather dust free surface.
 - v. No direct vehicular access to any RV lot shall be permitted from any public street.
 - vi. The term RV lot/stand/pad shall apply only if all the required improvements are present on the lot.
 - vii. Only one (1) RV is permitted on each RV lot/stand/pad.
 - viii. Each RV lot/stand/pad shall be clearly marked with a minimum of three (3) inch numbers identifying the RV lot/stand/pad number.
 - ix. The individual lots/stands/pads within the RV Park are not allowed to have accessory structures as defined in this Ordinance.

- (g) Setbacks: All RV's shall meet the following setbacks:
 - i. The front of the RV shall be at least 10 feet from the edge of the private street.
 - ii. No part of any RV shall be located closer than 25 feet from any adjacent public street ROW.
 - iii. No side of an RV shall be located closer than 18 feet from any other RV.
 - iv. The rear of an RV shall be no closer than 10 feet from any other RV.
 - v. No part of any RV shall be located closer than 10 feet from the RV Park perimeter property line.
- (h) All permanent structures shall conform to the zoning district standards and all adopted city codes and ordinances.
- (i) Drainage: All open areas of the RV Park shall be graded and equipped to drain all surface water in a safe, effective manner so as not to permit water to stand or become stagnant. The RV Park shall also meet the city's adopted storm water drainage standards for development.
- (j) Lighting: All entrance/exit driveways, private streets, parking lots, walkways, and service areas shall be adequately lit to be safe for all residents and visitors.
- (k) Garbage/Trash Disposal: Adequate facilities for the collection, storage, and disposal of garbage/trash of the occupants of the RV Park shall be provided. These trash receptacles shall be located in the RV Park and be placed on an all-weather surface pad. Each RV lot/pad/stand shall be located within two-hundred (200) feet of a trash receptacle as measured along an internal drive or walkway within the RV Park. Screening of the trash receptacles shall meet the standards in **Article VII: Site Design and Development Standards**.
- (l) Fencing: The RV Park shall be fenced along all sides per standards for nonresidential and multifamily fencing in **Article VII: Site Design and Development Standards**. All public street frontages shall be fenced through the use of natural barriers (new or existing) such as trees or shrubs where possible. Where natural barriers are not feasible as determined by the Administrator, a minimum eight (8)-foot high fence shall be placed along the street frontage. All other standards for the fence shall meet the standards for nonresidential fencing in **Article VII: Site Design and Development Standards**.
- (m) Off-Street Parking: Shall meet standards in **Article VII Site Design and Development Standards**.
- (n) Registration: Each person renting an RV lot/stand/pad in an RV Park shall register with the RV Park operator or owner with all the details of the person including name, permanent address, driver's license, auto-registration and RV license plates, number of the RV lot/stand/pad being rented, date of arrival and rental period.
- (o) Maximum Rental Period: RV lots/stands/pads shall be rented on a temporary basis not to exceed 180 consecutive days or 200 cumulative days within any calendar year to the same tenant. Rental extensions may be approved by the Administrator prior to the expiration date of the original rental period.
- (p) Pest and Rodent Control: Grounds, buildings, and structures in the RV Park shall be maintained free of the accumulation of dry brush, leaves, tree limbs, high grass, weeds, trash, and debris so as to prevent rodent and snake harborage or breeding of flies, mosquitoes, or other pests.
- (q) Fire Safety and Protection: All RV Parks shall meet the city's Fire Code standards including the placement of fire hydrants within 300 feet of the RV Park. All fire

hydrants shall meet the city's adopted fire code standards.

- (r) RV Parks in Annexed Areas: When an RV Park is annexed into the city, it shall be permitted for a period of 90 days before which the owner or operator is subject to the SUP requirements of this section.

5.2.3 Group Living Uses

- (1) Independent Senior Living Facility:
 - (a) In the Institutional-Civic (IC) district, this use shall be in conjunction with a medical center, nursing, or similar facility.
 - (b) Shall comply with the standards for residential building types in **Article VI: Building and Urban Design Standards**.
- (2) Nursing Home: In the MF-2 multi-family residential district, nursing homes shall comply with the residential density requirements of the district in which they are located. If not designated in separate dwelling units, each 2.5 persons of the designated occupancy shall be deemed a dwelling unit for the purpose of calculating density.

5.2.4 Commercial Uses:

- (1) Veterinary Clinic: In the C, BP, RMU, and KC districts:
 - (a) Commercial breeding is not permitted.
 - (b) Uses shall be entirely enclosed, properly ventilated, and provide sound barriers and odor protection to adjacent properties and users nearby or within the same development.
- (2) Kennel, Commercial: Outdoor runs are not permitted in the BP and CC districts unless with an SUP.
- (3) Pet and animal-related sales and services (including grooming and care):
 - (a) Outdoor runs are not permitted in the C, BP, CC, RMU, and KC districts.
 - (b) In the CC district, outdoor runs may be permitted with an SUP only.
- (4) Auto repair and service, Minor:
 - (a) Spray painting or bodywork is not permitted. Dismantling, remanufacturing, or rebuilding are not allowed.
 - (b) Outside storage or display of products or vehicles shall be prohibited.
 - (c) Repair or installation work shall be conducted completely within a building.
 - (d) Service bays that face any residential uses or public right-of-way shall be screened in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
 - (e) In the RMU Special Districts and PD Districts, auto repair and service uses:
 - i. May only be permitted when specifically identified on the Concept or Development Plan
 - (f) In the RMU and KC Special Districts and PD Districts, auto repair and service uses:
 - i. Service bays shall not be oriented along pedestrian oriented streets
 - ii. A pedestrian entrance to the building from a public sidewalk along a Pedestrian-Oriented Street shall be required
- (5) Auto repair and service, Major:
 - (a) Outdoor storage or display of products along any highway frontage shall be prohibited. All storage shall be located within the rear yard and screened from

- adjacent properties and any public right-of-way.
- (b) Repair or installation work must be conducted completely within a building.
 - (c) Service bays that face any residential uses or public right-of-way shall be screened in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
- (6) Car and truck wash: Wash bays and vacuum bays facing a public street or residential uses shall be screened in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
- (7) Auto-related parts and accessory sales:
- (a) No outside storage or display of any merchandise sold.
 - (b) In the RMU Special District, auto-related parts and accessory sales may only be permitted when specifically identified on the Concept or Development Plan.
 - (c) In the RMU and KC Special Districts, auto-related parts and accessory sales shall include a pedestrian entrance to the building from a public sidewalk along a Pedestrian- Oriented Street shall be required.
- (8) Gasoline sales pumps:
- (a) Gas pumps and canopies shall not be located on the site adjacent to any residential uses in addition to screening in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
 - (b) Specific to the RMU Special District: May only be permitted when specifically identified on the Concept or Development Plan and in conjunction with another use such as a convenience store or grocery store.
 - (c) Specific to the RMU and KC Special Districts: A pedestrian entrance to the principal building on the site from a public sidewalk along a Pedestrian-Oriented Street shall be required.
- (9) Specialty Retail and Paraphernalia sales:
- (a) Any establishment with gross monthly sales of Specialty Retail and Paraphernalia sales representing more than 25 percent of total sales shall only be permitted with anSUP.
 - (b) Specialty Retail and Paraphernalia items shall be as defined in **Article XI: Definitions**.
- (10) Any retail sales use with outdoor storage:
- (a) Outdoor storage or display of products along any highway frontage shall be prohibited. All storage areas shall be located within the rear yard and screened from adjacent properties and any public right-of-way.
 - (b) If adjacent to any residential uses, they shall be screened in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
- (11) Any use with drive-thru facilities (retail sales, pharmacy, banks, and restaurants):
- (a) Drive-thru facilities shall have no more than one driveway per street frontage.
 - (b) Specific to the C district: Drive-thru lanes facing, backing, or siding a public street or residential uses shall be screened in accordance to the standards for a type screen described in **Article VI: Building and Urban Design Standards**.
 - (c) Specific to the RMU district:
 - i. May only be permitted if specifically identified on a Concept or Development

- plan.
- ii. Shall meet the design standards for drive-thru uses in the Special District Design standards in **Article VI: Building and Urban Design Standards**.
 - (d) Specific to the KC district: Shall meet the design standards for drive-thru uses in the Special District Design standards in **Article VI: Building and Urban Design Standards**.
- (12) Alternative Finance Institution (Non-depository financial institution):
- (a) No Alternative Financial Institution shall be located within 1,000 feet, measured from property line to property line, of any other alternative financial institution.
 - (b) No Alternative Financial Institution shall be located within 400 feet, measured from property line to property line, of a lot zoned or used for residential purposes.
 - (c) No Alternative Financial Institution shall be located within 500 feet of I-45, SH 287 and/or SH Bypass 287, measured from the right-of-way line to property line.
 - (d) An Alternative Financial Institution may only be a principal use that requires an SUP. An alternative financial establishment may not be considered as an accessory use.
- (13) Bar or Drinking Establishment: Bars as defined in **Article X: Definitions** shall only be permitted with an SUP in any CC, RMU-C, or PD Districts. In the RMU-C and PD districts, they shall be permitted only if specifically identified in a Concept or Development Plan.
- (14) Restaurant with outdoor or sidewalk service:
- (a) Shall meet the design standards for sidewalk cafes in **Article VI: Building and Urban Design Standards**.
- (15) Bed and Breakfast Establishment:
- (a) Number of guest rooms is limited to five (5).
 - (b) Parking shall meet standards in **Article VII: Site Design and Development Standards**.
 - (c) Cooking facilities in guest rooms are not allowed.
 - (d) Individual guest occupancy is limited to no more than fourteen (14) consecutive days within any thirty (30) day period.
 - (e) Signs shall meet the City of Ennis Sign Ordinance.
 - (f) Health and Safety Considerations: Shall meet all adopted city, county, and state regulations regarding applicable fire code, health safety including food handling permit requirements.
- (16) Offices for business, professional, or technical services:
- (a) In the Business Park (BP) and Special District Transition Zones, office buildings may include areas for customarily incidental retail and personal service uses such as personal household services, restaurants, laboratories, and incidental retail sales, when these uses serve the clients or are incidental to the clients in the office building, and subject to the following standards:
 - (b) The aggregate area of all incidental uses in an office building shall not exceed 25% of the gross floor area of the building.
- (17) Offices for administrative services:
- (a) In the Business Park (BP) and Special District Transition Zones, office buildings may include areas for customarily incidental retail and personal service uses such

as personal household services, restaurants, laboratories, and incidental retail sales, when these uses serve the clients or are incidental to the clients in the office building, and subject to the following standards:

- (b) The aggregate area of all incidental uses in an office building shall not exceed 25% of the gross floor area of the building.
- (18) Surface parking lot:
 - (a) Shall be screened when located adjacent to any residential uses or public right-of-way with a screen in accordance with **Article VI: Building and Urban Design Standards**.
- (19) Structured parking:
 - (a) Shall meet the standards for parking garages in the Special District Design Standards in **Article VI: Building and Urban Design Standards**.
- (20) Sexually-oriented businesses:
 - (a) Shall not be located within 1,000 feet of a church, a school, a boundary of a residential district, a public park or the property line of a lot devoted to residential use or designated for residential use in the city's Future Land Use Plan.

5.2.5 Industrial Uses

- (1) Microbrewery, micro-distillery, winery:
 - (a) Maximum size shall be limited to 25,000 sq.ft.
- (2) Any Manufacturing Use in the KC Special District shall meet the following standards:
 - (a) Shall be no more than 10,000 sq.ft.
 - (b) All outside storage shall only be located in the rear yard and screened from all adjoining properties and public streets by an eight-foot high solid screening device that complies with the following requirements:
 - i. All screening devices shall form an opaque, solid barrier, without gaps or openings, except as provided in (iii) below.
 - ii. All screening devices shall be constructed of 100% brick, stone, or architecturally- finished reinforced concrete.
 - iii. Only openings in screening devices that are necessary for reasonable access to the storage yard shall be permitted, but shall be equipped with a solid gate or door constructed and maintained in accordance with the requirements for screening devices set forth in this section. All openings shall be closed and securely locked at all times, except for needed access.
 - iv. Any painting, staining, coating, covering or other coloring of any screening device shall be of a uniform color.
 - v. All screening devices shall be maintained, repaired and/or replaced to ensure compliance with the requirements in this section at all times.
 - (c) Outside storage shall not be stacked, accumulated, kept, or otherwise placed above the solid screening device described in this subsection.
 - (d) A row of evergreen screening trees shall be planted in front of and within 10 feet of the required screening device. These trees shall be spaced a maximum of ten to 15 feet on center. They shall be placed no closer than five feet to the street side of the required screening device. The trees shall be six to eight feet in height at the time of planting and be a species capable of reaching a height of fifteen feet within five years of planting. All screening trees shall be equipped with an

automatic irrigation system.

- (3) Outside Storage: Any outside storage associated with an Industrial Use:
- (a) All outside storage shall be setback a minimum of 25 feet from any public right-of-way and shall be located within the rear yard and screened from view of public streets by an eight-foot high solid screening device that complies with the following requirements:
 - i. All screening devices shall form an opaque, solid barrier, without gaps or openings, except as provided in (iii) below.
 - ii. All screening devices shall be constructed of 100 percent brick, stone, or architecturally- finished reinforced concrete.
 - iii. Only openings in screening devices that are necessary for reasonable access to the storage yard shall be permitted, but shall be equipped with a solid gate or door constructed and maintained in accordance with the requirements for screening devices set forth in this section. All openings shall be closed and securely locked at all times, except for needed access.
 - iv. Any painting, staining, coating, covering or other coloring of any screening device shall be of a uniform color.
 - (b) All screening devices shall be maintained, repaired and/or replaced to ensure compliance with the requirements in this section at all times.
- (4) Telecommunications Facilities, All:
- (a) The purpose of this section is to establish standards regulating the location of telecommunication facilities, towers and antennas with the objective of minimizing their number, to protect and promote public safety, and to mitigate any adverse visual impacts on the community while promoting the provision of telecommunications service to the public.
 - (b) All telecommunications facilities, towers, and antennas shall be erected and operated in compliance with current Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations and other applicable federal, state, and city standards.
 - (c) Platted Lots: Telecommunications facilities, including towers and related equipment buildings, but exempting co-located facilities (multiple towers owned by different operators), shall be located on a platted lot.
 - (d) Technical Assistance: When a permit is required to comply with the provisions of this section, and when the technical information provided by the applicant is beyond the technical capacity of city staff to review, the applicant, in addition to the usual application fee, shall reimburse the city for the actual cost to the city for the services of a technical expert to review the application and/or information supplement. Such reimbursement shall be paid prior to issuance of a construction permit.
 - (e) Pre-application Meetings: Prior to leasing or purchasing facilities, the telecommunications service provider is encouraged to meet with the Administrator or his/her designee to determine if the location will require a Specific Use Permit or other approvals, and to review the merits of potential locations.
 - (f) Exemptions: Dish antennae less than two meters in diameter, antennae used exclusively for SCADA (System Control And Data Acquisition) communications in a utility substation or facility, antennae used exclusively as part of a federally

licensed amateur radio station, antennae for Citizen's Band (CB) radios, and antennae less than one foot in greatest dimension are exempt from this section.

- (g) Abandoned Antennae or Towers: Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 180 days of receipt of notice from the Administrator notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 180 days shall be grounds for the city to remove the tower or antenna at the owner's expense.
- (5) Telecommunications Facilities, Building Mounted:
- (a) Ground and building mounted dish antennae shall not be permitted in any front setback area or side or rear yard if adjacent to any roadway.
 - (b) Ground-mounted dish antennae in excess of five feet in height shall be screened from roadways and adjacent property by a minimum six-foot high screening masonry wall or evergreen hedge.
 - (c) Building/roof-mounted antennae one meter or less in diameter are permitted in all zoning districts.
 - (d) Building/roof-mounted antennae in excess of one meter in diameter in residential zoning districts shall be painted to have an appearance that blends with the building on which they are located or be located so that they are not visible from any adjacent roadway.
 - (e) Building/roof-mounted dish antennae in excess of two meters in diameter may be permitted on buildings in excess of 10,000 square feet of building floor area in the non- residential districts.
 - (f) Building/roof-mounted dish antennae in excess of two meters in diameter in non-residential districts shall be painted or screened with enclosures so as to have an appearance that blends with the building on which they are located or be located so that they are not visible from any adjacent roadway.
 - (g) Prior to the installation of any building/roof mounted telecommunications antenna, antenna array or support structure the Administrator may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.
- (6) Telecommunications Towers:
- (a) Structural Standards: Guyed telecommunications towers shall be designed and located such that if the structure should fall it will avoid habitable structures and public streets.
 - (b) Co-location:
 - i. Towers shall be designed and built to accommodate a minimum of two wireless providers, if over 75 feet in height. The owner of the tower must certify in writing to the city that the tower is available for use by other telecommunications service providers on a reasonable and nondiscriminatory basis.
 - ii. Applicants seeking to erect a tower greater than 75 feet in height within 3,000 feet of any tower greater than 75 feet in height, shall provide evidence that reasonable efforts were made to lease space on an existing or planned tower or that no existing tower will satisfy the applicant's technological needs.
 - (c) Tower Height:
 - i. The height of a tower, whether freestanding or building- mounted, shall be measured from the base of the tower to the highest point of the tower, including

- any installed antennae and appurtenances.
- ii. The maximum height for towers is 75 feet plus 25 feet for each co-located installation, or as approved by Specific Use Permit in accordance with *Table 5.1-5*.
- (d) Security Fencing and Building Materials:
- i. Security fencing, if installed, shall be by a wrought iron with masonry columns expressed at intervals no greater than fifty (50) feet on center and with evergreen hedge, or a masonry wall, each not less than six feet in height. The exterior of equipment buildings and/or metal equipment cabinets visible from residential areas or public rights-of-way must have a neutral finish or be painted to reflect the color and character of adjoining structures or blend with adjacent landscaping and other surroundings.
- (e) Location:
- i. All telecommunication towers, as well as guys and guy anchors, shall be located within the buildable area of the lot and not within the front, rear, or side setbacks. New telecommunication towers in excess of 200 feet in height shall be set back a minimum of 1,300 feet from the right-of-way of all controlled access federal and state roadways designated as freeways to provide unobstructed flight paths for helicopters.
 - ii. All telecommunications towers, including stealth towers, equal to or over 75 feet in height, are not allowed in any residential zoning district and must be a minimum of a three-to-one distance to height ratio from a single-family residential district and one-to-one distance to height ratio from a transition zone of a Special District.
 - iii. Any new telecommunications tower in excess of 180 feet in height shall be located a minimum of one mile from any existing tower in excess of 180 feet in height.
- (f) Signage:
- i. Except as otherwise permitted in this Ordinance, no signage, lettering, symbols, images, or trademarks in excess of 2 sq. ft. shall be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable law.
- (g) Lighting:
- i. Except as otherwise permitted in this Ordinance, no signals, lights, or illumination of any kind shall be permitted on or directed toward any tower unless required by the FCC, the FAA, or other appropriate public authority.
- (h) Stealth Towers:
- i. Stealth telecommunication towers and antennae must be similar in color, scale, and character to adjoining buildings or structures or blend with the landscaping and other surroundings immediately adjacent to them so as to generally avoid the creation of unique visual objects that stand out in the environment.
 - ii. Each design for a proposed stealth tower or antenna shall be reviewed by the Administrator. An applicant of a stealth tower or antenna design shall provide the Administrator with evidence in the form of construction drawings, photographs, renderings, or other data sufficient for the Administrator to determine whether the design effectively conceals the tower or antenna. The Administrator shall forward the request to the Planning and Zoning Commission

and City Commission after determining the completeness of the application.

- (i) Antenna Mounting Standards:
 - i. The purpose of this section is to promote public safety and maintain order and harmony within the city's business, cultural, and residential districts by restricting the size and location of telecommunication antennas. The objective is to avoid the creation of visual distractions, prevent obstructions to the view of pedestrians and motorists on public thoroughfares, and to insure the integrity of supporting structures.
- (j) Whip and Panel Antenna Mounting Standards:
 - i. Telecommunications antennas, including mounting structures, are allowed on existing electric utility poles, light standards, and telecommunication towers in excess of 40 feet in height, provided that the total length of any antenna does not exceed 15 percent of the height of the existing structure. The height of a telecommunications tower is determined by the highest point of any and all components of the structure, including antennas.
 - ii. Telecommunications antennas and arrays are allowed by right on existing electric transmission towers.
 - iii. Existing conforming building element structures (excluding towers) in excess of 50 feet in height may, as a matter of right, be rebuilt, if necessary, to support or contain a new antenna, provided that the new structure is the same height and substantially the same in appearance as the structure it replaces.
 - iv. Panel antennas, which do not extend above the structure, or whip antennas 15 feet or less in height, are permitted on conforming billboard structures.
 - v. Building-mounted panel antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts; provided that they are mounted flush with the exterior of the building and that they do not project above the roof line or more than 30 inches from the surface of the building to which they are attached. The antenna's appearance shall be such that its color blends with the surrounding surface of the building.
 - vi. Whip antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts, provided that the total length of said whip antennas, regardless of mounting method or location, does not exceed 15 percent of the existing height of the building.
 - vii. Only one building/roof mounted antenna support structure, less than 100 square feet in area, is permitted per 5,000 square feet of building floor area.
- (k) Prior to the installation of any building/roof mounted telecommunications antenna, antenna array or support structure the Administrator may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.

5.3 ACCESSORY USES AND STRUCTURES

5.3.1 Purpose

This section (Table 5.3-1) authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to primary uses. An accessory use or structure is "incidental and customarily subordinate" to a primary use if it complies with the standards set forth in this section. All primary uses allowed in a zoning district shall

be deemed to include those accessory uses, structures, and activities typically associated with the use, unless specifically prohibited in this section. **Article XI: Definitions**, identifies typical accessory uses associated with principal uses as part of the primary use definition.

5.3.2 Approval Procedure

- (1) Generally: Any of the accessory uses identified in this section may be allowed as accessory to an authorized primary use provided that:
 - (a) The proposed accessory use is allowed as a principal or accessory use in the base district or overlay district where proposed.
 - (b) The proposed accessory use or structure is consistent with the general and specific standards for accessory uses in this subsection.
- (2) Simultaneously with a Principal Use: Accessory uses or structures may be reviewed as part of review of an associated primary use. In cases where the principal use is subject to a Specific Use Permit, an accessory use may only be authorized in accordance with an approved Specific Use Permit.
- (3) Subsequent to a Principal Use
 - (a) Unless exempted, a building permit shall be required in cases where an accessory use or structure is proposed subsequent to a primary use.
 - (b) In cases where the primary use is subject to a Specific Use Permit, an accessory use may only be authorized in accordance with the provisions in Section 3.3.3, Specific Use Permit Procedures.

5.3.3 Interpretation of Unidentified Accessory Uses and Structures

The Administrator shall evaluate and make determinations on applications for accessory uses that are not identified in this section on a case-by-case basis, based on the following standards:

- (1) The definition of "accessory use" in **Article XI: Definitions**, and the general accessory use standards and limitations established in Section 5.3.5, General Standards for All Accessory Uses and Structures.
- (2) The purpose and intent of the zoning districts in which the accessory use is located.
- (3) Potential adverse effects the accessory use or structure may have on other lots, compared with other accessory uses permitted in the district.
- (4) The compatibility of the accessory use with other primary and accessory uses permitted in the district.

5.3.4 Table of Accessory Uses and Structures

Table 5.3-1: Accessory Uses and Structures																							
■ = Permitted by Right □ = Permitted with a Specific Use Permit Blank Cell = Not Permitted * = Additional Standards Apply																							
Use Type	Residential Districts										Commercial Districts			Industrial Districts		Public/Civic Districts		Special Districts					Additional Standards
	A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC		
																		C	T	N	C	T	
Accessory Building (not listed below)	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Accessory Use (not listed below)	■	■	■	■	■	■	■	■	■	■	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Care taker's quarters	■*										■*	■*	■*	■*	■*	■*	■*						
Carport	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*												■*	
Community Center /Club house (private)	□	□	□	□	□	□	□	□	□	□								□	□	□	□	□	
Accessory dwelling unit (garage)	■*	■*	■*	■*	■*																		
Accessory dwelling unit (Primary structure)	■*	■*	■*	■*	■*															■*			
Residential Garage (detached)	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*									■*	■*		■*	
Surface parking	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	
Storage shed (residential)	■	■	■	■	■	■	■	■	■	■									■	■		■	
Swimming pool (private)	■	■	■	■	■	■	■	■	■	■		■	■				■		■	■		■	
Home-occupation	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*									■*	■*		■*	
Electric vehicle charging station											■	■	■	■	■	■	■	■	■		■	■	
Outdoor storage											■*		■*	■*	■*			■*	■*		■*	■*	
Outside display and sales											■*		■*					■*	■*		■*	■*	
Recycling collection center													■	■	■								
Sidewalk café											■*	■*	■*					■*	■*		■*	■*	

5.3.5 General Standards for All Accessory Uses and Structures

All accessory uses and structures shall be subject to the general standards in this section, as well as any applicable additional standards in Section 5.3.6, Additional Accessory Use Standards and all standards applicable to the associated primary use as set forth in Section 5.2, Additional Use Standards.

- (1) Size: All accessory uses and structures shall:
 - (a) Be clearly subordinate in area, extent, and purpose to the primary use or structure.
 - (b) Not violate the bulk, density, parking, landscaping, or open space standards of this Ordinance when taken together with the primary use or structure.
 - (c) The floor area of any detached accessory structure shall not exceed 30 percent of the floor area of the primary structure. The total combined floor area of all structures shall not exceed the maximum lot coverage for the zoning district in which it is located. The Administrator may authorize a structure to exceed this percentage if the structure is used for a permitted agricultural use.
- (2) Function: All accessory uses and structures shall directly serve the primary use or structure, and be accessory and clearly incidental to the primary use or structure.
- (3) Timing: Accessory uses and structures shall not be constructed or established prior to the start of construction of the primary use or structure. An accessory structure shall not be used until the construction of the primary structure is complete.
- (4) Height: Accessory structures shall be limited to a maximum height of 24 feet unless exempted from the height requirements in this Ordinance.
- (5) Location: Accessory uses or structures shall be located on the same lot as the primary use or structure and shall comply with setback standards in Section 5.3.6, Additional Accessory Use Standards.
 - (a) Accessory structures shall not be located within platted or recorded easements.
 - (b) The Administrator may authorize an accessory structure on a vacant lot if the structure is used for animal or crop production associated with an agricultural use, or used in conjunction with a park or community garden.
- (6) Design Compatibility:
 - (a) Except where exempted, all accessory structures shall be designed to be aesthetically compatible with the primary structure. Compatibility shall be evaluated in terms of building materials, building orientation, building placement, building articulations, and building mass. Non-enclosed stables, gazebos, greenhouses, and carports ten feet or less in height with a roofed area of 120 square feet or less are exempt from this compatibility requirement.
 - (b) Applicants for accessory structures not exempted in accordance with this subsection who request exceptions from the design compatibility requirements shall demonstrate screening methods or design features that will be used to minimize any potential adverse effects on neighboring properties.
- (7) Ownership: Accessory uses or structures shall be owned or operated by the same person as the primary use or structure.

5.3.6 Additional Accessory Use Standards

- (1) Accessory Buildings:
 - (a) Uses:
 - i. In all residential zoning districts, permitted accessory buildings include garages, storage sheds, gazebos, cabanas, storm shelters, and similar structures. An accessory building may be used for hobbies in such a manner as to be an accessory use only and shall produce no unreasonable odor, noise, light or manner of operation. Accessory buildings cannot be used for commercial or business purposes unless they are considered as home-occupations under this Ordinance.
 - ii. In all non-residential and special districts, accessory buildings are permitted only for uses listed in the Public and Institutional Uses category (typically non-commercial uses), as identified in Table 5.1-1, Allowed Uses.
 - (b) Building Design:
 - i. The standards for exterior materials and appearance of the accessory building are based on the size (area and height) of the structure itself and are set forth in Table 5.3-2, Accessory Building Design Standards, below.

Table 5.3-2: Accessory Building Design Standards		
Floor Area		Building Design Standards
A.	Less than or equal to 120 square feet in floor area	<ul style="list-style-type: none"> • No requirement
B.	More than 120 square feet but less than 550 square feet in floor area	<ul style="list-style-type: none"> • No metal (standing seam metal allowed if present on primary structure) • Any other approved roofing material permitted. • Roof pitch shall be compatible with the roof pitch of the primary residence • Foundation – as required by the building code
C.	550 square feet or larger in floor area	<ul style="list-style-type: none"> • Same as the Primary building design standards in Article VI • No metal (standing seam metal allowed if present on primary structure) • Any other approved roofing material • Roof pitch shall be compatible with the roof pitch of the primary residence • Foundation – as required by the building code • The exterior appearance of an accessory structure shall be architecturally compatible with the primary residence, including but not limited to coordination of architectural style, exterior building materials and colors, roof form and pitch, and window style and placement

- (c) Setbacks and Number of Buildings
 - i. Front setback: Enclosed accessory buildings, such as garages, storage buildings or storm shelters, shall not be located forward of the primary building on the lot.
 - ii. Side and rear setbacks: An accessory building shall be located a minimum of five feet from side and rear property lines, except on corner lots. On corner lots, the primary building setback shall apply to accessory buildings also.

- iii. Number of accessory buildings:
 - 1. Lots that are one acre or less shall be limited to 2 accessory buildings in addition to the primary building.
 - 2. Lots that are greater than 1 acre shall have no limits on number of accessory buildings in addition to the primary structure up to the lot coverage standards in the zoning district. Lot coverage standards may not apply if the accessory buildings are for agricultural use per *Section 5.3.5 (1)*.
- (2) Caretaker's quarters: Caretaker's quarters may be permitted as an accessory use provided:
 - (a) The structure is oriented towards the side or rear yard of the primary structure.
 - (b) The unit is a maximum of 700 sq.ft. and shall contain no more than one kitchen.
- (3) Carports in any Required Front Yards:
 - (a) The purpose of this provision is to allow carports to be erected within the required front yard when no other feasible option exists on the qualifying residential lots.
 - (b) Approval: Carports may be permitted in required front yards of certain single-family residential lots where the Administrator determines that the proposed carport:
 - i. Is in keeping with the existence, location, and design of other carports on other adjoining lots in the same neighborhood or street.
 - ii. Will not cause sight obstructions to motorists on or entering the street or abutting neighborhood.
 - iii. Will not cause a negative visual impact on the streetscape of the neighborhood.
 - iv. Is compatible with the architectural style of the dwelling and the predominant architectural style of the neighborhood.
 - (c) Standards: Any carport that is permitted to occupy a portion of the required front yard shall comply with the following restrictions:
 - i. Freestanding carports that are not structurally integrated with the roof of the principal structure shall not exceed 18 inches of separation from the principal structure.
 - ii. Except for the roof, carports shall be painted to match or replicate the color of the trim areas of the primary structure/residence.
 - iii. Carports shall have a pitched roof that matches the existing pitch of the primary structure and that utilizes shingles that substantially match the color of the shingles used on the principal structure. The roof of the carport shall be either a closed gable or hip design. The Administrator may approve an alternate design to satisfy this requirement.
 - iv. Carports shall have dimensions no greater than 20 feet in length by 20 feet in width for lots with primary structures originally designed with two-car garages, and/or no greater than 12 feet in width for lots with principal structures originally designed with single-car garages.
- (4) Accessory Dwelling Unit (garage): An accessory garage apartment that meets the standards in this section shall not count as a dwelling unit for purposes of calculating density on the site:
 - (a) Shall be located above a detached garage.

- (b) Maximum size shall be either the garage floor area or 400 sq.ft (whichever is greater).
 - (c) Shall not have more than one kitchen or one bathroom.
 - (d) A separate entrance shall be provided to the garage apartment but it shall not be visible from any public street.
- (5) Accessory Dwelling Unit (primary structure): An accessory dwelling unit in the A, RE, R-10, R-5, NC, and RMU-N districts that meet the standards in this section shall not count as a dwelling unit for purposes of calculating density on the site. They shall:
- (a) Meet the setback and height standards of the primary structure on the lot.
 - (b) The unit shall not be larger than 40 percent of the principal residence on the lot up to a maximum of 600 square feet and shall not have more than one bedroom, one kitchen, or one bathroom.
 - (c) A separate entrance may be provided to the accessory unit but it shall not be visible from any public street.
- (6) Residential garage (detached):
- (a) If directly fronting a street, the maximum size shall be a 2-car garage.
 - (b) Design shall be compatible with the primary residence on the property.
 - (c) Garage shall not be located forward of the primary structure on the lot.
 - (d) Setbacks shall be the same as any other accessory buildings on the lot.
- (7) Home Occupation: A home occupation may be permitted as accessory to any principal dwelling unit districts that permit residential uses, subject to the following standards:
- (a) The home-based business shall be conducted by a resident of the primary dwelling.
 - (b) The business or service located within the dwelling shall not exceed 25 percent of the floor area of the house or 25 percent of the combined building area of all structures on the lot. Activities shall be wholly conducted within either the primary structure or in any detached accessory structure on the lot.
 - (c) The principal person(s) providing the business or service shall reside in the dwelling on the premises. Only one additional employee, other than the resident(s) of the primary dwelling unit, is permitted at the home-based business at any onetime.
 - (d) Neighborhood Compatibility:
 - i. The home-based business shall not cause any change in the external appearance of the existing buildings and structures on the property.
 - ii. All vehicles used in connection with the home-based business shall be of a size, and located on the premises in such a manner, so that a casual observer or a person of normal sensibilities will not be able to detect any sign of the premises being used as a home occupation. No vehicle larger than one ton shall be kept on the premises or shall be parked on the street.
 - iii. Parking of vehicles to accommodate the off-site employee or permitted customers shall be limited to the driveway of such premises or along the curb immediately adjacent to such premises.
 - iv. There shall be no advertising devices on the property or other signs of the home-based business that are visible from off the premises, other than advertising located on vehicles in accordance with the city's **Sign Ordinance**.
 - v. The property shall contain no outdoor display of goods or services that are

- associated with the home occupation. Outside storage is prohibited. For the purpose of this section, the parking of one enclosed trailer in a driveway is not considered outside storage.
- vi. The home-based business shall not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference that can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception. All home based businesses are subject to all other ordinances applicable in the City of Ennis.
- (e) Prohibited Home Occupations: The following uses, because of their effects on the surrounding residential area, shall not be permitted as home occupations:
- i. auto repair or motorized implement repair
 - ii. dance, music or other types of tutoring instruction where more than six students are being instructed at one time
 - iii. dental offices; medical offices
 - iv. the painting of vehicles, trailers or boats
 - v. private schools
 - vi. motor vehicle towing operation
 - vii. barber or beauty shops having more than two chairs
 - viii. welding shops
 - ix. nursing homes
 - x. any other home-based business that, in the opinion of the Administrator, will have negative effects on the neighborhood
- (8) Outside Storage: Shall meet the standards in Section 5.2.4, Commercial Uses.
- (9) Outside Display and Sales:
- (a) The use is not permitted within street frontage building setbacks or any landscape buffer area as required by **Article VI: Building and Urban Design Standards**.
 - (b) Limited to no more than five percent of building area containing the primary use.
 - (c) If along the store front, no building entrances shall be blocked and a minimum of 5-foot clear pedestrian passageway is provided along any public sidewalk or walkway.
 - (d) Use of a surface parking area is at the Administrator's discretion; it shall only be for temporary display and sales for seasonal items.
 - (e) If permitted to be displayed for more than 14 continuous days, then they shall be screened to meet the standards for screening of outside storage areas in Section 5.2.4, Commercial Uses.
- (10) Sidewalk Café: In all districts in which a sidewalk café is allowed, occupancy of a public sidewalk or parkway for a sidewalk café shall be permitted under the following conditions:
- (a) Use of any public sidewalk is subject to approval of an easement or right-of-way use agreement per city ordinances.
 - (b) The sidewalk to be used for outdoor seating must be abutting and contiguous to the restaurant.
 - (c) A sidewalk cafe may not be enclosed by fixed fencing or other structures, unless necessary to comply with requirements to serve alcohol per TABC regulations.
 - (d) A sidewalk cafe must be open to the air; however, it may be covered with a canopy.

- (e) There shall be a four-foot wide unimpeded sidewalk remaining for pedestrian flow from the face of the curb and the area of sidewalk café seating.
- (f) The sidewalk café shall be setback a minimum of five feet from any driveways and alleys, and six feet from intersections with no curb extensions (or bulb-outs) at the intersections.
- (g) All curbs, alleys, sidewalks, and public rights-of-way adjacent to such sidewalk café shall be kept in a clean and orderly condition.

5.4 TEMPORARY USES AND STRUCTURES

5.4.1 Purpose

This section allows for the establishment of certain temporary uses of limited duration and special events, provided that such uses comply with the standards in this subsection and are discontinued upon the expiration of a set time period. Temporary uses and special events shall not involve the construction or alteration of any permanent building or structure.

5.4.2 Approval Procedure

Any use listed in this section may be permitted as a temporary use provided:

- (1) Where indicated on Table 5.4-1, the proposed temporary use obtains a Specific Use Permit in accordance with the requirements in Section 3.3.3, Specific Use Permit Procedures.
- (2) The proposed temporary use is consistent with the general and specific standards for temporary uses and structures in this section.

5.4.3 Table of Temporary Uses and Structures

Table 5.4-1: Temporary Uses and Structures																							
■ = Permitted by Right □ = Permitted with a Specific Use Permit Blank Cell = Not Permitted * = Additional Standards Apply																							
Use Type	Residential Districts										Commercial Districts			Industrial Districts		Public/Civic Districts		Special Districts					Additional Standards
	A	RE	R-10	R-5	NC	D	TH	MF-1	MF-2	MH	C	BP	CC	L-IM	H-IM	IC	PP	RMU			KC		
																		C	T	N	C	T	
Construction Office	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Construction related storage-yard	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Temporary Real estate sales office	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Model Home	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*	
Festivals and civic events (includes carnivals, circus, amusement rides, etc.)												■*						■*			■*		
Garage sales	■*	■*	■*	■*	■*	■*	■*			■*									■*	■*		■*	
Temporary storage containers	■*	■*	■*	■*	■*	■*	■*	■*	■*	■*									■*	■*		■*	
Seasonal sales	■*										■*	■*						■*			■*		
Any other temporary use or structure (other than listed above) e.g. batch plant	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	

5.4.4 General Standards for all Temporary Uses and Structures

All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this Ordinance:

- (1) The temporary use or structure shall not be detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare.
- (2) The temporary use shall comply with all applicable general and specific regulations of this Section 5.4, Temporary Uses and Structures, unless otherwise expressly stated.
- (3) Permanent Alterations (any alterations that do not comply with temporary use criteria and timelines outlined in this Ordinance) to the site are prohibited.
- (4) All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends or permit expires, whichever occurs first.
- (5) The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
- (6) The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health or building permits.
- (7) If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to be accommodated, as well as any parking and traffic circulation as required that may be associated with the temporary use, without disturbing sensitive or protected resources, including existing trees, required buffers, 100-year floodplains, river protection setbacks, and required landscaping. At the conclusion of the temporary use or at expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.
- (8) If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability. If located within a surface parking lot, it shall not occupy more than 30 percent of the parking lot.
- (9) Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and meet the requirements of the Building Official, including fire rating.
- (10) Off-street parking, including designation of the off-street parking spaces, shall be adequate to accommodate the proposed temporary use.

5.4.5 Additional Standards for Temporary Uses and Structures

- (1) Construction Field Office and Construction Storage Yard:
 - (a) This use is limited to on premise construction purposes associated with the properties within the same platted subdivision.

- (b) The Administrator may order the use to be discontinued, and in no event shall such temporary use continue after subdivision construction is 100percent complete.
- (2) Temporary Real Estate Office or Model Home:
 - (a) This use may be located in a model home or a portable building within the subdivision.
 - (b) The Administrator may order the use discontinued, and in no event shall such temporary use continue after subdivision sales are 80percent complete.
- (3) Festivals, Civic Events, Circus, Carnival, and Amusement Rides: Civic events and special events may be conducted within an existing use and ancillary to that use provided it meets the following criteria. [Nothing within this section shall regulate or prevent an individual residential property owner from conducting activities normally associated with residential uses, including outdoor parties and gatherings. In addition, such outdoors activities shall be subject to the other regulations and ordinances of the City of Ennis which regulate orderly conduct within the neighborhood and take into consideration the health, safety, and public welfare of the adjacent property owners]:
 - (a) The event is carried on for a period of time not exceeding seven (7) consecutive days. Applications for alternative zoning districts or extended periods of time are subject to Administrative approval.
 - (b) Retail sales may be conducted with the primary activity including arts, crafts, food, and other items.
 - (c) Charitable and Nonprofit Organizations may conduct retail sales for fund-raising purposes in any zoning district.
 - (d) Assemblies are carried on out-of-doors, in temporary shelters, or tents.
 - (e) A permit is obtained in accordance with the provisions provide herein.
- (4) Garage Sales or Yard Sales:
 - (a) No more than 3 garage sales within any one (1) calendar year may occur.
 - (b) The duration of the sale shall not exceed 72 hours. The next garage sale shall not occur until seven (7) consecutive calendar days have passed.
- (5) Temporary Storage Containers:
 - (a) Temporary storage containers may be allowed for residential and commercial moving or remodeling.
 - (b) Temporary storage containers shall be placed on the driveway or parking lot at the furthest point from the street.
 - (c) Temporary storage containers cannot be placed on any public right-of-way or in grassy areas in the front yard.
 - (d) Each residential lot shall be limited to two (2) temporary storage containers at a time; no more than twice per calendar year to be placed no longer than ten (10) consecutive days each time unless otherwise approved by the Administrator.
 - (e) Each non-residential lot shall be limited to two (2) temporary storage containers at a time; no more than twice per calendar year to be placed no longer than twenty (20) consecutive days each time unless otherwise approved by the Administrator.
 - (f) If used during remodeling, then the temporary storage container shall be removed within 10 days of final inspection or Certificate of Occupancy issuance.

- (6) Seasonal Sales: Outdoor seasonal sales are temporary uses which include but are not limited to snow cones, Christmas tree sales, pumpkin sales, plant sales, fresh produce sales and similar uses. Outdoor seasonal sales are not intended to include the sale of manufactured items such as furniture, bedding, automobile parts or household goods. It shall also not include fireworks. The following standards shall apply:
- (a) The maximum duration of a single seasonal sales permit is 15 days. Only one sale is permitted per season on any single lot. Such a limitation shall not apply to farmers' markets and similar uses.
 - (b) On a developed lot, the maximum area for seasonal sales shall be no greater than 30 percent of any surface parking area. Such a limitation shall not apply to farmers' markets and similar uses.
 - (c) Outside display shall not block any sight triangles or fire lanes.
 - (d) On undeveloped lots, pre-existing access and parking may be gravel so long as it is maintained in good condition. New access or parking must be approved surfaces.